

**NHHIP VRA PROGRESS REPORT**

**February 29, 2024**

**APPENDIX A**

**NHHIP VOLUNTARY RESOLUTION  
AGREEMENT**

# VOLUNTARY RESOLUTION AGREEMENT

## I. Purpose and Background

This Voluntary Resolution Agreement (Agreement) is entered into by the Federal Highway Administration (FHWA) and the Texas Department of Transportation (TxDOT) to resolve the FHWA investigation of TxDOT regarding the North Houston Highway Improvement Project (Project) under Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d to 2000d-7 (Title VI) by setting forth specific mitigation actions for the Project. These actions will ensure that TxDOT carries out the Project consistent with the requirements of Title VI.

FHWA investigated TxDOT's compliance with Title VI and the U.S. Department of Transportation's (DOT) Title VI regulations, at Title 49 of the Code of Federal Regulations (C.F.R.), Part 21, in response to administrative complaints filed by the following individuals or entities: 1) Air Alliance Houston on January 18, 2021 (DOT Complaint No. 2021-0092); 2) Texas Housers on January 26, 2021 (DOT Complaint No. 2021-0095); 3) Modesti Cooper on February 28, 2021 (DOT Complaint No. 2021-0103); and 4) by Harris County on October 8, 2021 (DOT Complaint No. 2021-0250). The complaints alleged the Project would result in race, color, or national origin discrimination against multiple communities in the Project area in violation of Title VI. The complaints also alleged that the public participation process for the Project discriminated against individuals on the basis of race and national origin.

FHWA initiated its investigation in March 2021. TxDOT completed the environmental clearance process for the Project under the National Environmental Policy Act (NEPA) on February 3, 2021. To preserve the status quo during the course of its investigation, FHWA requested that TxDOT pause contract letting, property acquisition, and final design work, and TxDOT complied.

From April 2021 to March 2022, FHWA sent three Requests for Information to TxDOT, in response to which TxDOT provided nearly 9,000 documents, along with access to hundreds of additional documents. In addition to these documents, FHWA reviewed thousands of pages of publicly available documents developed through the NEPA process. Over the course of two site visits to Houston, FHWA conducted approximately 100 in-person interviews and 20 virtual interviews with members of the community affected by the Project, in addition to numerous interviews with TxDOT staff.

In accordance with DOT's Title VI regulations, FHWA entered into discussions with TxDOT in 2022 focused on reaching a voluntary resolution agreement on the concerns raised in the Title VI complaints. This Agreement is a result of those negotiations.

## II. Title VI Jurisdiction

Title VI provides that “[n]o person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal

financial assistance.” 42 U.S.C. §2000d. Title VI’s prohibition against national origin discrimination requires that recipients of federal funds take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP). DOT’s Title VI regulations at 49 C.F.R. Part 21 provide that recipients may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program with respect to individuals of a particular race, color, or national origin. TxDOT is a recipient of Federal financial assistance from the FHWA, and the Project includes Federal financial assistance. DOT has jurisdiction over TxDOT under Title VI and its Title VI regulations because TxDOT receives federal financial assistance from DOT. As a recipient, TxDOT must comply with Title VI in its programs and activities, which include not only this Project, but also “all of the operations of” TxDOT. 42 U.S.C. §2000d-4a.

### **III. General Terms**

1. This Agreement, and all provisions and Exhibits herein, are between TxDOT and FHWA as the sole parties to the Agreement. This Agreement will be applicable to, and binding upon, the parties to this Agreement, their officers, agents, employees, assignees, and successors in office. The FHWA Texas Division Office has been delegated responsibility for leading the oversight and implementation of this agreement.
2. The provisions and Exhibits herein constitute the entire Agreement.
3. If any part of the Agreement is deemed invalid, all other provisions remain valid.
4. The signatories represent that they are authorized to bind TxDOT and FHWA.
5. By signing this Agreement, TxDOT does not admit that any Title VI violation has occurred and voluntarily agrees to implement these actions.
6. This Agreement resolves this Title VI investigation and is limited to the facts and issues presented in the complaints identified during this investigation. This Agreement does not affect TxDOT’s continuing obligation to comply with Title VI, and all other federal laws and applicable regulations, or preclude FHWA from taking appropriate action to evaluate TxDOT’s compliance with any laws enforced by FHWA.
7. Neither TxDOT nor any entity or business party to an agreement to carry out the actions herein shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Section 601 of Title VI or 49 C.F.R. Part 21, or because they have made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing pursuant to Title VI . 49 C.F.R. § 21.11(e).
8. The term of this Agreement (Term) shall commence on the date that both parties sign this Agreement (Effective Date).

9. This Agreement shall terminate after the date that all terms in Article IV have been completed, except that Articles VIII and IX will survive the termination of this Agreement as necessary to effectuate their intent. If the Project is terminated, this agreement will cease to be effective. Should the project be suspended due to funding or legal action, the actions required in this Agreement are suspended during the time of the Project suspension, with the exception of those actions in Article IV.2.a (compliance with Uniform Act); Article IV.2.f (Affordable Housing initiatives); Article IV.2.l (project website); Article IV.6.k.vi (participation in Emancipation Trail feasibility study); Article IV.6.k.vii (Olivewood National Register of Historic Places); and Article IV.8.g (LEP SOP).
10. This Agreement may be modified by mutual agreement of both FHWA and TxDOT after negotiating in good faith and in writing.
11. If TxDOT is unable to comply with the initial timelines in this Agreement, then TxDOT may send FHWA a written extension request detailing the reasons for the request and the new dates requested. The new dates will become effective only if FHWA responds in writing to TxDOT accepting the request terms. FHWA may propose a counterproposal to the terms proposed by TxDOT. If TxDOT does not comply with the timelines agreed to under this Agreement and does not otherwise secure an extension request from FHWA, then FHWA may pursue potential sanctions, as discussed in Section IX of this Agreement.
12. All mitigation measures described in the Final Environmental Impact Statement (FEIS), Record of Decision (ROD), and this Agreement mitigate impacts resulting from the Project and represent reasonable public expenditures after considering the impacts of the action and the benefits of the proposed mitigation measures. As such, the mitigation measures described in the FEIS, ROD, and this Agreement are eligible for federal reimbursement pursuant to 23 CFR §771.105(e).
13. TxDOT will cooperate in a timely manner with FHWA regarding all additional requests for information and documentation, pursuant to 49 C.F.R. § 21.9, et seq.
14. Nothing in this Agreement shall be construed as creating any liability in favor of any third party or parties against FHWA or TxDOT.

#### **IV. TxDOT Actions**

As the Recipient of Federal-Aid Highway funds from FHWA, TxDOT is solely responsible for effectuating the actions described in this Agreement. Except where noted, the actions described below will be performed in addition to the mitigation actions already committed to by TxDOT, as they relate to the Project, contained within the ROD. TxDOT agrees to comply with the Americans with Disabilities Act and with Section 504 of the Rehabilitation Act of 1973 in constructing all pedestrian-related elements associated with the Project.

TxDOT will perform or effectuate the following<sup>1</sup>:

**1. Reducing the NHHIP Footprint During Detailed Design**

- a) Consistent with the requirements of all state and federal law, including NEPA and Title VI, and consistent with actions established by the ROD and FEIS, TxDOT remains committed to evaluating reasonable opportunities to reduce the project footprint in ways that would not compromise the integrity and functionality of the purpose and need of the Project, as described in the ROD. TxDOT agrees that requests to reduce the Project footprint should be evaluated with a focus on the following:
  - i. Strengthening Houston's economy;
  - ii. Reducing flooding on and off the freeway;
  - iii. Making travel safer for all road users;
  - iv. Providing long-term capacity for all users of the roadway, including automobile, freight, and transit;
  - v. Serving and preserving the neighborhoods along the corridor while enhancing connectivity between neighborhoods;
  - vi. Mitigating impacts to existing parks and open space while creating additional opportunity for open space; and
  - vii. Ensuring accessible evacuation routes.
- b) TxDOT agrees to use the least amount of right-of-way as allowed and defined by law, after evaluation of the project footprint.
- c) It is important to note that any proposals to reduce the Project footprint must not compromise safety, flooding mitigation, design standards, freight mobility and evacuation effectiveness.

**2. Displacements, Relocations, Housing, and Other Community Impacts**

TxDOT is committed to minimizing residential, business, and community resource displacements due to the Project to the extent practicable, consistent with meeting the purpose and need of the Project and consistent with Title VI requirements. In addition, TxDOT recognizes the impacts of the Project on the already limited availability of affordable housing in the Project area and is committed to mitigating such impacts as set forth in the Project Record of Decision (ROD) and this VRA. TxDOT will continue to engage and inform the public about project developments

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<sup>1</sup> Unless otherwise provided, nothing in this Agreement should be construed to be limited by the terms of the agreements between TxDOT and the City of Houston, and between TxDOT and Harris County, regarding the NHHIP.

and construction impacts as the Project moves forward and provide competent language assistance services, interpretation and translation for persons with LEP.

### Displacements

- a) TxDOT will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 *et seq.*) (Uniform Act) and associated regulations at 49 CFR Part 24 throughout the course of the Project. TxDOT will include the data elements in Parts B and C of Appendix B, 49 CFR part 24, for all residential and non-residential displacements associated with the Project in the Progress Reports required by Article VI of this VRA. Additionally, for each displacement reported in the previous sentence, TxDOT will provide documentation of benefits provided in accordance with the Uniform Act. TxDOT will redact all personally identifiable information in its reports, but shall make the information available for review by FHWA upon request.
- b) Within 90 days of signing this VRA, TxDOT will complete a survey of all non-residential businesses, services, or other organizations displaced by the Project, accommodating those entities' language preferences, to confirm their receipt of relocation services under the Uniform Relocation Act. For those entities that have already relocated and respond that they did not receive relocation services or did not receive adequate relocation services, TxDOT will provide such relocation services as committed to for non-residential relocations under the NHHIP ROD within 150 days of signing this VRA. TxDOT will document progress in providing the non-residential relocation services described herein, including the number of non-residential businesses, services, or other organizations that have received such services, which services have been requested, which services have been provided, and the cost of the services provided, in the Progress Reports as required by Article VI of this VRA.
- c) With the first Progress Report under Article VI of this VRA, TxDOT will submit to FHWA a plan for how TxDOT will ensure that roadway, transit, and pedestrian/bicycle access to essential services, including but not limited to health care facilities, grocery stores, pharmacies, schools, places of worship, and voting locations, will be maintained during and after construction in neighborhoods where such essential services will be impacted by the Project. In developing the access plan, TxDOT will coordinate with local governments and community stakeholders to identify access impacts to specific types of services, effective alternative routes, and alternative resource locations nearby to ensure that the public retains use of these services.
- d) Prior to resuming acquisition and demolition activities on individual parcels, TxDOT will review the properties included in the relocation impacts identified in the FEIS and ROD. Should TxDOT determine that the proposed acquisition or demolition of that specific parcel was not included in the FEIS or ROD, prior to

proceeding with the action on the parcel, TxDOT will conduct a re-evaluation under 23 CFR 771.129(c) to determine whether a Supplemental Environmental Impact Statement (SEIS) is required. This commitment will apply to all segments of the Project. This commitment does not apply to the state-funded acquisition of any remainder that is voluntarily sold by a property owner to TxDOT pursuant to Texas Transportation Code Section 203.0521 and that will not be used in connection with the Project. TxDOT will provide information on any acquisition or demolition of a parcel that was not included in the FEIS or ROD, including state-funded acquisitions that are voluntarily sold by a property owner to TxDOT, in the Progress Reports required by Article VI of this VRA.

- e) TxDOT, during final design of each segment of the NHHIP, will evaluate changes to the Project (as compared to what was approved in the ROD) that would reduce the amount of right-of-way needed and the displacement impacts, especially with respect to multi-family housing units, while ensuring that the final design meets the project Purpose and Need as described in the ROD. TxDOT will document in the Progress Reports as required by Article VI of this VRA instances where right-of-way needs and displacements have been reduced.
- f) TxDOT committed in the ROD to providing \$27 million to support affordable housing initiatives in the neighborhoods most affected by the project in addition to the individual acquisition and relocation compensation provided to homeowners, renters and businesses that would be displaced. Through this VRA, TxDOT agrees to commit an additional \$3 million, for a total of \$30 million, to affordable housing entities to aid in the implementation of these affordable housing initiatives. TxDOT will coordinate with Houston Housing Authority (HHA) and develop an opportunity for the public to provide input on how these funds might be utilized and distributed. Following the completion of this public outreach, TxDOT will prepare a plan and a schedule for disbursement and use of the funds and provide to FHWA within 90 days of completion of the plan. As part of this plan, TxDOT will describe considerations given to the viability of a community land trust(s) as part of affordable housing mitigation. TxDOT will include a report on implementation of this paragraph in the Progress Reports required by Article VI of this VRA.
- g) TxDOT will discuss with the City of Houston (City) the use of portions of the Project's future surplus right-of-way for affordable and workforce housing as developed by third parties in potential partnership with the City, with the understanding that any surplus property must be acquired pursuant to TxDOT policy. TxDOT will include a report on implementation of this paragraph in the Progress Reports required by Article VI of this VRA.

## Relocations

- h) TxDOT will make relocation benefits available to all eligible displacees and not deny benefits in cases that would result in exceptional and extremely unusual hardship to such a displacee. TxDOT will report to FHWA in each Progress Report any displacee who is denied relocation benefits and the benefits denied.
- i) As committed to in the ROD, TxDOT will provide enhanced relocation services by conducting workshops with residential property owners and renters who would be displaced, including topics such as:
- Getting to know household members and future goals and ability to accomplish such goals;
  - Developing communications that are culture- and context-sensitive;
  - Determining needs and preferences;
  - Explaining relocation benefits in language used by household, assist with relocation interview and explain relocation schedule;
  - Providing assistance in keeping appointments with relocation service providers;
  - Supplying information on other federal and state programs offering assistance;
  - Providing counseling to minimize hardships;
  - Explaining the acquisition process;
  - Explaining the relocation process;
  - Explaining the appraisal process;
  - Providing title information and review of documents;
  - Explaining property tax & exemption impacts;
  - Providing moving resources and move planning;
  - Providing first-time homebuyer seminars;
  - Explaining escrow process and title clearing;
  - Explaining how to update voter registration information;
  - Explaining how to get social services and benefits;
  - Explaining how to select a real estate agent;
  - Explaining how to check your credit and improve your score;
  - Explaining household budgeting; and
  - Explaining household maintenance.

TxDOT will prepare a plan for offering enhanced relocation services and submit the plan to FHWA within 30 days of completion. TxDOT will document within the plan all future discussions held with U.S. Department of Housing and Urban Development and HHA regarding enhanced relocation services provided to residents of Clayton Homes and Kelly Village. TxDOT will document progress in providing the enhanced relocation services described herein, including the number of property owners and tenants who have received such services, which services



have been requested, which services have been provided, and the cost of services provided, in the Progress Reports as required by Article VI of this VRA.

- j) TxDOT shall identify whether its planned ROW acquisition for the NHHIP will leave any residential or non-residential owners or renters outside of the Project footprint isolated or cut off from the rest of the community and assess whether it must provide relocation acquisition or assistance or advisory services pursuant to the Uniform Act and associated regulations at 49 CFR Part 24, as well as this VRA, to such owners or renters to mitigate such impacts. TxDOT shall report to FHWA in the Progress Reports required by VRA Article VI on this issue after the conclusion of each acquisition phase of the Project.

### Housing

- k) TxDOT will inform all residential and non-residential property owners of the option to enter into an Occupancy Agreement for parcels that TxDOT acquires well in advance of the start of associated project construction. The Occupancy Agreement would allow property owners an option to continue to occupy the property after it has been acquired by TxDOT while the property owner gets reestablished at their new location until such time the property needs to be prepared for the start of associated project construction.
- l) Within 30 days of this agreement, TxDOT will establish a publicly available project-specific website. The website will be maintained and updated regularly through completion of the Project. The website will provide information in English, Spanish, and all other languages for which translation has been requested at NHHIP public meetings. The website will include the following information, as it becomes available:
  - Eligibility requirements for the move out stipend, rent stipend, and weatherization and energy efficiency programs;
  - Move out dates for public housing residents, and how public housing residents can claim their priority status for housing at the new Houston Housing Authority affordable housing developments;
  - How residents and businesses can communicate with TxDOT about common construction issues including the clean-up of construction debris, filing nuisance dust reports and alerting TxDOT of potential best management practice issues such as silt fencing maintenance needs;
  - Information on NHHIP-related jobs and job fairs;
  - Advance notice of specific disruptions during construction, including bus reroutes, road closures and detours, trail closures, demolitions, and late-night activity;
  - Links to local air quality status (code red days), and monitoring information produced by the project;

- Flooding mitigation plan development/implementation, including public involvement opportunities, and notice of alerts when access to depressed sections of the highways is closed in the event of a pump failure;
- Active transportation options in the project corridor;
- A link to the Emancipation National Historic Trail Study;
- School Access and the project ombudsman;
- Copies of the memoranda with the City of Houston and Harris County and periodic progress reports of the implementation of the memoranda;
- Transit access; and
- Noise barrier decision processes.

TxDOT will explore alternative ways to communicate the information provided through the website to low literacy residents, seniors, and people without internet access. This may include outreach and engagement with, among others, leaders of community organizations, places of worship, and legal service organizations to understand the effective methods to communicate website and critical information related to displacements, relocations, housing, and other community impacts.

#### Community Impacts

##### m) *Clayton Homes:*

- i. TxDOT's acquisition of Clayton Homes is being undertaken in two phases. TxDOT has completed Phase 1, which included units no longer occupied. TxDOT will not complete the acquisition of the second phase until all residents are relocated from the Phase 2 portion of the property.
- ii. In addition to the Tenant Protection Vouchers being offered by HHA, TxDOT will also offer housing relocation supplements (up to market-valued rent) to Clayton Homes residents as an alternate relocation path under the Uniform Act. This alternate path would not rely on and therefore not exhaust available voucher capacity and would be available to all displacees even if they do not qualify for HHA Tenant Protection Vouchers. Should a Clayton Homes resident choose the alternate relocation path in the interim while the Clayton replacement units are being constructed but want to exercise their first right to return to the Clayton replacement units which are intended to be voucher based, they would be eligible to do so assuming they meet the HHA Tenant Protection Vouchers criteria at the time of their return to the replacement units.
- iii. TxDOT will work with HHA to maintain active contact information for Clayton Homes displacees in order to offer the first option to move to replacement dwellings once completed.

n) *Kelly Village*:

- i. In addition to the Tenant Protection Vouchers that would be offered by HHA, TxDOT will also offer housing relocation supplements (up to market-valued rent) to Kelly Village residents as an alternate relocation path under the Uniform Act. This alternate path would not rely on and therefore not exhaust available voucher capacity and would be available to all displacees even if they do not qualify for HHA Tenant Protection Vouchers. Should a Kelly Village resident choose the alternate relocation path in the interim while the Kelly Village replacement units are being constructed but want to exercise their first right to return to the Kelly Village replacement units which are intended to be voucher based, they would be eligible to do so assuming they meet the HHA Tenant Protection Vouchers criteria at the time of their return to the replacement units.
  - ii. TxDOT will work with HHA to maintain active contact information for Kelly Village displacees in order to offer the first option to move to replacement dwellings once completed.
- o) TxDOT will coordinate with the City of Houston and homeless services providers to develop a plan to assist in addressing the services needed by persons experiencing homelessness within the Project limits TxDOT will submit this plan to FHWA for review within 30 days of finalization of the plan to address services needed by persons experiencing homelessness.
- p) TxDOT will review the strategies in the October 2022 DOT report on “Promising Practices for Meaningful Public Involvement in Transportation Decision-Making” to continue to meet with stakeholders and consider public input as it proceeds through future project development phases. Additionally, TxDOT will continue to coordinate with the NHHIP Housing and Communities Focus Group to explore and define best practices, identify opportunities to leverage existing programs and resources, and develop strategies to achieve positive solutions during project implementation. TxDOT will report on what strategies they are using for considering public input in each Progress Report as required by Article VI of this VRA. To the extent necessary, FHWA will provide feedback on these strategies and work with TxDOT on improvements.
- q) TxDOT will hold public engagement meetings—consistent with the public meeting provisions, including language access provisions, in its FHWA-approved Environmental Handbook for Public Involvement—twice each calendar year in each segment while design and construction is ongoing in the segment. TxDOT will provide FHWA a list of those invited to these meetings and its methods for publicizing the meetings a week before they occur. In advance of these meetings, TxDOT will engage affected communities and provide meeting notices in English and in the most common languages spoken by individuals with LEP in the

communities. During these public meetings, TxDOT will provide the community with up-to-date information regarding the Project, informational assistance regarding the implementation of this agreement, and will provide an open forum for the community to provide feedback, raise issues, and ask questions about the Project or TxDOT's compliance with this agreement. TxDOT will include updates of public engagement meetings in the Progress Reports as required by Article VI of this VRA. These meetings will be held at times and locations that are convenient and accessible for affected communities, and TxDOT will take reasonable steps to ensure meaningful access for persons with LEP, including the provision of language assistance services free of cost to the persons with LEP. TxDOT will consider and incorporate information provided at these meetings, as applicable, during the design and construction of the project.

### **3. Flooding**

TxDOT understands that transportation infrastructure is integrated into the overall drainage pattern of a project and its surrounding areas. A primary objective of the NHHIP is to construct a resilient highway system that functions during extreme weather events. In the event that the National Oceanic and Atmospheric Administration (NOAA) publishes a subsequent version to Atlas 14 for the integration of future climate projections, TxDOT will take actions that will use such updates to inform the final design should they be published prior to completion of design activities as stated below. Another key objective is to improve the status quo by reducing flooding in the project area. TxDOT has and will continue to work closely with the City of Houston and Harris County Flood Control District to develop partnerships that will leverage the roles and responsibilities, as well as the resources, of each entity to deliver beneficial drainage improvements throughout the overall drainage system, prioritizing areas that are most vulnerable to flooding.

- a) Prior to completing final design for each segment of the NHHIP, TxDOT will use Atlas 14 rainfall data to complete drainage studies. Such drainage studies will rely on the state of practice HEC-RAS 2D model approach. In the event NOAA publishes a subsequent version to Atlas 14 to account for variations in climate conditions, TxDOT will incorporate such updates into individual NHHIP projects that have not exceeded the 30% detailed design phase.
- b) Consistent with item (a) above, TxDOT will perform a detailed drainage study for Segment 1 prior to the final design for Segment 1 and submit it to FHWA with the first Progress Report due after finalization of the study under Article VI of this VRA.
- c) Before submittal to the Texas Transportation Commission for consideration, FHWA must review and approve any and all Final Requests for Proposal for Design-Build Contract, which include the specifications that would control the design parameters once the design-build contract is executed.

- d) For any portion of the NHHIP that is delivered by design-build method, TxDOT will require design-build contractors to abide by the same drainage design criteria that TxDOT will require for design-bid-build projects, in order to reduce the latitude of design-build contractors to deviate from drainage design parameters.
- e) As may be requested by Harris County Flood Control District (HCFCD) and mutually agreed upon by HCFCD and TxDOT, TxDOT will transfer maintenance responsibilities of certain drainage basins and channels to HCFCD within the State's right-of-way.
- f) As may be requested by HCFCD and mutually agreed upon by HCFCD and TxDOT, TxDOT will enter into funding, design, and construction, operations, and maintenance agreements for HCFCD to build and maintain drainage basins that would have a broader regional drainage benefit and would supplement and not impair the planned NHHIP drainage improvement.
- g) Contingent upon TxDOT receiving the necessary FHWA approvals for the NHHIP and upon mutual agreement between TxDOT and the City of Houston, TxDOT will enter into an Advanced Funding Agreement with the City in which TxDOT will provide \$20 million to the City for the design and construction of the north canal project.
- h) TxDOT will fund, design and construct its alternative for the south canal. Upon mutual agreement between TxDOT and the City, TxDOT would enter into the necessary agreements to permit the City to modify TxDOT's alternative for the south canal.
- i) TxDOT will collaborate with HCFCD as the NHHIP drainage improvements are being designed so that TxDOT can accommodate future planned improvements to be implemented by HCFCD.
- j) TxDOT will collaborate with HCFCD to identify locations to evaluate the design and construction of bridges in a manner that would accommodate improvements to the drainage channel while taking upstream and downstream channel impacts into consideration.
- k) TxDOT will collaborate with HCFCD and other governmental entities for the planning, design, construction, operations and maintenance of trails on the upper banks of the bayous that are crossed by the NHHIP (*see Exhibit A*). TxDOT will design, fund and construct trails that are within the State's right of way for the NHHIP and such trails would be operated and maintained by a third-party governmental entity and would not impair the primary drainage function of the bayous.
- l) TxDOT will collaborate with HCFCD to develop a process in which one party performs a peer review of the other party's proposed drainage improvement

projects in instances where one party's drainage design interfaces and influences the other party's drainage design.

#### **4. Air Quality Mitigation**

- a) TxDOT will ensure that air monitors in each segment will begin operating one year in advance of the commencement of construction on the corresponding segment.
- b) TxDOT will provide one air monitor in each segment and will monitor for the same pollutants in Segment 1 as those as described in the FEIS and ROD for air monitors in Segments 2 and 3.
- c) TxDOT will continue to consult with the experts it has retained to assist with air monitoring and air monitor siting on an as needed basis as the air monitoring plan is implemented in each Segment.
- d) TxDOT will include a report on implementation of this paragraph in the Progress Reports required by Article VI of this VRA.

#### **5. Structural Caps**

The NHHIP recommended alternative provides for structural caps in four areas of the project. The structural caps provide an exciting opportunity for third party collaboration with TxDOT on the full integration of transportation infrastructure in an urban environment. Such collaboration allows for the development of partnerships between TxDOT, governmental entities and stakeholders and anticipates the creation of new spaces for community gathering and recreational use.

- a) TxDOT will design and construct a structural cap along the following:
  - i. IH 69 that is located to be centered on and carrying both the METRO light rail Red Line and Fannin Street over the interstate main lanes;
  - ii. IH 69 that is located to be centered on and carrying both Caroline Street and Wheeler Avenue, including their intersection over the interstate main lanes;
  - iii. The parallel alignments of IH 69 and IH 45 that is bounded by Lamar Street and Commerce Street and carrying Lamar Street, McKinney Street, Walker Street, Rusk Street, Capitol Street, METRO's Purple and Green Lines, Texas Avenue, Preston Street, Congress Street, Franklin Street and Commerce Street over the main lanes of both interstates and, New Hamilton Street over the IH 69 southbound main lanes and IH 45 southbound main lanes; and
  - iv. IH 45 that is located to be centered on and carrying North Main Street, the southbound frontage road and the northbound frontage road over the interstate main lanes and managed lanes.
- b) During design, TxDOT will consult with:

- i. METRO to integrate existing and planned transit across and surrounding each cap; and
  - ii. The City for bicycle and pedestrian transportation across each cap.
- c) TxDOT will fund the design, construction, operations and maintenance of the following elements of the structural caps as described in item (a):
  - i. Foundations for the structural caps to support the structural capacity needed to carry the roads and light rail facilities;
  - ii. The beams that provide the structural capacity needed to carry the roads and light rail facilities;
  - iii. The drainage elements that meet the applicable drainage criteria to convey stormwater runoff for the roads, light rail facilities, and interstates;
  - iv. The applicable ventilation system for the interstates; and
  - v. The applicable interior lighting and, fire and life safety systems for the interstates.
- d) In instances where a third party proposes to fund the design, construction, operations and maintenance of amenities to be integrated into the structural caps as described in item (a), TxDOT will collaborate with such third party by analyzing and providing the baseline structural loading calculations of the applicable elements in item (c) that could accommodate proposed third-party amenities without modification to the applicable elements in item (c).
- e) In instances where a third party proposes to fund the design, construction, operations and maintenance of amenities to be integrated into the structural caps as described in item (a), TxDOT will collaborate with such third party by analyzing and determining the additional amount of structural load calculations beyond the baseline calculations for the applicable elements in item (c) that would be needed to accommodate proposed third-party amenities.
- f) In instances where a third party proposes to fund the design, construction, operations and maintenance of amenities to be integrated into the structural caps as described in item (a) that exceed the baseline structural load calculations of any element in item (c), TxDOT will collaborate with such third party to determine the design, construction, maintenance and operation cost increase calculations necessary to modify the applicable baseline elements in item (c) to handle the additional amount of structural loads as calculated in item (e). Such design, construction, maintenance and operation cost increases would be third-party funded.

- g) TxDOT will establish a work group with other governmental entities to explore federal funding sources that would be eligible for third party design and construction of amenities to be integrated with the proposed structural caps.
- h) TxDOT will assist in identifying federal funding grant opportunities or other sources and required non-state match funding to design and construct open space amenities to be integrated with the proposed structural caps.
- i) TxDOT will provide engineering assistance for third party development of amenities to be integrated with the proposed structural caps.
- j) Upon mutual agreement, TxDOT will enter into agreements with other governmental entities for TxDOT to incorporate into its construction plans the design of third-party funded amenities that may be integrated into the proposed structural caps either with or after the completion of the accompanying interstate project.
- k) Upon mutual agreement, TxDOT will enter into agreements with other governmental entities for their operations and maintenance of amenities that may be integrated into the proposed structural caps either with or after the completion of the accompanying interstate project.

## **6. Parks, Open Space, Trails, and Pedestrian and Bicycle Facilities**

The NHHIP provides a once in lifetime opportunity to expand facilities for active transportation. Through close coordination with local agencies and stakeholders, the project will add trails and increase space for off-street pedestrian and cyclist paths within the project limits. These project elements improve the safety of active transportation users.

- a) TxDOT will provide design resources to assist third parties in the development of a map of potential new trail links within both the existing right-of-way and proposed right-of-way and connections terminating outside the state's proposed right-of-way.
- b) To the extent feasible, TxDOT will design the NHHIP to accommodate the City of Houston's bike plan ([Implementation – Houston Bikeways \(houstonbikeplan.org\)](https://www.houstonbikeplan.org)).
- c) TxDOT will fund, design, and construct new trails that are feasible within the state's right-of-way for the NHHIP. Upon mutual agreement, TxDOT will enter into agreements with a third party for the third party to maintain and operate such trails.
- d) TxDOT will work with third parties to identify funding to design and construct trail links outside of the state's right-of-way.



- e) TxDOT will reconnect Andrew Street over the proposed Downtown Connectors in Fourth Ward on the west side of downtown. The Andrew Street reconnection will be a pedestrian-bike only crossing.
- f) TxDOT has determined that maintaining the Cleburne Street connection across I-69 in Third Ward is feasible and will seek stakeholder and public input to retain this connection as part of the NHHIP.
- g) TxDOT will fund, design and construct a combination of a buffer and pedestrian sidewalk and bike path, commonly referred to as the pedestrian-bike realm, on all local streets that cross either over or under a highway facility of the NHHIP.
- h) Upon mutual agreement with the Houston Housing Authority, TxDOT will address the mitigation for the loss of open space resulting from the partial acquisition of Kelly Village. TxDOT commits to a 1:1 replacement of open space area within the remaining Kelly Village property and will replace all recreational facilities and elements located within the open space area that will be impacted by the Project.
- i) In conjunction with its commitment to supporting affordable housing initiatives as described in Article IV.2.f, TxDOT commits to provide \$1.5 million to the City of Houston Parks and Recreation Department for the development or rehabilitation of park facilities and amenities in City parks located in the vicinity of the project. Prior to the City's use of the committed funds, TxDOT will coordinate with the City of Houston to seek public input on how best to allocate and apply the committed funds. After obtaining such public input, the City must request and obtain concurrence from TxDOT before implementing any resulting projects.
- j) TxDOT will evaluate potential alternative pedestrian/bicycle routes to address the loss of the existing North Street bridge crossing over IH 45 between Greater Heights and Near Northside. TxDOT will provide this evaluation to FHWA in the next Progress Report after the evaluation is completed.
- k) The Emancipation National Historic Trail Study Act, sponsored by Congresswoman Sheila Jackson Lee and passed in January 2020, amended the National Trails System Act (16 U.S.C. 1244(c)) by adding the Emancipation National Historic Trail (Emancipation Trail).<sup>2</sup> The proposed Emancipation Trail "extend[s] approximately 51 miles from the Osterman Building and Reedy Chapel in Galveston, Texas, along Texas State Highway 3 and Interstate Highway 45 North, to Freedmen's Town, then to Independence Heights and Emancipation Park in Houston, Texas, following the migration route taken by newly freed slaves and other persons of African descent from the major 19th century seaport

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<sup>2</sup> Emancipation National Historic Trail Study Act, Pub. L. No. 116-111, § 2, 8 Stat. 134 (2020).

town of Galveston to the burgeoning community of Freedmen's Town, located in the 4th Ward of Houston, Texas.”<sup>3</sup>

- i. TxDOT will assist with federal efforts to develop the Emancipation Trail and will evaluate the feasibility of accommodating trail links within the state’s right-of-way within the project limits. The estimated completion date of the study is Fall of 2023.<sup>4</sup> A map showing the draft routes of the Emancipation National Historic Trail is attached to this Agreement as Exhibit B.<sup>5</sup>
- ii. TxDOT will accommodate proposed designated trail links that result from the Emancipation National Historic Trail Study to the extent such proposed trail links are feasible within the state’s right of way for the NHHIP.
- iii. TxDOT will place signage and historical marks within the State’s right of way for the NHHIP for the proposed designated trail links that result from the Emancipation National Trail Study to extent such placement is feasible.
- iv. The reconnection of Andrews Street by the NHHIP over the proposed downtown connectors would accommodate the Emancipation Trail within the project limits. The reconnection of Andrews Street by the NHHIP is proposed to be a pedestrian-cyclist only bridge.
- v. The proposed pedestrian-bike realm on Alabama Street, Elgin Street, Tuam Street, McGowen Street and Cleburne Street as part of the NHHIP will enhance accessibility to Emancipation Park which is outside and one block away from the project boundary.
- vi. TxDOT will participate in the National Park Service’s feasibility study for the Emancipation National Historic Trail Study to share how the NHHIP pedestrian-bike realm can complement the potential study outcomes and any other transportation-related aspects of the Emancipation National Historic Trail.
- vii. Upon mutual understanding with the Descendants of Olivewood Inc., TxDOT will provide assistance with applying and submitting the Olivewood Cemetery for listing in the National Register of Historic Places.

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<sup>3</sup> *Id.* See also *Emancipation National Historic Trail Feasibility Study*, National Park Service, <https://parkplanning.nps.gov/projectHome.cfm?parkID=456&projectID=95793>.

<sup>4</sup> *Emancipation National Historic Trail Feasibility Study Newsletter*, National Park Service, file:///C:/Users/JGray1/Downloads/Emancipation%20Newsletter%20Final.pdf.

<sup>5</sup> *Maps – Draft Routes Under Study – Emancipation National Historic Trail Feasibility Study*, National Park Service, <https://parkplanning.nps.gov/document.cfm?parkID=456&projectID=95793&documentID=111157>.

## 7. Access During Construction

TxDOT is committed to ensuring safe access to schools and reducing impacts to public transit, pedestrian, and bike access within the project area throughout the construction phase. TxDOT will continue to communicate with schools, parents, neighborhood and community stakeholders, and METRO regarding the construction schedule to ensure continued safe pedestrian, bike and transit access during construction of the Project.

- a) School access during construction:
  - i. In order to ensure that pedestrian and bike access to schools is maintained during construction, during the detailed design phase TxDOT will develop plans for traffic control detours of pedestrian and cyclist movements, as depicted in Exhibit C, showing the locations of schools adjacent to the project footprint, existing routes traveled by children to these schools, routes during construction, and the anticipated finished condition of pedestrian and cyclist routes after construction on the project is completed.
  - ii. Where construction of the Project will require pedestrian and bicycle detour routes to maintain access to schools, TxDOT commits to bring such designated detour routes up to current standards prior to beginning the associated construction in order to ensure that students, staff, and the public continue to have safe and accessible pedestrian and bicycle paths of travel to those schools.
  - iii. TxDOT will design and direct its contractor to maintain non-circuitous sidewalks to maintain safe pedestrian and cyclist access to schools during and after construction.
  - iv. TxDOT will work directly with schools to develop parent and school bus drop-off and pick-up routes, direct TxDOT contractors to maintain the safe operations of these routes during construction, and inform decisions about appropriate detour routes with the goal of safety and minimizing increased commute times.
  - v. TxDOT will maintain communication with school officials for the design of access accommodations during the construction phase.
  - vi. TxDOT will provide an ombudsman for the schools to communicate concerns that arise during construction to TxDOT in order for timely resolution of concerns.
  - vii. During construction, TxDOT will establish and maintain a public website to inform the public about bicycle and pedestrian access. The website will include maps and ways to contact the ombudsman.

- b) Transit access during construction:
  - i. TxDOT will obtain METRO's review and comment of the construction work phasing and sequencing of light rail facilities and operations that are impacted by construction.
  - ii. TxDOT will obtain METRO's review and comment in instances where a bus stop needs to be temporarily relocated during construction.
- c) Traffic management during construction:
  - i. TxDOT has established the Innovative Traffic Steering Committee, consisting of local government representatives and other stakeholders, to gather input in advance of the project on potential traffic phasing and mitigation activities to minimize adverse impacts of construction. TxDOT will coordinate with this Committee to identify and pursue Federal funds to support such activities and will incorporate the input into the construction plan when feasible to effectively manage mobility.
  - ii. TxDOT will provide fourteen (14) calendar days public notices of bus and light rail service disruptions due to construction activities.
  - iii. TxDOT will post notices of bus and light rail service disruptions on the project website.

**8. Meaningful Access for Persons with Limited English Proficiency (LEP)**

The purpose of this provision is to ensure that TxDOT fully complies with Title VI meaningful access requirements on the Project. TxDOT commits to the specified actions listed in this provision with respect to all individuals with LEP who need or request language assistance services, which include interpretation and translation. Specifically, TxDOT is committed to communicating clearly and thoroughly with all affected individuals about projects from the beginning of scoping through the end of construction. This commitment includes providing ready and accurate language assistance services to those individuals who need or request it at no cost. Additionally, TxDOT commits to ensuring that individuals with LEP are provided with timely language assistance services throughout the right-of-way acquisition and relocation process for the NHHIP. TxDOT further commits to develop or update internal LEP policies, plans, and training for staff and consultants as specified in this provision in order to ensure that language assistance services are adequately provided and documented on future projects. To effectuate these commitments, in addition to the specific required actions below, the Parties will negotiate and finalize an updated TxDOT Language Assistance Plan and Policy, consistent with the U.S. Department of Justice's 2002 LEP guidance on updating recipient LEP plans, within one year of the effective date of this Agreement. TxDOT will first conduct a language access self-assessment to evaluate and improve its current language access program and ensure

that the Language Assistance Plan, Policy, and related procedures are consistent with Title VI.

- a) TxDOT will implement its language access program in accordance with Title VI and DOT regulations and consistent with Title VI guidance issued by DOT, in addition to the actions required by this section.
- b) TxDOT will not rely solely on the use of automatic translation services to translate vital print or digital communications.
- c) TxDOT will document, track, and monitor the LEP needs of anyone still to be displaced, including displaced residential owners, residential tenants, business owners, and business tenants.
- e) TxDOT will make language assistance services available in a timely way for relocation and acquisition activities. If language assistance services are delayed such that individuals with LEP are not receiving the information, benefits, or other aspects of the relocation and acquisition activities on a timeframe consistent with individuals with non-LEP, then TxDOT will document in the Progress Reports as required by Article VI of this VRA instances where the delivery of language assistance services were delayed. Such documentation will also include the circumstance(s) for the delay, when the requested language assistance services were actually provided, and whether the delay resulted in the person with LEP being limited in their access to, or missing, any deadlines, benefits, or other important aspects of the program.
- f) TxDOT will document future interactions between TxDOT's resource providers and relocation contractors and persons with LEP, including, but not limited to: the person's name, the specific language(s) and dialects needed, how spoken and written language needs are identified, date language assistance services are requested, date language assistance services are provided, and how language assistance services were provided to that person.
- g) No later than 45 calendar days after signing this VRA, TxDOT will provide to FHWA for review and comment a Standard Operating Procedure (SOP) for TxDOT resource providers, relocation contractors, and TxDOT staff that describes the roles and responsibilities for each regarding interactions with persons with LEP. The SOP will include procedures for documentation, communication, notice of free language assistance services to persons with LEP, language access complaints, and issue resolution. FHWA shall provide comments within 15 calendar days of receipt of the TxDOT SOP. Within 30 days of receipt of FHWA's comments, TxDOT and FHWA will resolve outstanding comments.
- h) In situations where individuals with LEP prefer to bring interpreters of their choosing, after they are told that TxDOT can provide a competent interpreter at

no cost, TxDOT will have an agency-sponsored interpreter present to ensure accuracy and completeness of the information presented.

- i) TxDOT will ensure that LEP service resources and relocation contractors provide all translated relevant documents and materials, including but not limited to legal documents, in the displacee's preferred language prior to requesting signatures or other legal commitments from the displacee.
- j) Within 120 calendar days of signing this VRA, TxDOT will develop and conduct LEP training for relevant staff, contractors, and anyone providing language assistance services related to the NHHIP on TxDOT's behalf regarding the implementation of the agency's written language assistance plan. The training will include, but not be limited to, language access requirements, the roles and responsibilities of consultants, documentation, and communication. The training will be reviewed and updated when the SOP required under this VRA is completed, and as needed at least every other year. TxDOT will report on the training materials provided and the number of TxDOT staff, contractors, or others trained in the Progress Reports required by VRA Article VI.
- k) Within 120 days of signing this VRA, TxDOT will conduct a survey to identify displaced residents and businesses who have already been relocated under the Project in order to assess the sufficiency of translation, interpretation, and other language assistance services. Based on the results of that survey, TxDOT will notify, both verbally (by phone or in person) and in writing in the respondent's preferred language, those who responded that they did not receive sufficient language assistance services that they have the right to supplemental language assistance services, and TxDOT will provide such supplemental language assistance services to those respondents who request them. Within 60 days of signing this VRA, TxDOT will provide to FHWA a draft survey of displaced residents and businesses. FHWA will provide comments back to TxDOT within 15 days of receipt of the draft survey. Within 15 days after receiving FHWA's comments, TxDOT and FHWA will resolve all comments and finalize the survey. Within 90 days of identifying through the survey those displaced residents and businesses who requested supplemental language assistance services, TxDOT will provide such identified displacees with remedial assistance to reduce the potential for any disparate impacts. Beginning 150 days after signing this VRA, TxDOT will provide a report to FHWA on its efforts detailing its compliance with this provision every 60 days until the provision of supplemental LEP services to all who request them and any additional activities resulting therefrom are completed.
- l) TxDOT shall provide competent language assistance services to any person who had been identified as needing language assistance services or otherwise requesting language assistance services to ensure contemporaneous interpretation during all public engagement opportunities. Language assistance services will be

made available proactively, at no cost, and in a timely manner for that engagement to support the facilitation of meaningful public engagement.

**V. Section 508 Compliance**

TxDOT will submit all required plans, reports, and other information required by this VRA in a format that complies with the Information and Communication Technology Accessibility Standards under Section 508 of the Rehabilitation Act of 1973 (available at [Revised 508 Standards and 255 Guidelines \(access-board.gov\)](#)).

**VI. Progress Reports**

Beginning 180 days after signing the VRA and every 180 days thereafter, TxDOT will submit a Progress Report to FHWA detailing the implementation of TxDOT required actions under Article IV of this VRA. Each Progress Report must include an update on all required TxDOT Actions: Reducing the NHHIP Footprint During Detailed Design; Displacements, Relocations, Housing, and Other Community Impacts; Flooding; Air Quality Mitigation; Structural Caps; Parks, Open Space, Trails, Pedestrian and Bicycle Facilities; Access During Construction; and Meaningful Access for Persons with Limited English Proficiency (LEP). The Progress Reports must include any required information specified in this Agreement as outlined in Exhibit D. TxDOT will submit all Progress Reports and any other information required by the VRA to the FHWA Texas Division Office. TxDOT and FHWA will agree on the Progress Report format prior to submission of TxDOT's first required report. FHWA will review and provide timely comments on each progress report to TxDOT.

**VII. Progress Meetings**

Each year, TxDOT and FHWA shall meet at least once to discuss the progress of the implementation of this VRA.

**VIII. Abeyance**


The FHWA will hold in abeyance further actions regarding the complaints filed in the matter (described above) during the performance of this Agreement. At any time, should TxDOT not perform, or ensure performance, under this Agreement, FHWA will notify TxDOT as stated in Article IX of this VRA.

**IX. Enforcement**

TxDOT agrees to implement the provisions of this VRA according to the timelines in this agreement as summarized in Exhibit D. If TxDOT, through its actions or inaction, fails to implement any part of this VRA or fails to cooperate with FHWA documentation and information requests, FHWA may invoke its authority pursuant to 49 C.F.R. § 21.13, et seq., for failure or threatened failure to comply with Title VI of the Civil Rights Act of 1964. If at any time FHWA makes such a determination, then FHWA shall notify TxDOT in writing. The notice shall include a statement of the basis for FHWA's determination and shall allow TxDOT thirty (30) days to either; (a) explain in writing the

reason for the actions and describe the remedial actions that have been or shall be taken to achieve compliance with this Agreement or (b) dispute the accuracy of FHWA's findings. If TxDOT does not respond to the notice, or if, upon review of TxDOT's response, FHWA determines that TxDOT has not complied with the terms of the Agreement, FHWA may pursue remedies authorized by law, including, but not limited to, issuing a Letter of Finding regarding the Title VI complaints described in Article I of this VRA, the withholding of Federal highway funds, and referral to the Department of Justice for enforcement action. 49 C.F.R. § 21.13(a); 28 C.F.R. § 42.413(c).

FEDERAL HIGHWAY ADMINISTRATION



Shailen P. Bhatt  
Administrator

Dated: 3-6-2023

TEXAS DEPARTMENT OF TRANSPORTATION



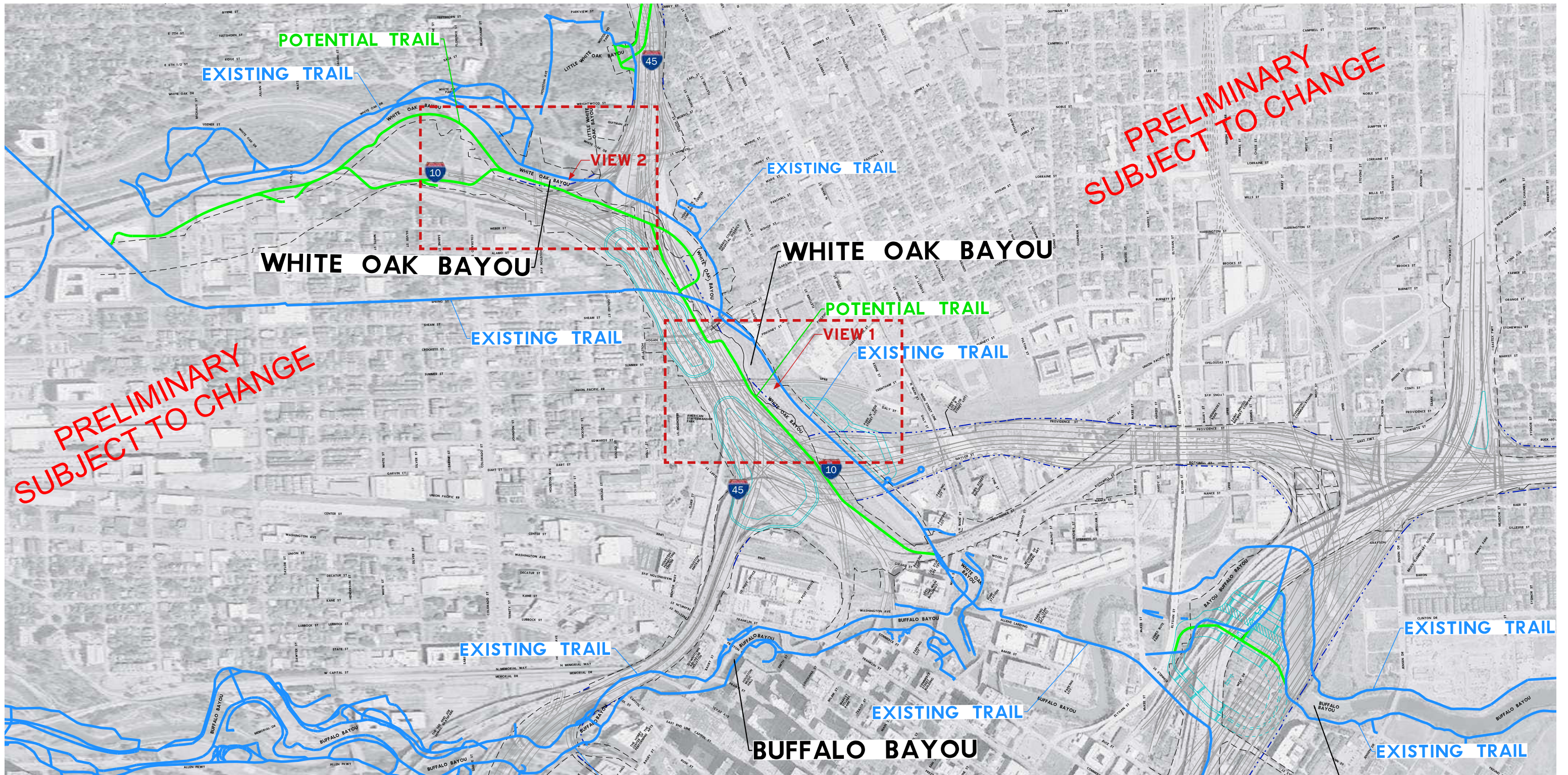
Marc D. Williams, P.E.  
Executive Director

Dated: 3-3-2023



**Exhibit A**  
**Bayou Trail Maps**

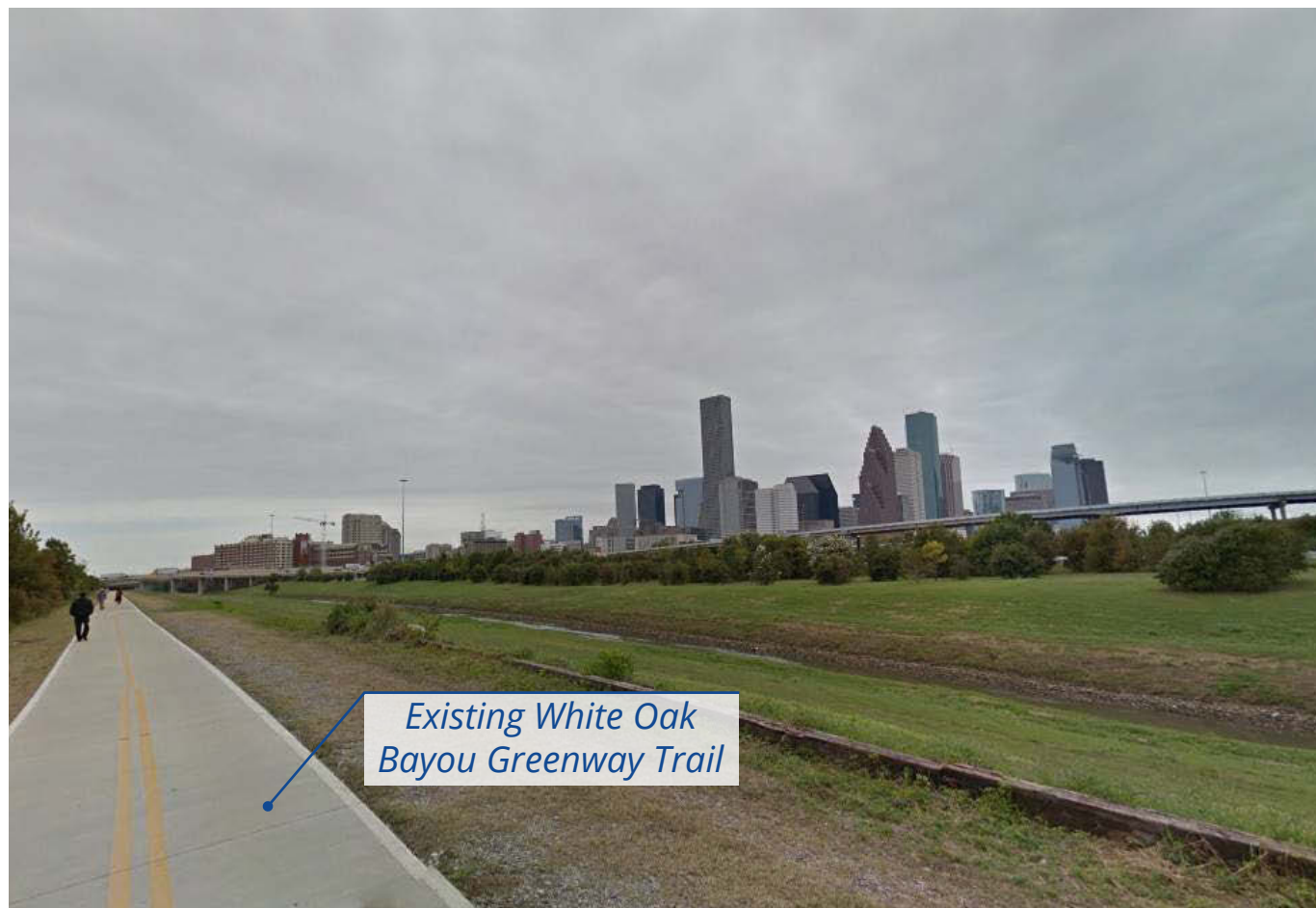
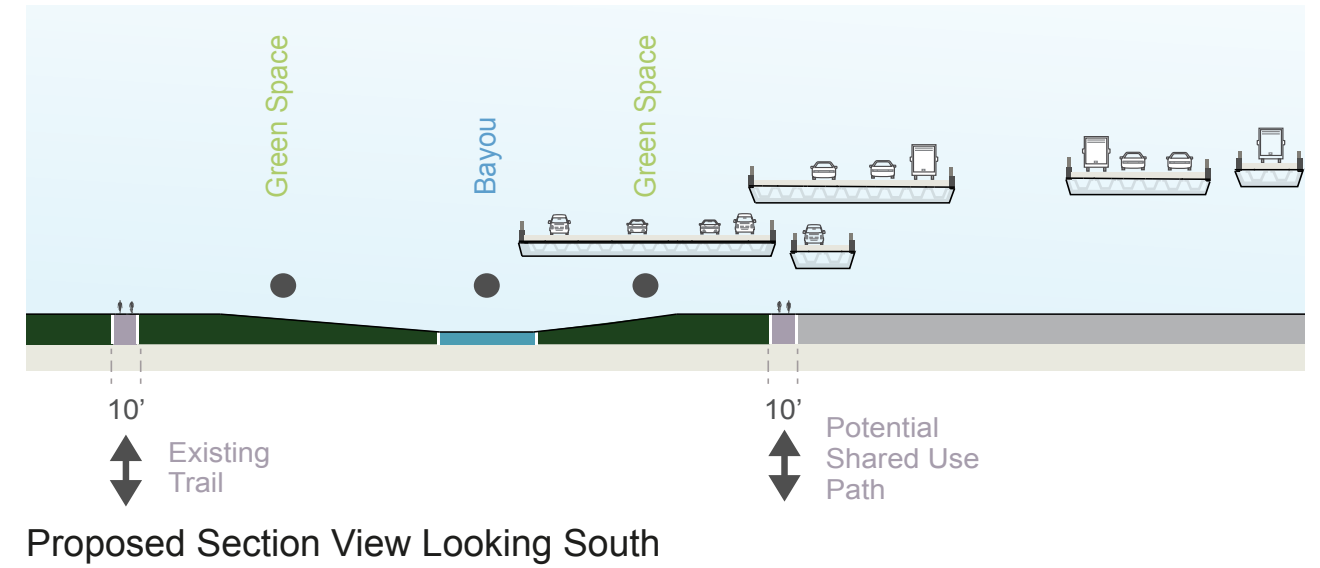
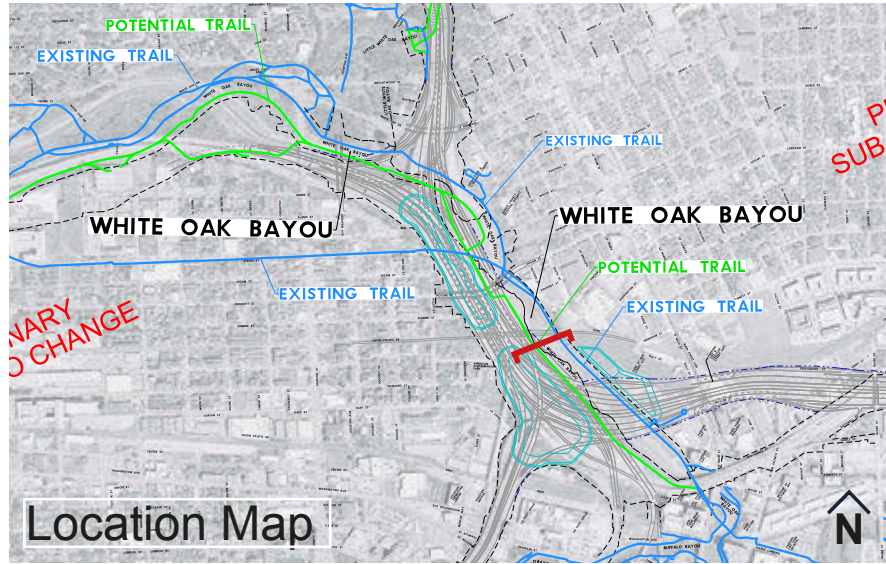
# WHITE OAK BAYOU TRAILS



- Existing Trail To Remain
- Potential Trail By TxDOT
- Potential Pond

NOT TO SCALE

# WHITE OAK BAYOU TRAILS



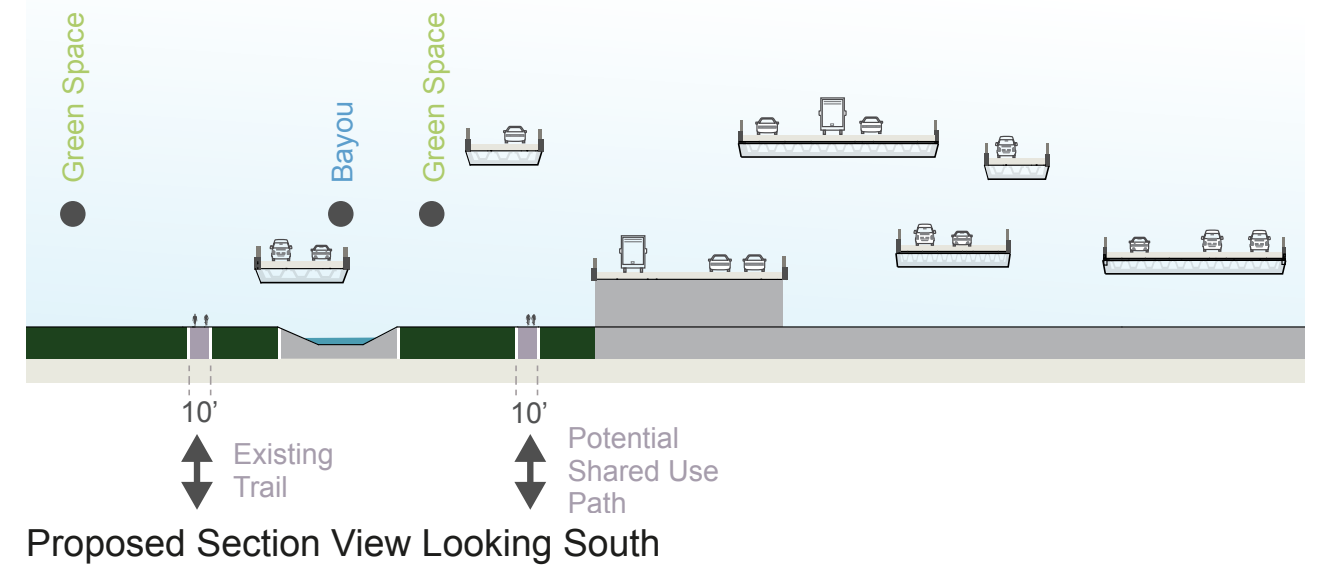
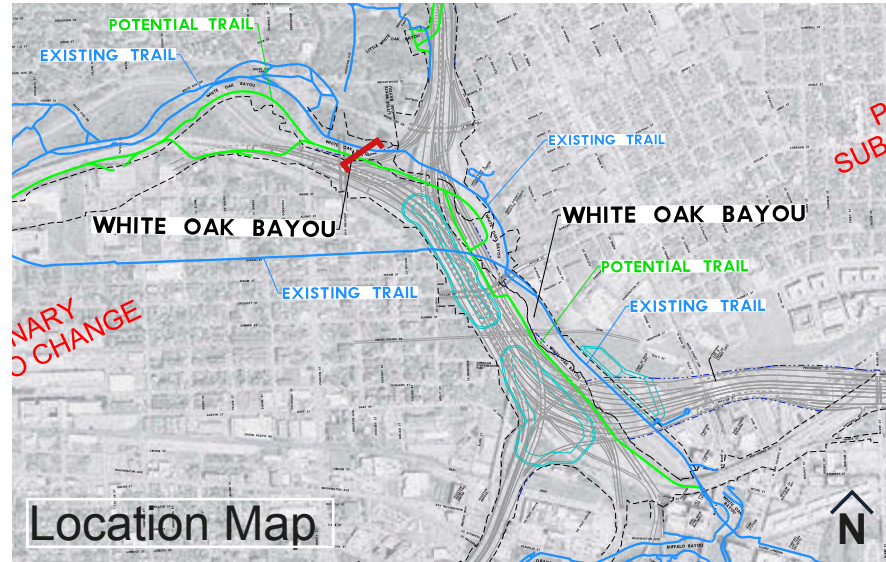
Existing Condition



Proposed Condition

NOT TO SCALE

# WHITE OAK BAYOU TRAILS



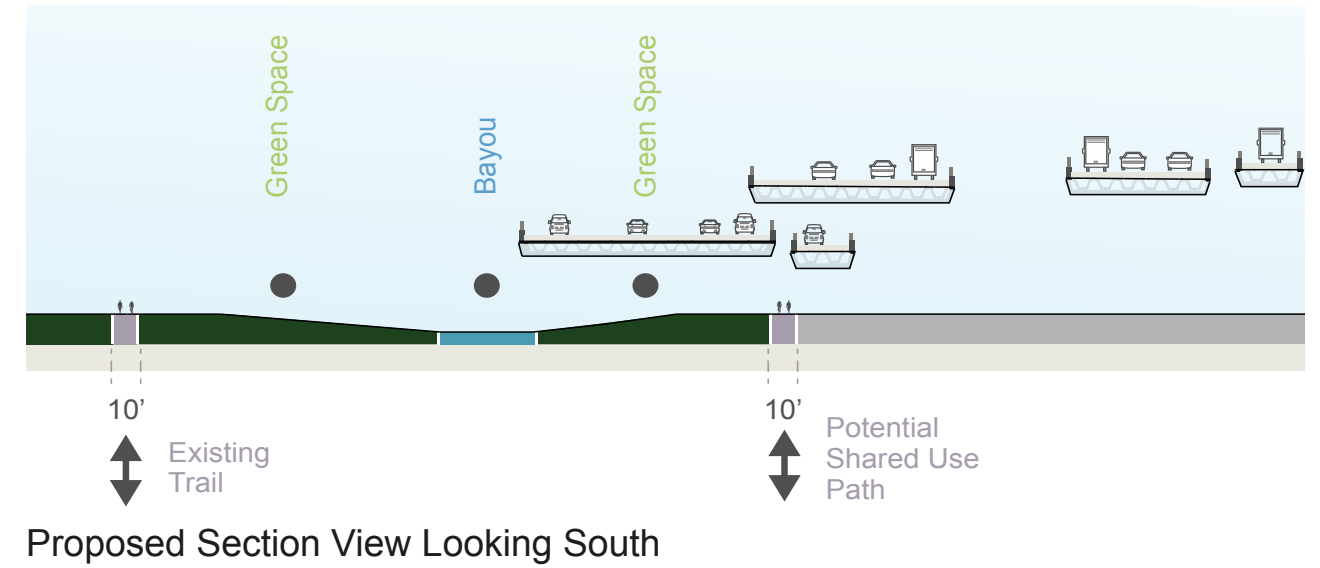
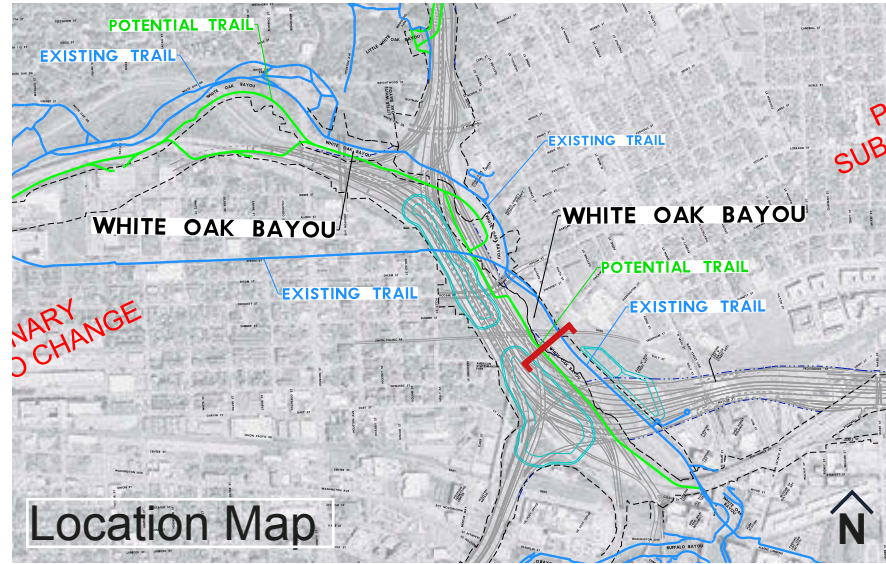
Existing Condition



Proposed Condition

NOT TO SCALE

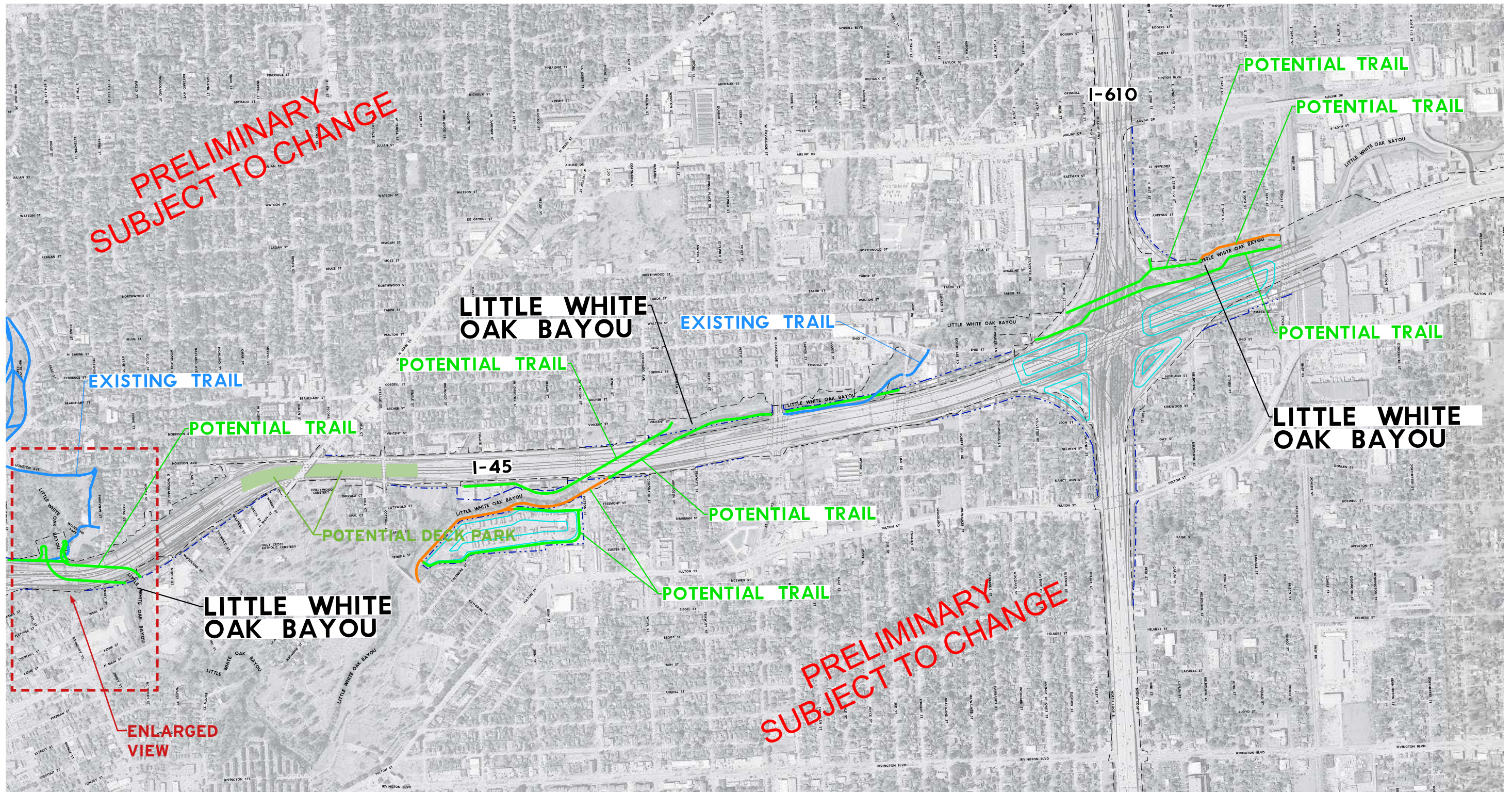
# WHITE OAK BAYOU TRAILS



Proposed Condition

NOT TO SCALE

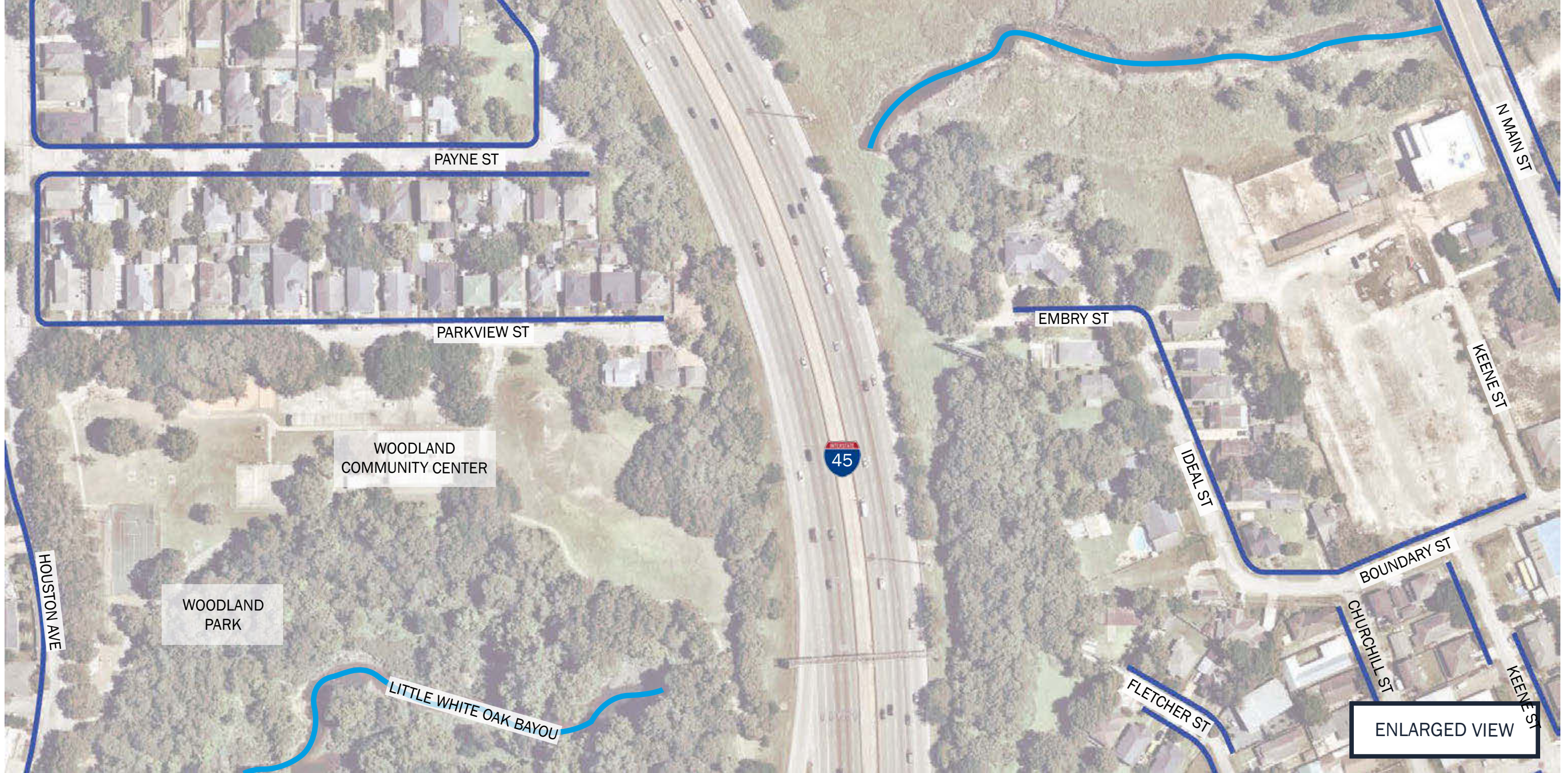
# LITTLE WHITE OAK BAYOU TRAILS



- Existing Trail To Remain
- Potential Trail By TxDOT
- Potential Trail By Others (Outside TxDOT ROW)
- Potential Pond

NOT TO SCALE

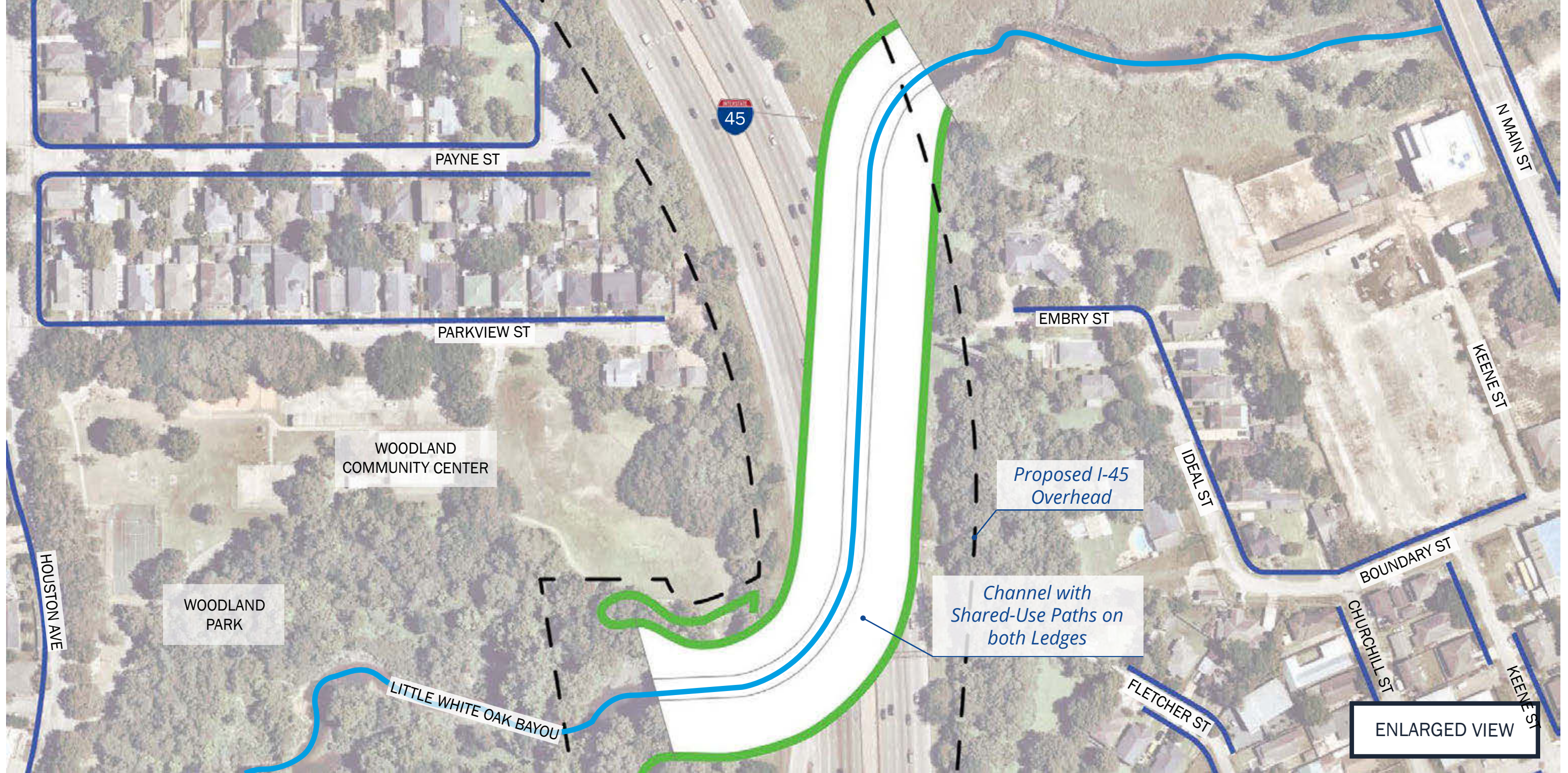
# LITTLE WHITE OAK BAYOU TRAILS



Existing Pedestrian Circulation

↑ NOT TO SCALE

# LITTLE WHITE OAK BAYOU TRAILS

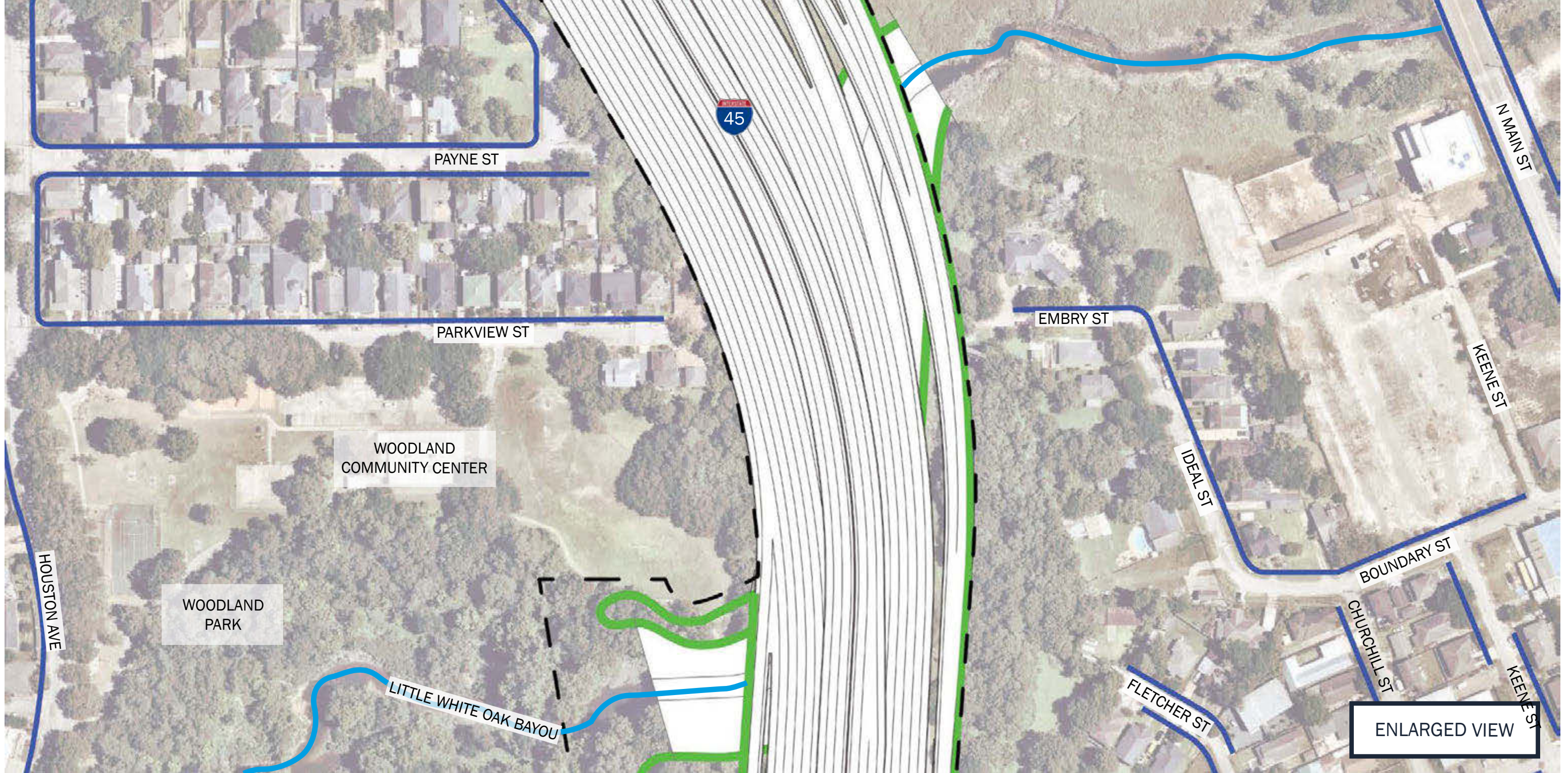


- Existing Pedestrian Circulation
- Proposed Pedestrian Realm

↑ NOT TO SCALE



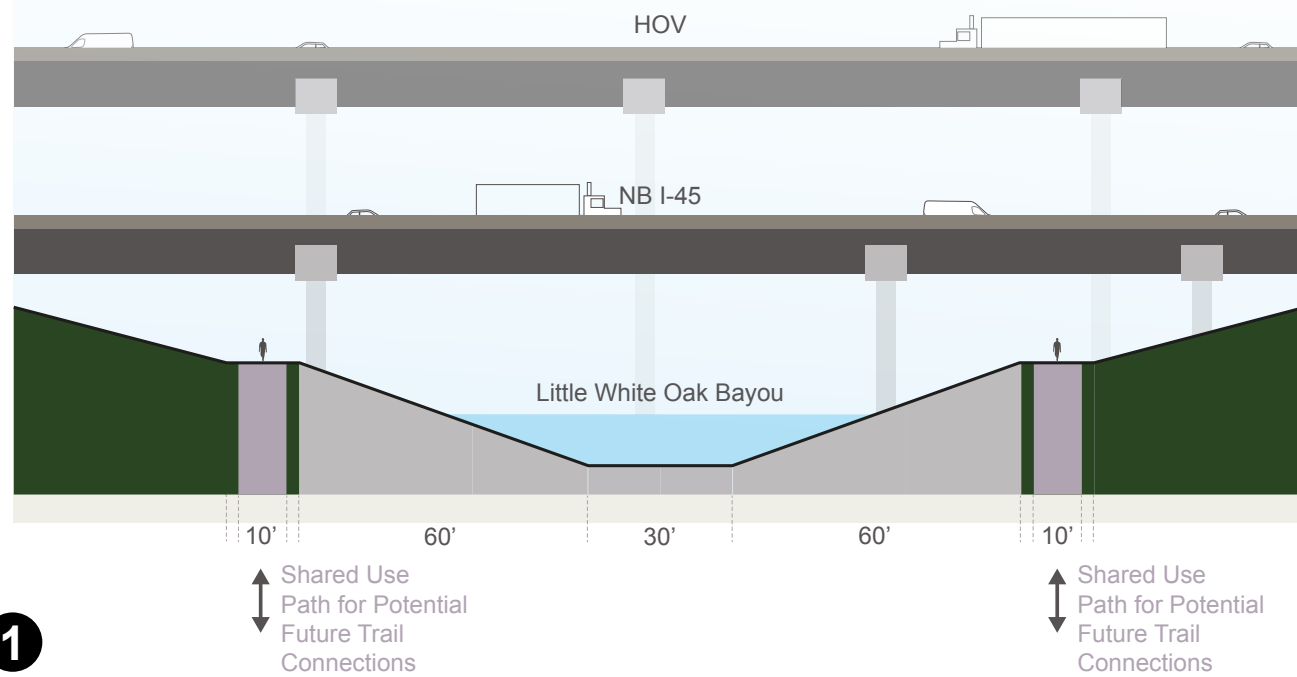
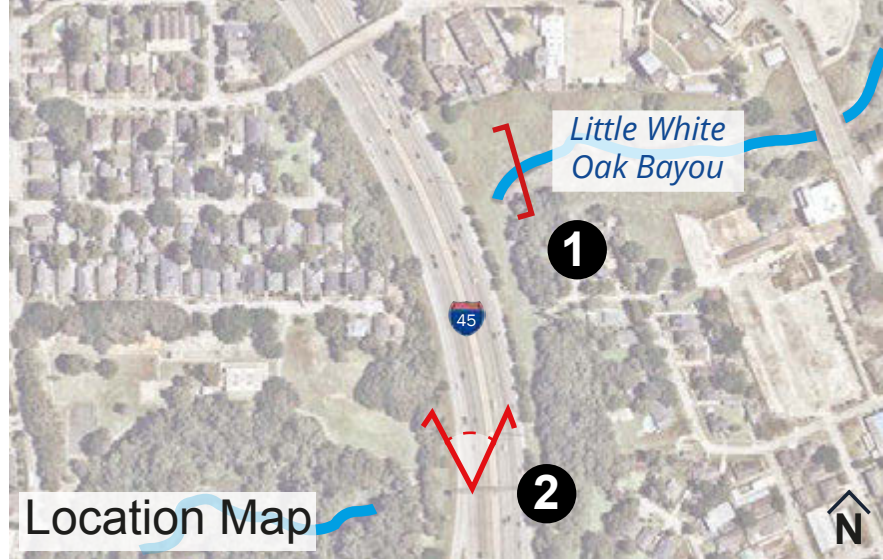
# LITTLE WHITE OAK BAYOU TRAILS



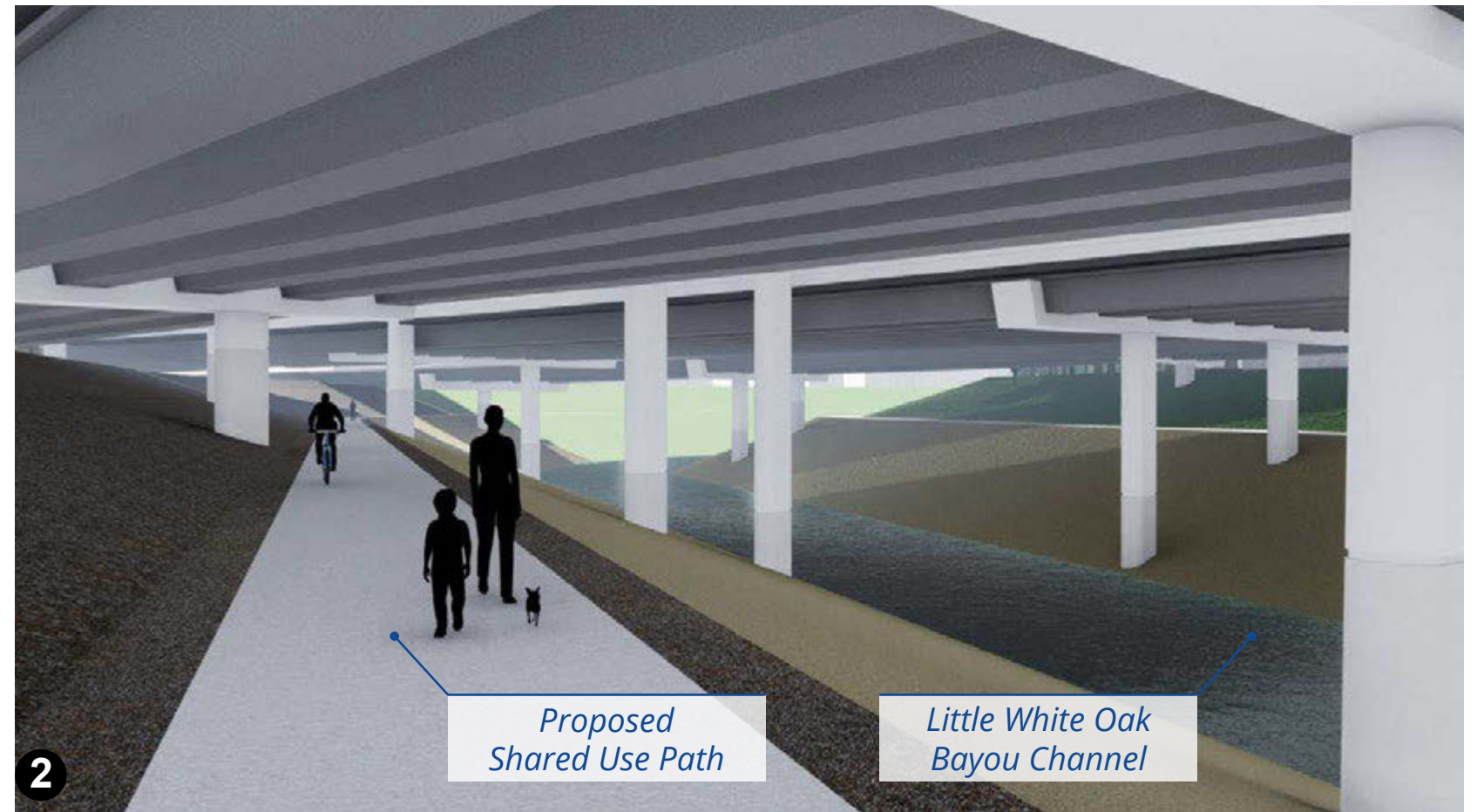
- Existing Pedestrian Circulation
- Proposed Pedestrian Realm

↑ NOT TO SCALE

# LITTLE WHITE OAK BAYOU TRAILS



**1** Proposed Section View at Little White Oak Bayou Looking North



Proposed I-45 over Little White Oak Bayou

NOT TO SCALE

**Exhibit B**  
**Emancipation Trail Study Map**



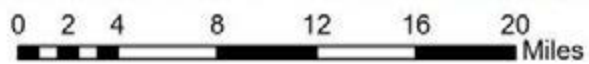
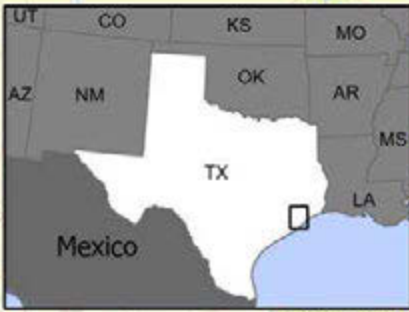
# Emancipation National Historic Trail (NHT) Feasibility Study Draft Routes Under Study



Route as Described in the Emancipation NHT Study Act (P.L. 116-111)

Established Transportation Routes, 1865-1867

- Galveston, Houston, and Henderson Railroad Route
- Road Route
- Water Route
- Historic Sites

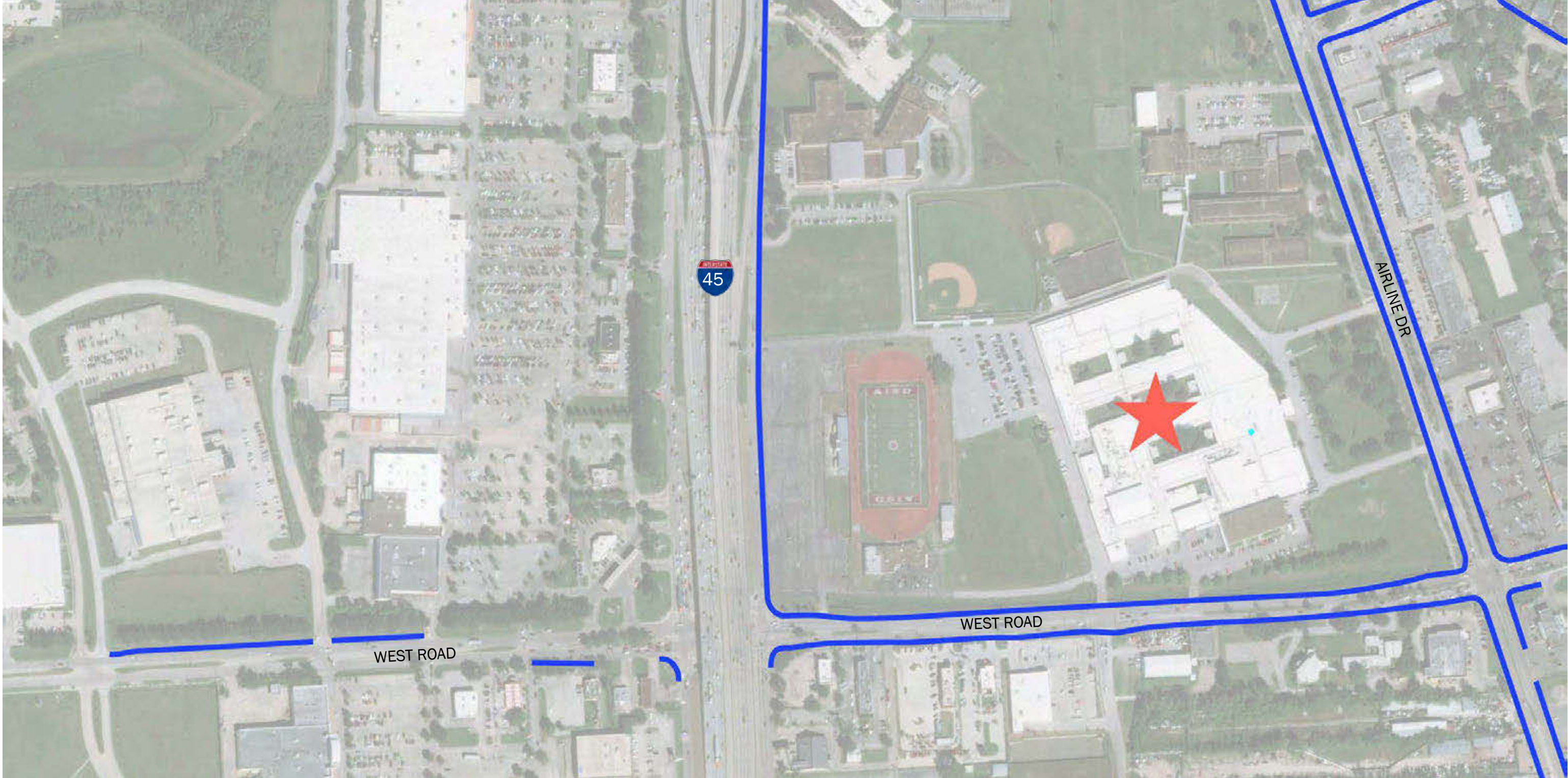


No warranty is made by the National Park Service as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.

**Exhibit C**

**Pedestrian/Bicycle Routes to Schools Map**

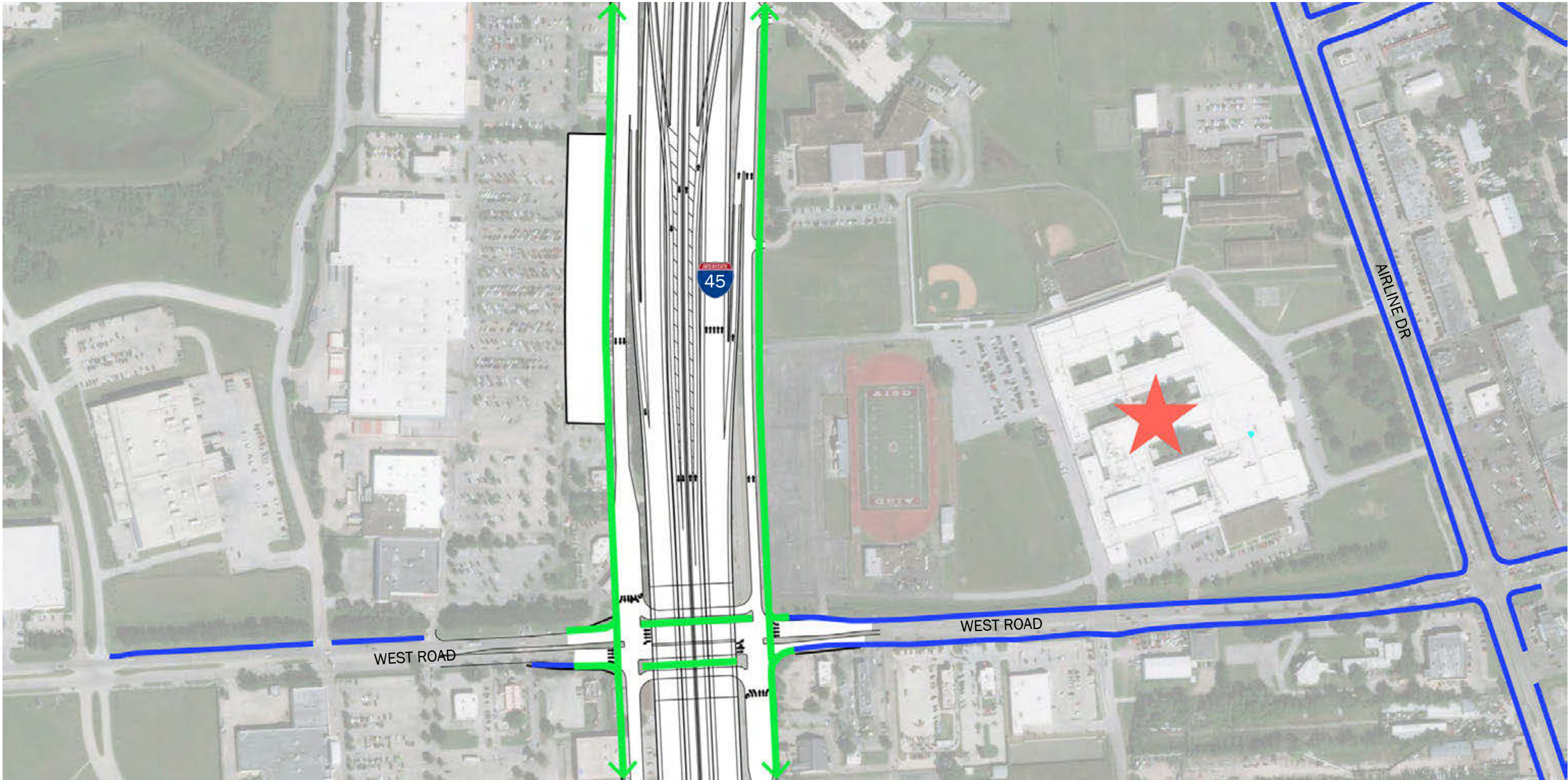
# ALDINE SCHOOL COMPLEX



Existing Pedestrian Circulation      ★ Aldine High School

↑ NOT TO SCALE

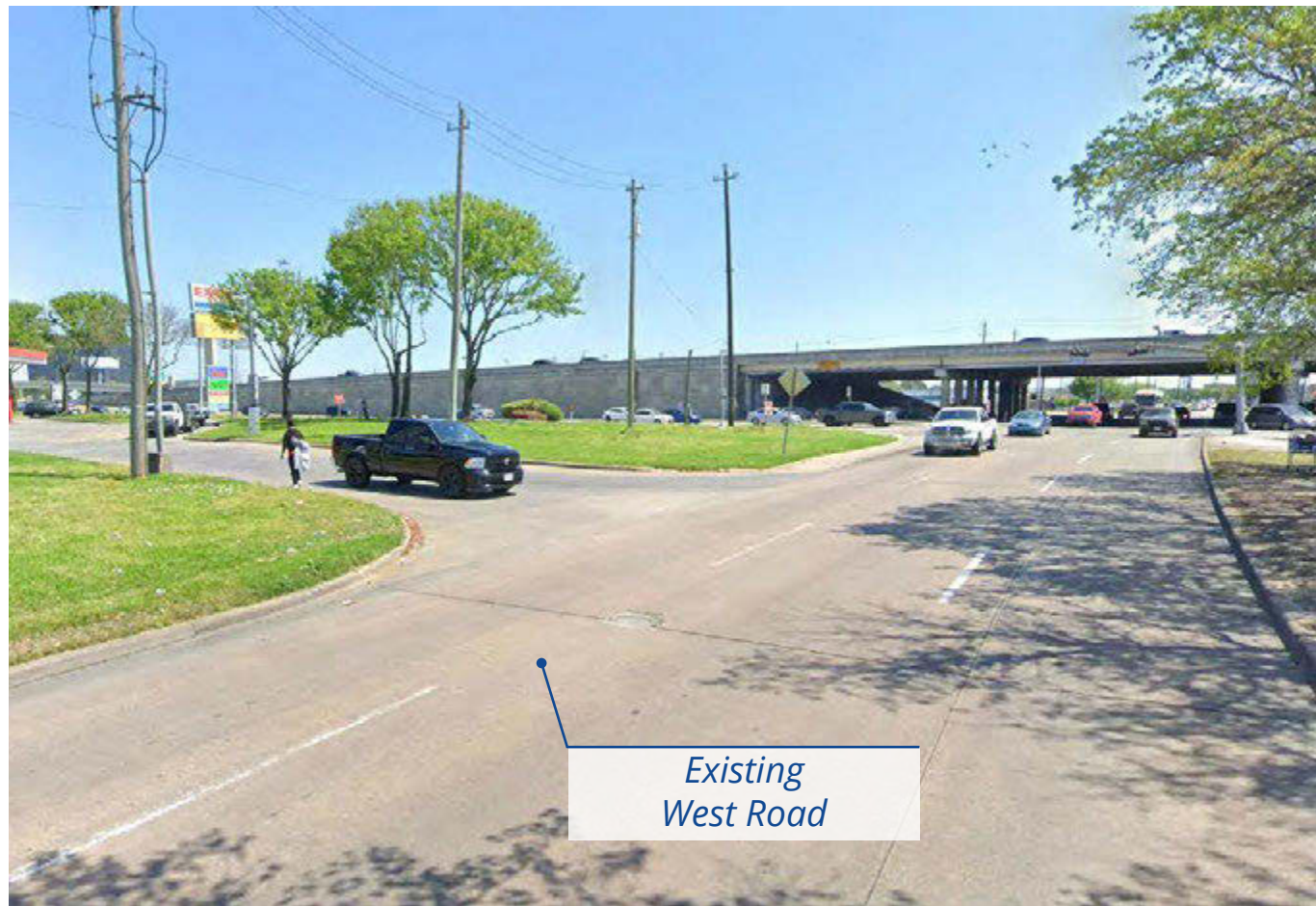
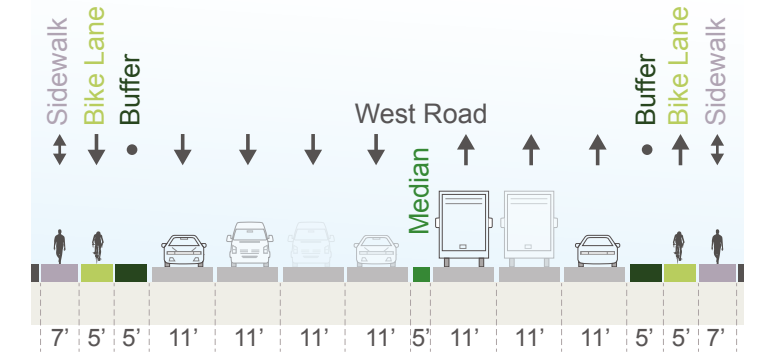
# ALDINE SCHOOL COMPLEX



- Existing Pedestrian Circulation
- Proposed Pedestrian Realm
- Aldine High School

↑ NOT TO SCALE

# ALDINE SCHOOL COMPLEX



Existing I-45 and West Road

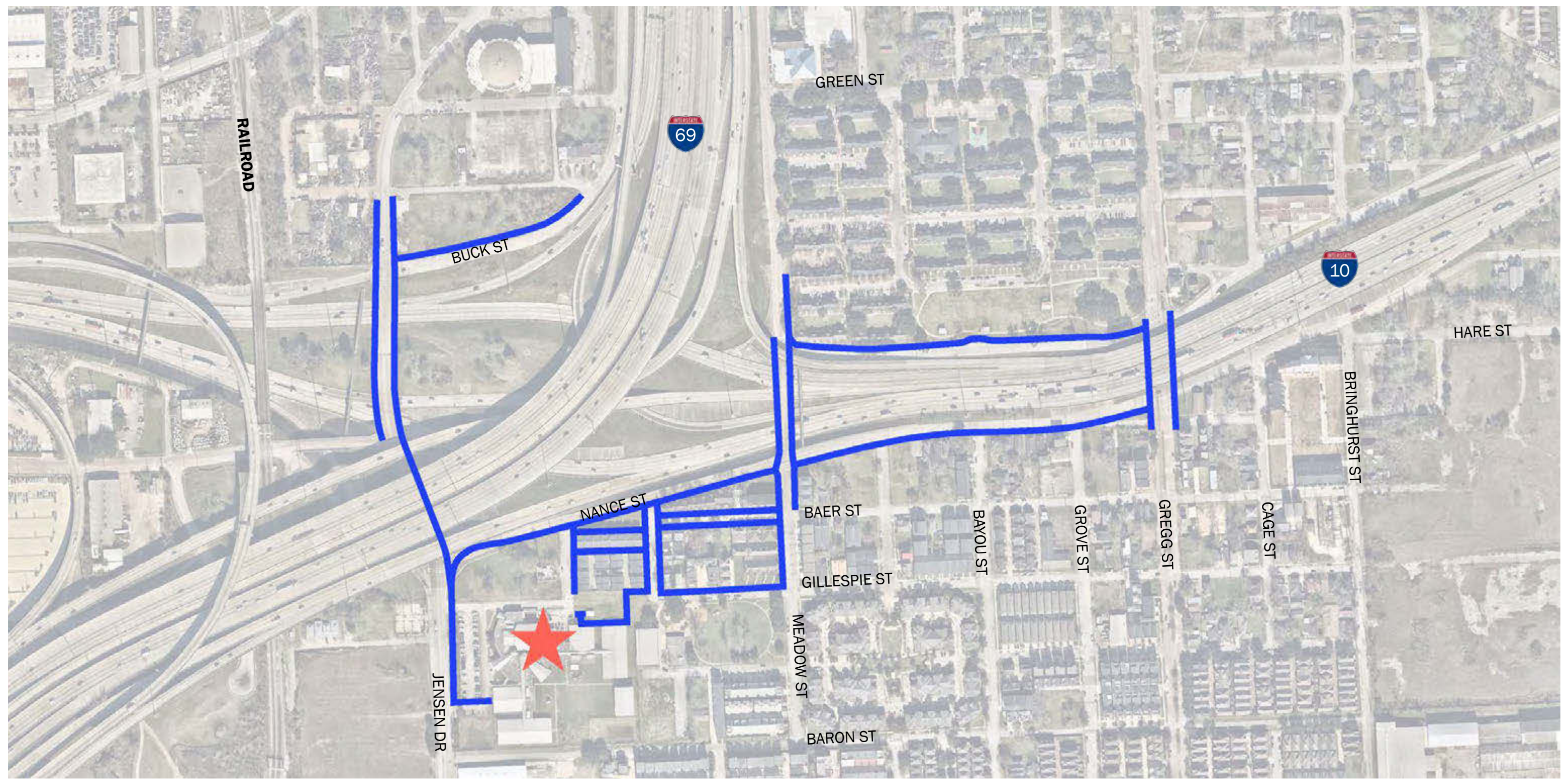


Proposed I-45 and West Road

NOT TO SCALE



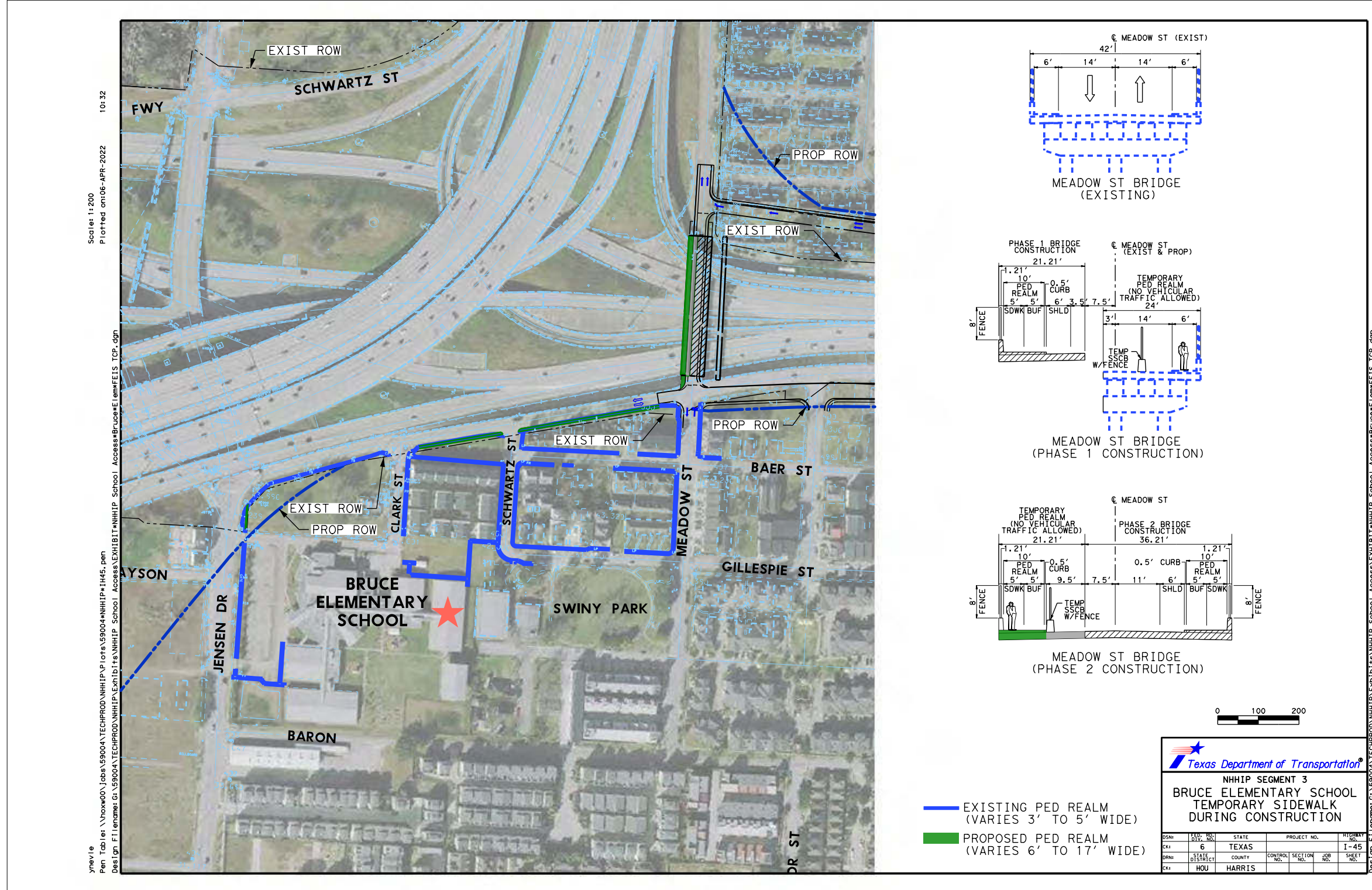
# BRUCE ELEMENTARY SCHOOL



Existing Pedestrian Circulation    ★ Bruce Elementary School

↑ NOT TO SCALE

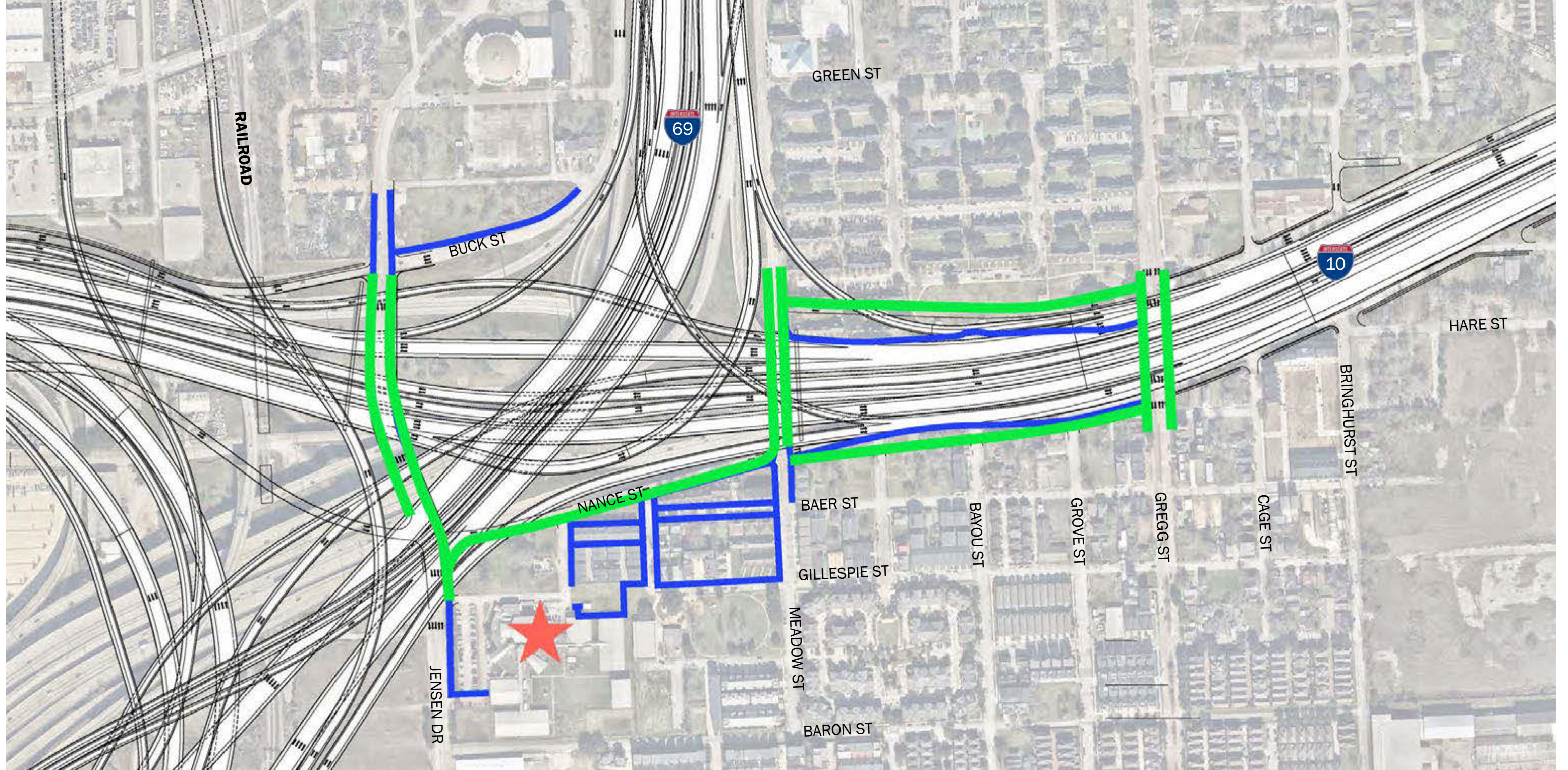
# BRUCE ELEMENTARY SCHOOL



- Existing Pedestrian Circulation
- Proposed Pedestrian Realm
- Bruce Elementary School

↑ NOT TO SCALE

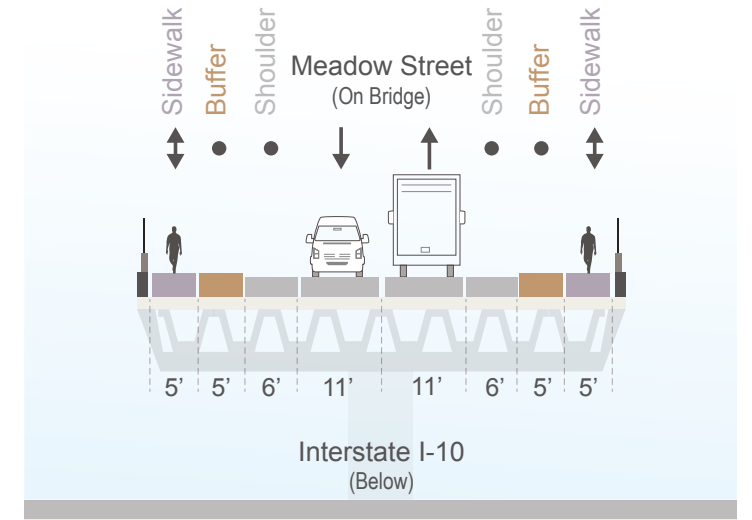
# BRUCE ELEMENTARY SCHOOL



- Existing Pedestrian Circulation
- Proposed Pedestrian Realm
- Bruce Elementary School

↑ NOT TO SCALE

# BRUCE ELEMENTARY SCHOOL



Proposed Section View at Meadow Street



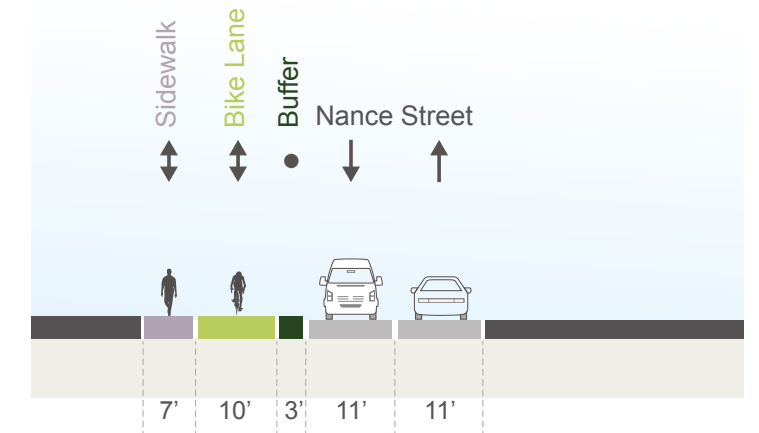
Existing I-10 and Meadow Street



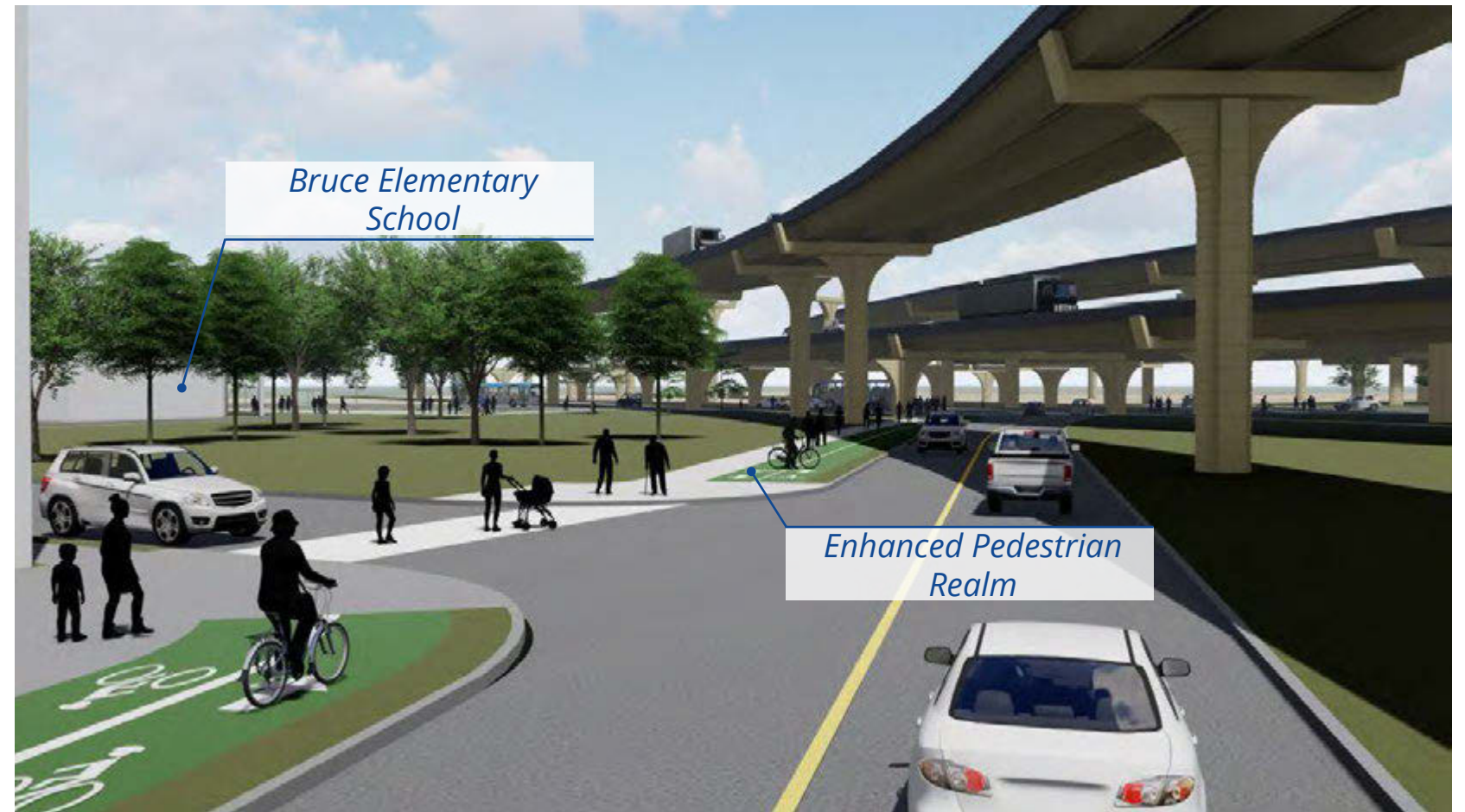
Proposed I-10 and Meadow Street

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# BRUCE ELEMENTARY SCHOOL



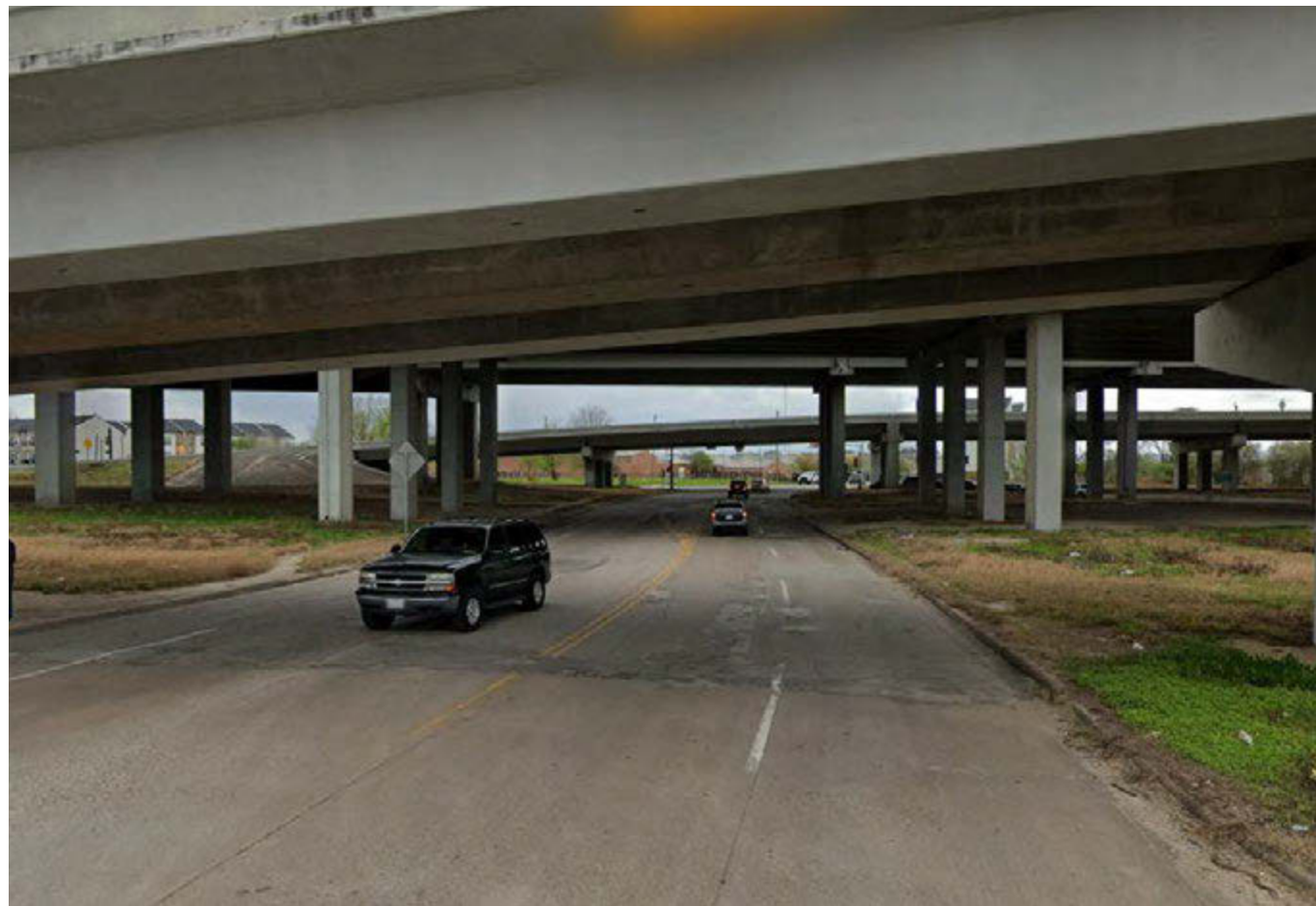
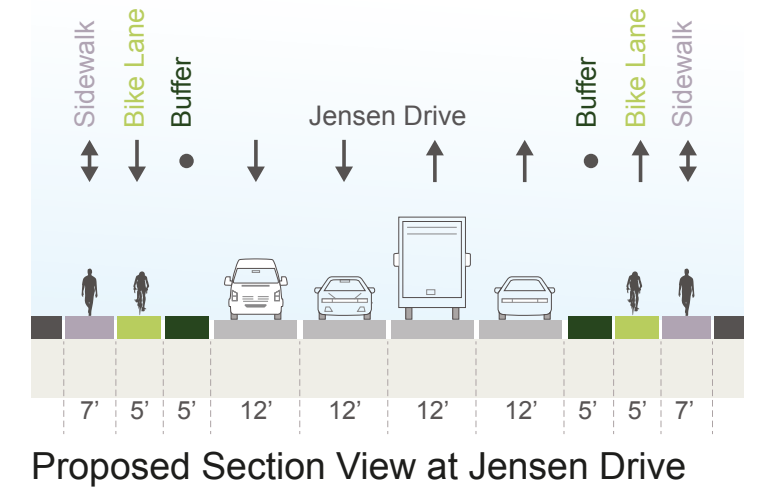
Existing I-10 / I-69 Connector Ramp and Nance Street



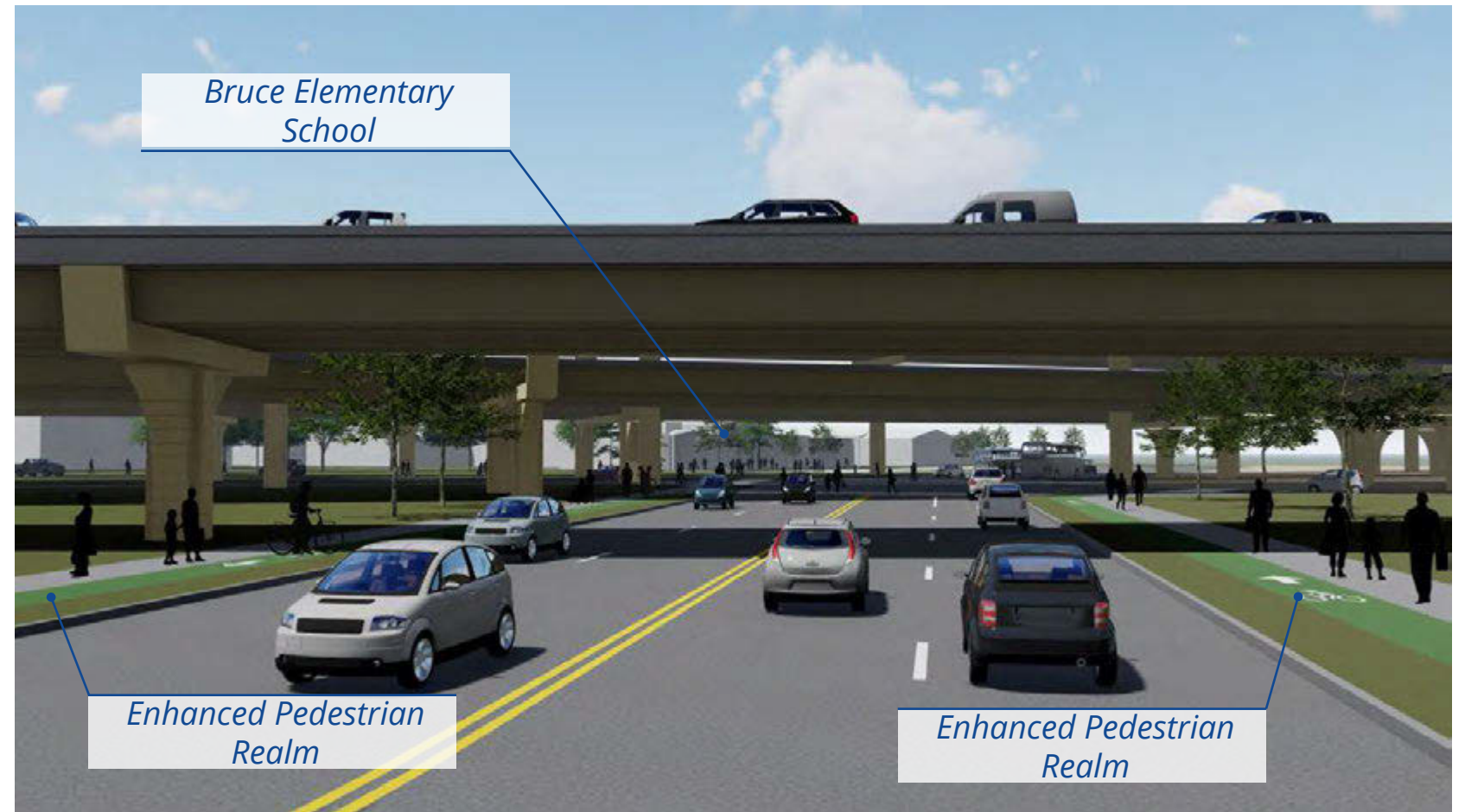
Proposed I-10 / I-69 Connector Ramp and Nance Street

NOT TO SCALE

# BRUCE ELEMENTARY SCHOOL



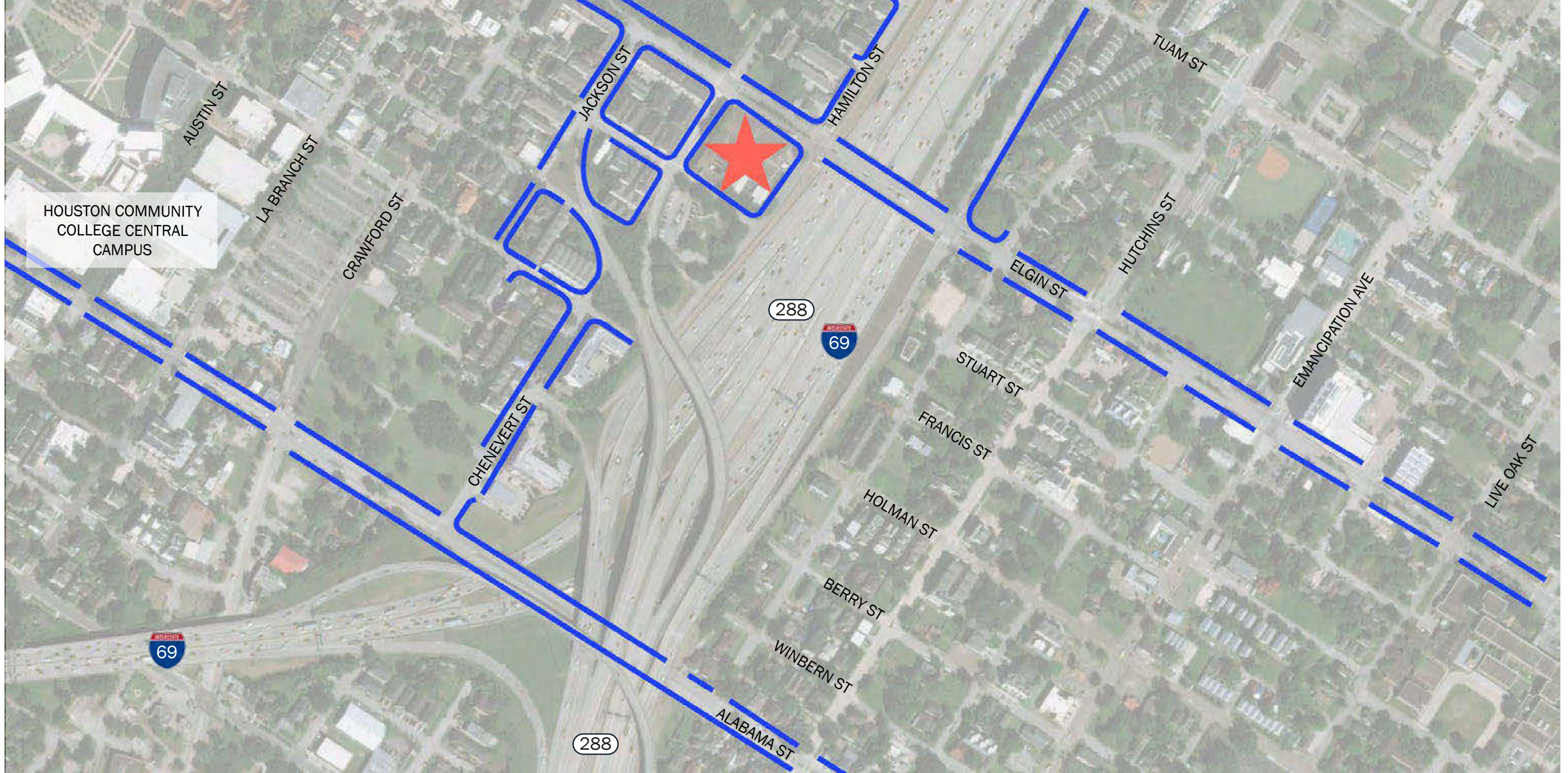
Existing Jensen Drive



Proposed Jensen Drive

NOT TO SCALE

# HOUSTON ACADEMY FOR INTERNATIONAL STUDIES

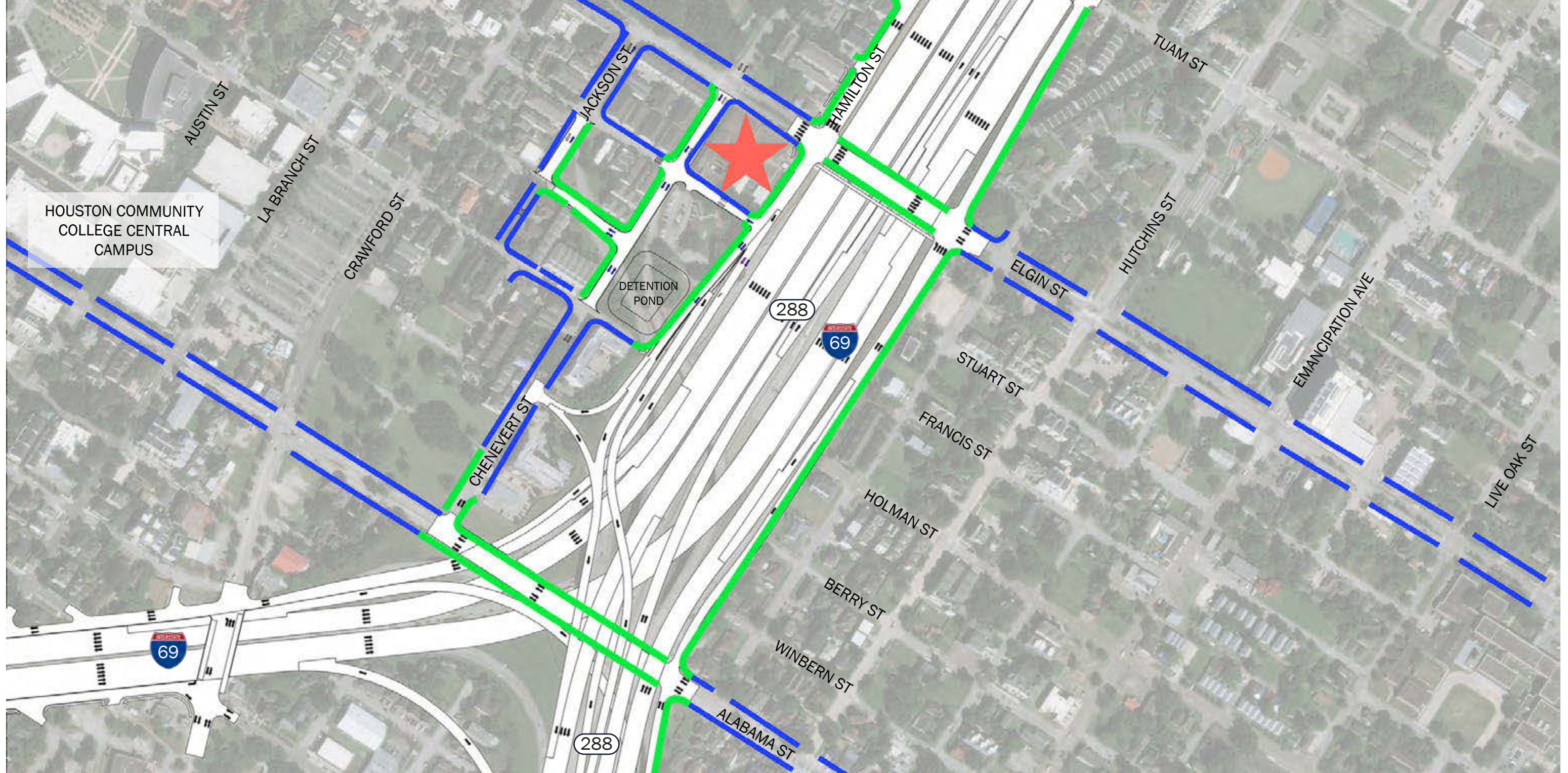


Existing Pedestrian Circulation

Houston Academy for International Studies

NOT TO SCALE

# HOUSTON ACADEMY FOR INTERNATIONAL STUDIES



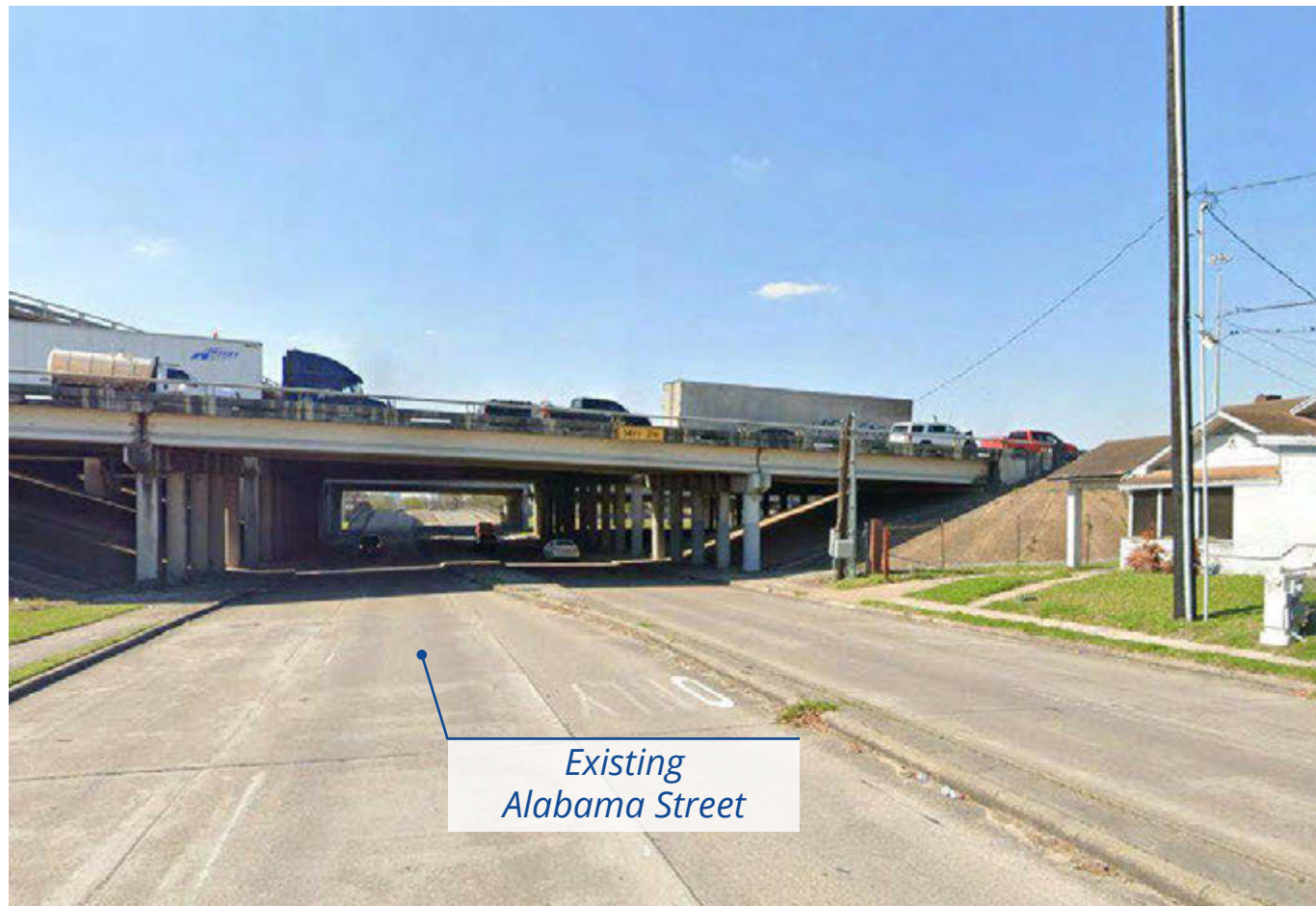
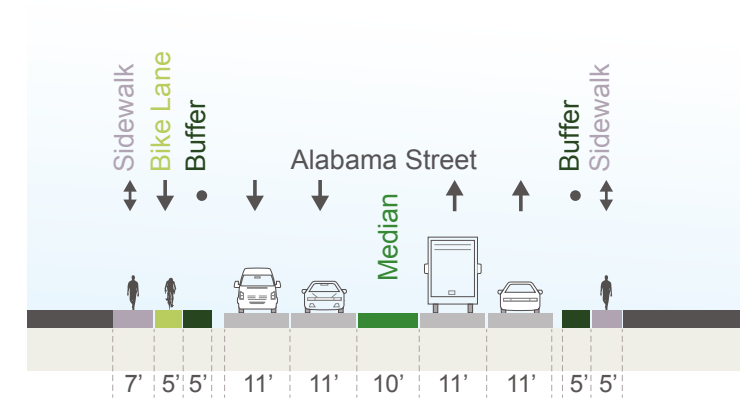
Existing Pedestrian Circulation  
Proposed Pedestrian Realm

★ Houston Academy for International Studies

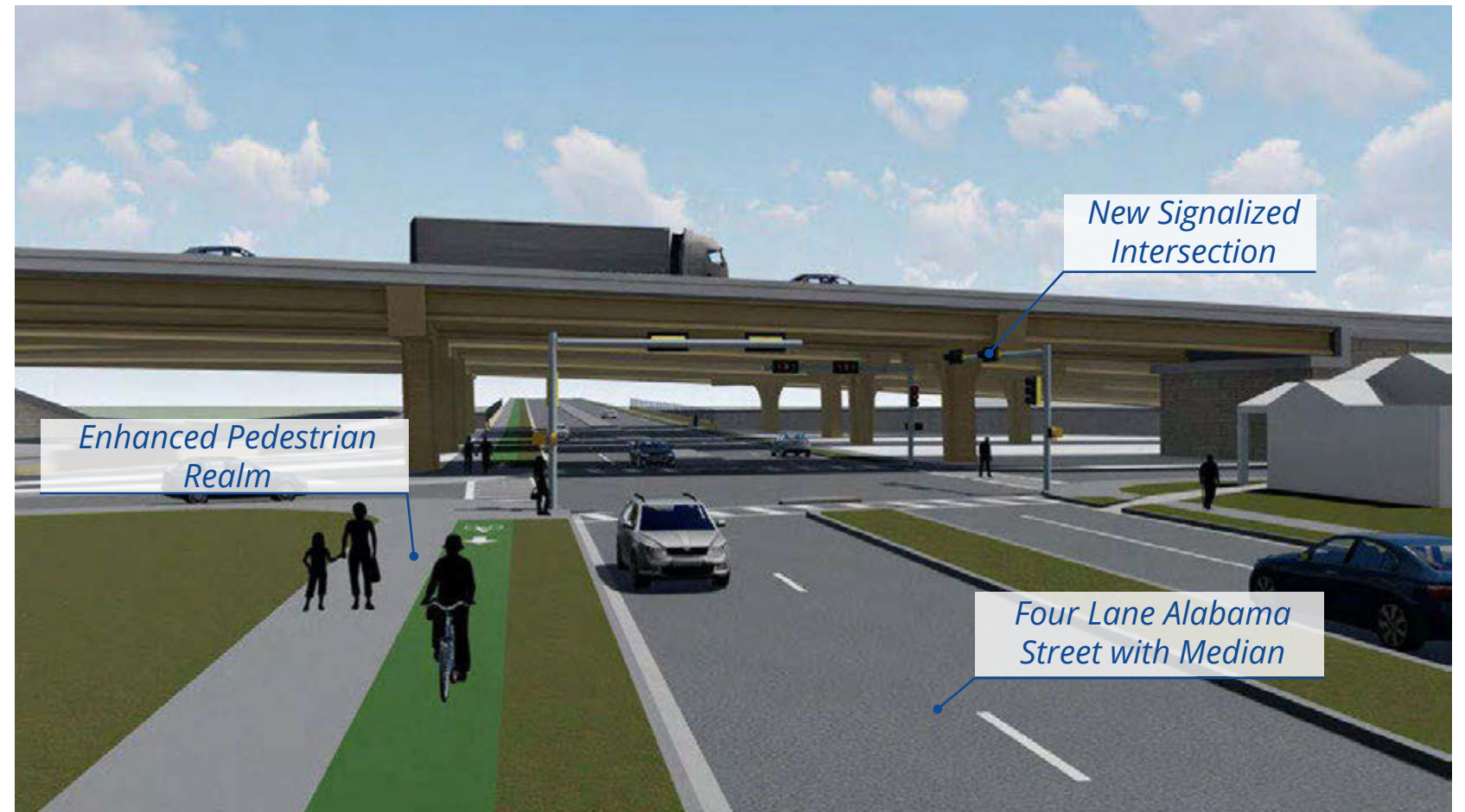
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# HOUSTON ACADEMY FOR INTERNATIONAL STUDIES



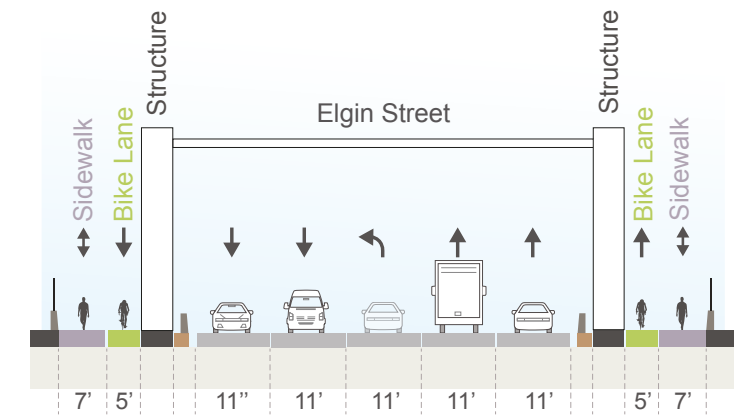
Existing 288 and Alabama Street



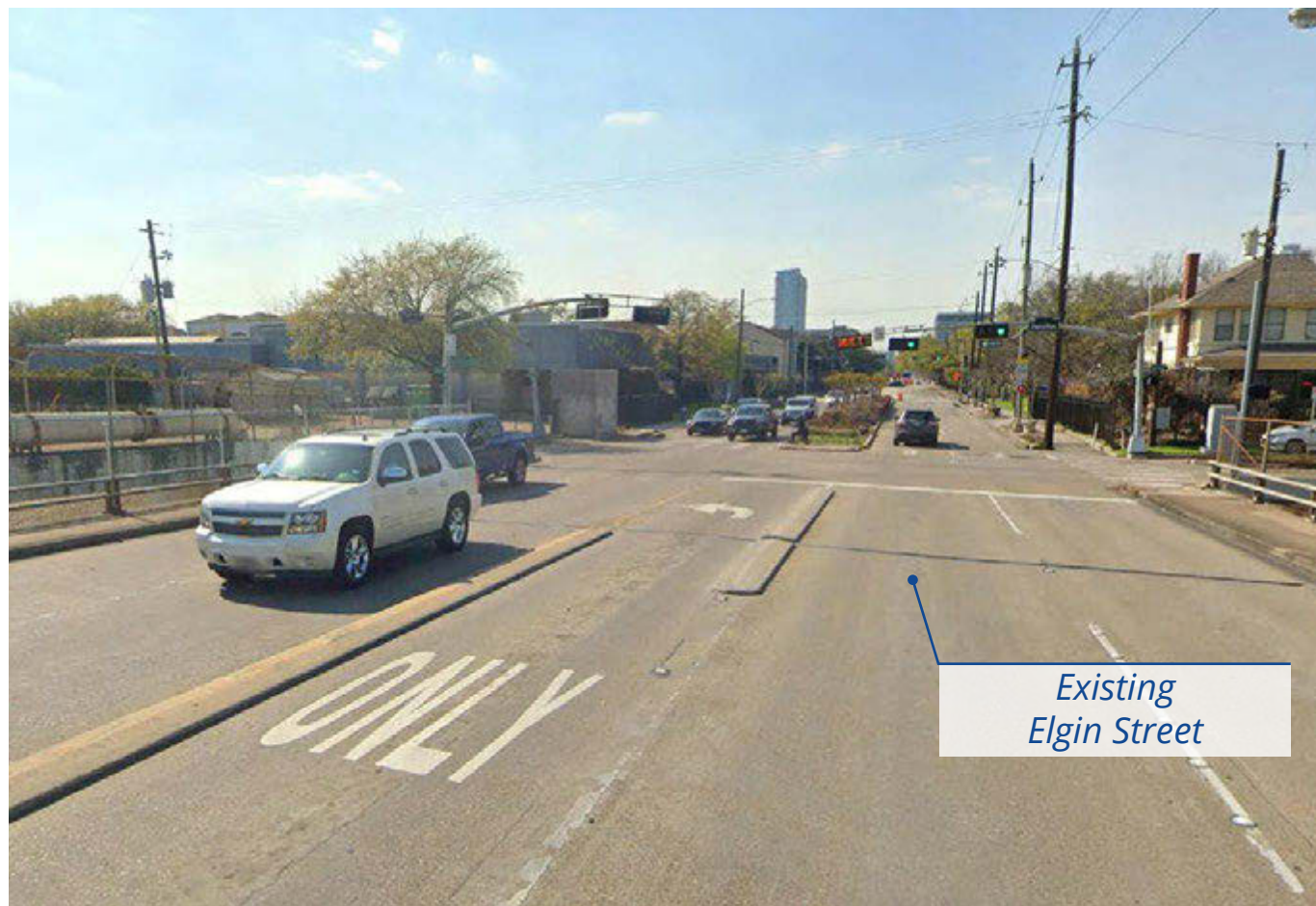
Proposed 288 and Alabama Street

NOT TO SCALE

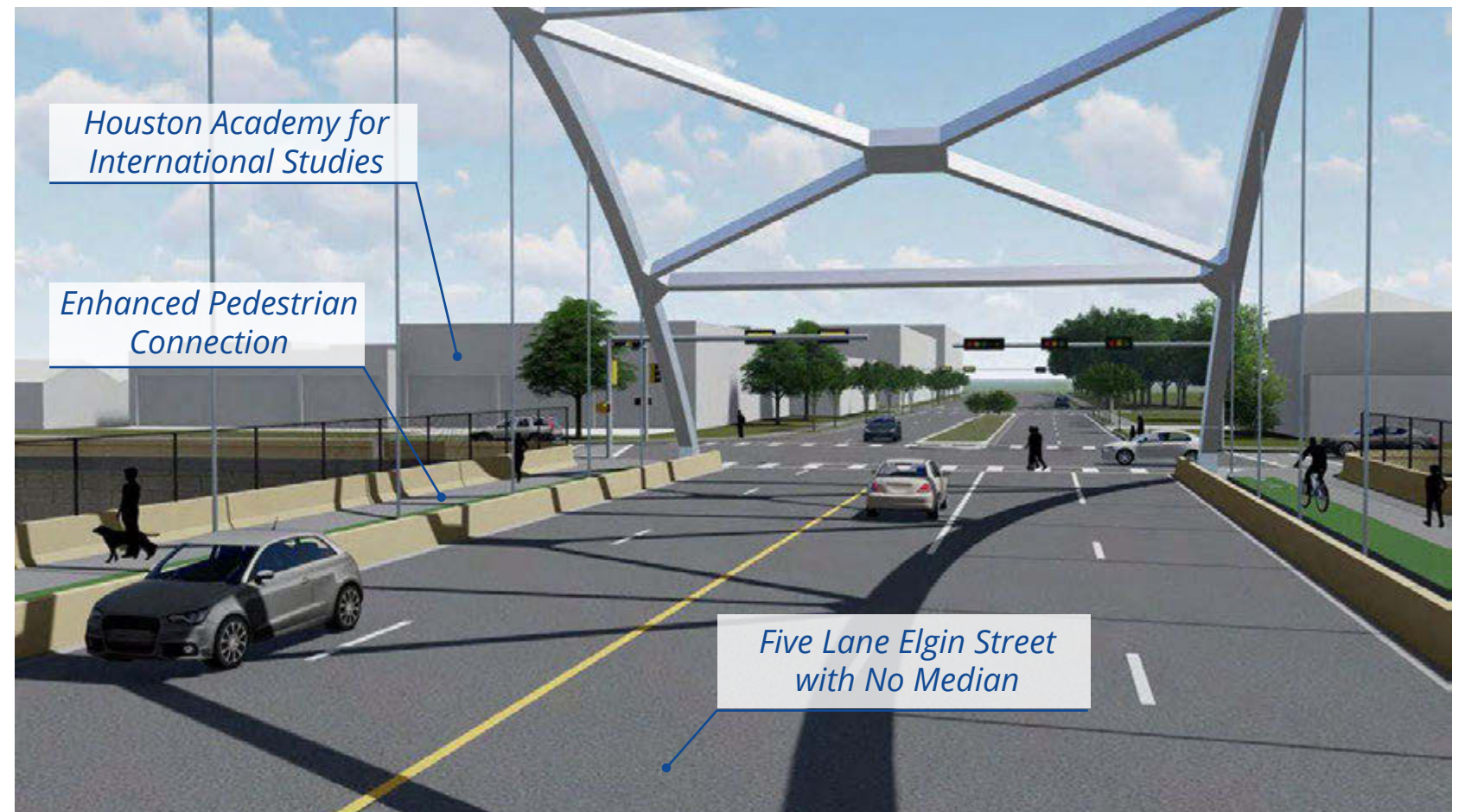
# HOUSTON ACADEMY FOR INTERNATIONAL STUDIES



Proposed Section View at Elgin Street  
Looking Northwest



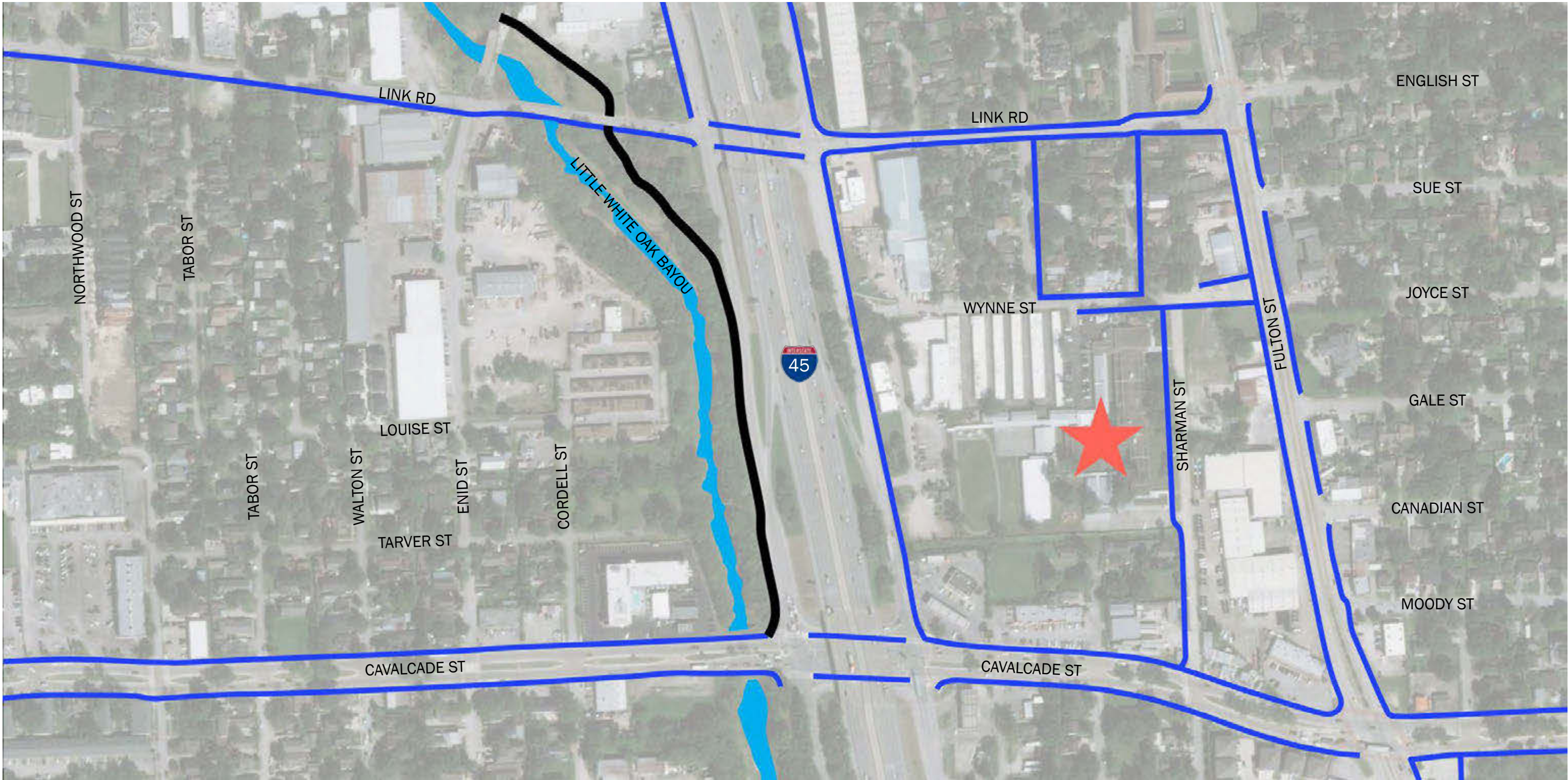
Existing Elgin Street and Hamilton Street Intersection



Proposed Elgin Street and Hamilton Street Intersection

NOT TO SCALE

# JEFFERSON ELEMENTARY SCHOOL CONNECTION

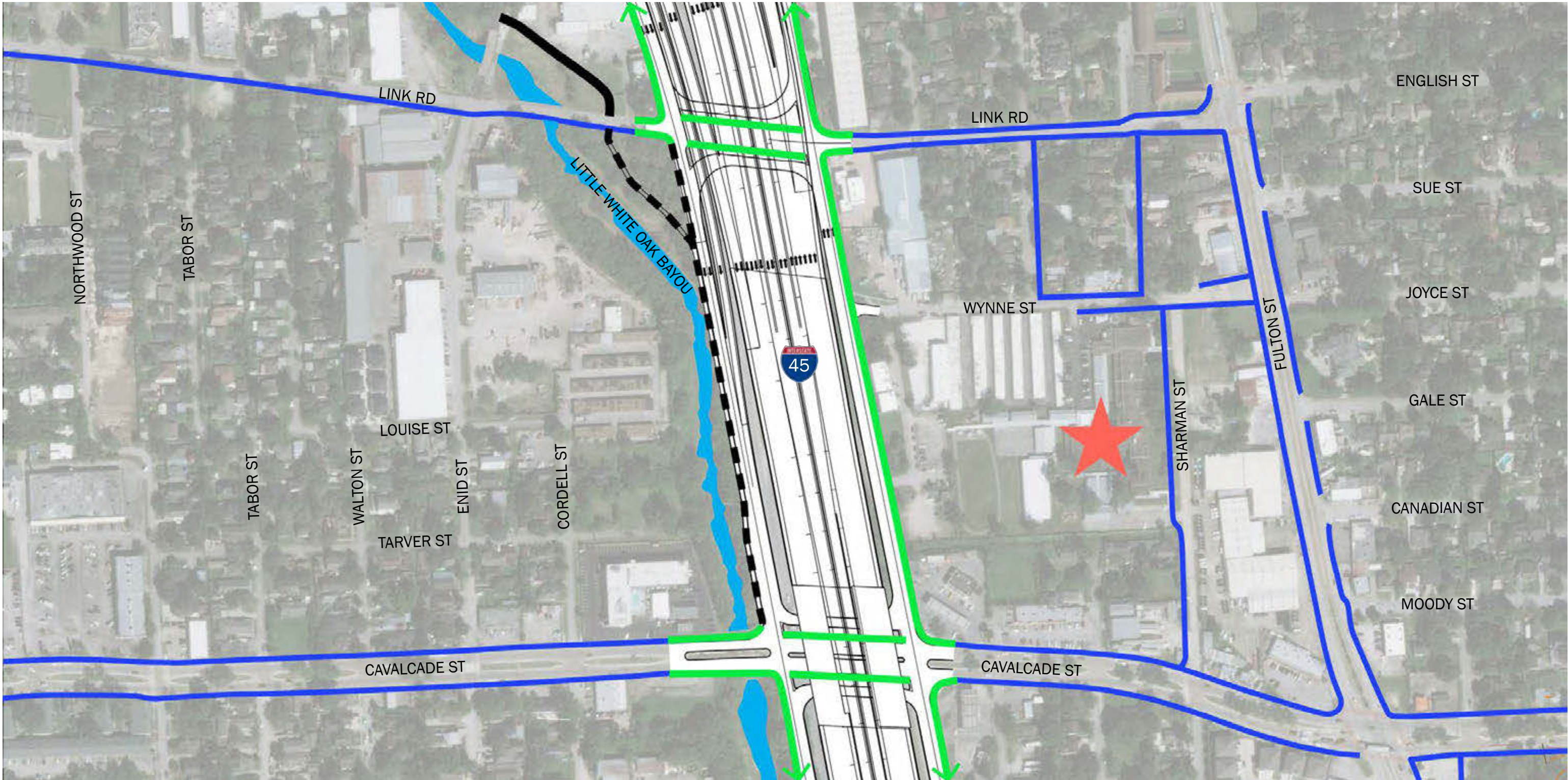


Existing Pedestrian Circulation  
Existing Hike/Bike Trail

★ Jefferson Elementary School

↑ NOT TO SCALE

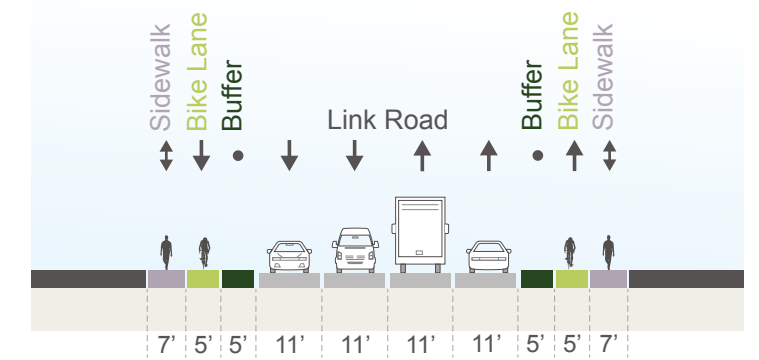
# JEFFERSON ELEMENTARY SCHOOL CONNECTION



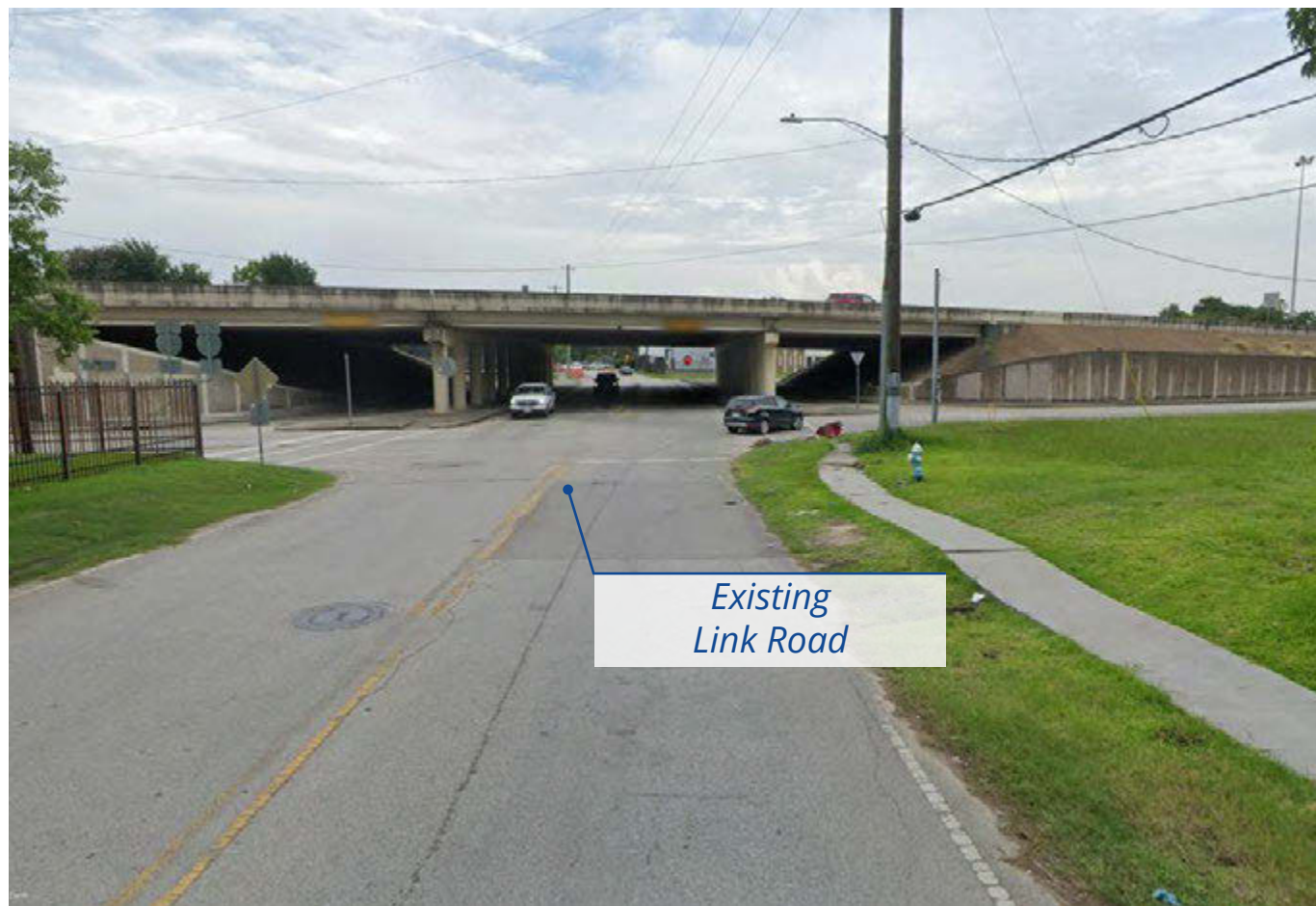
- Existing Pedestrian Circulation
- Proposed Pedestrian Realm
- Proposed Hike/Bike Path
- Jefferson Elementary School

NOT TO SCALE

# JEFFERSON ELEMENTARY SCHOOL CONNECTION



Proposed Section View at Link Road  
Looking East



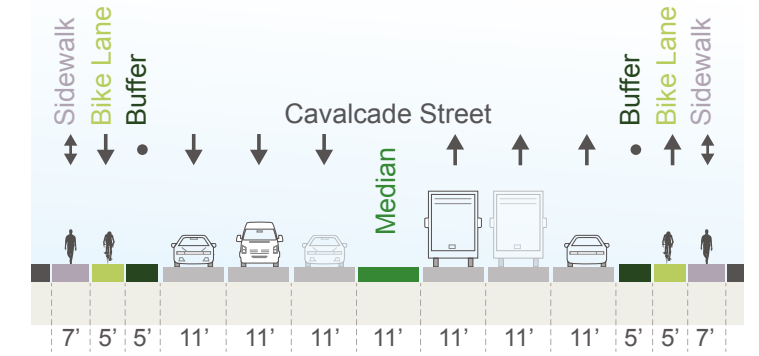
Existing I-45 and Link Road



Proposed I-45 and Link Road

NOT TO SCALE

# JEFFERSON ELEMENTARY SCHOOL CONNECTION



Proposed Section View at Cavalcade Street  
Looking East



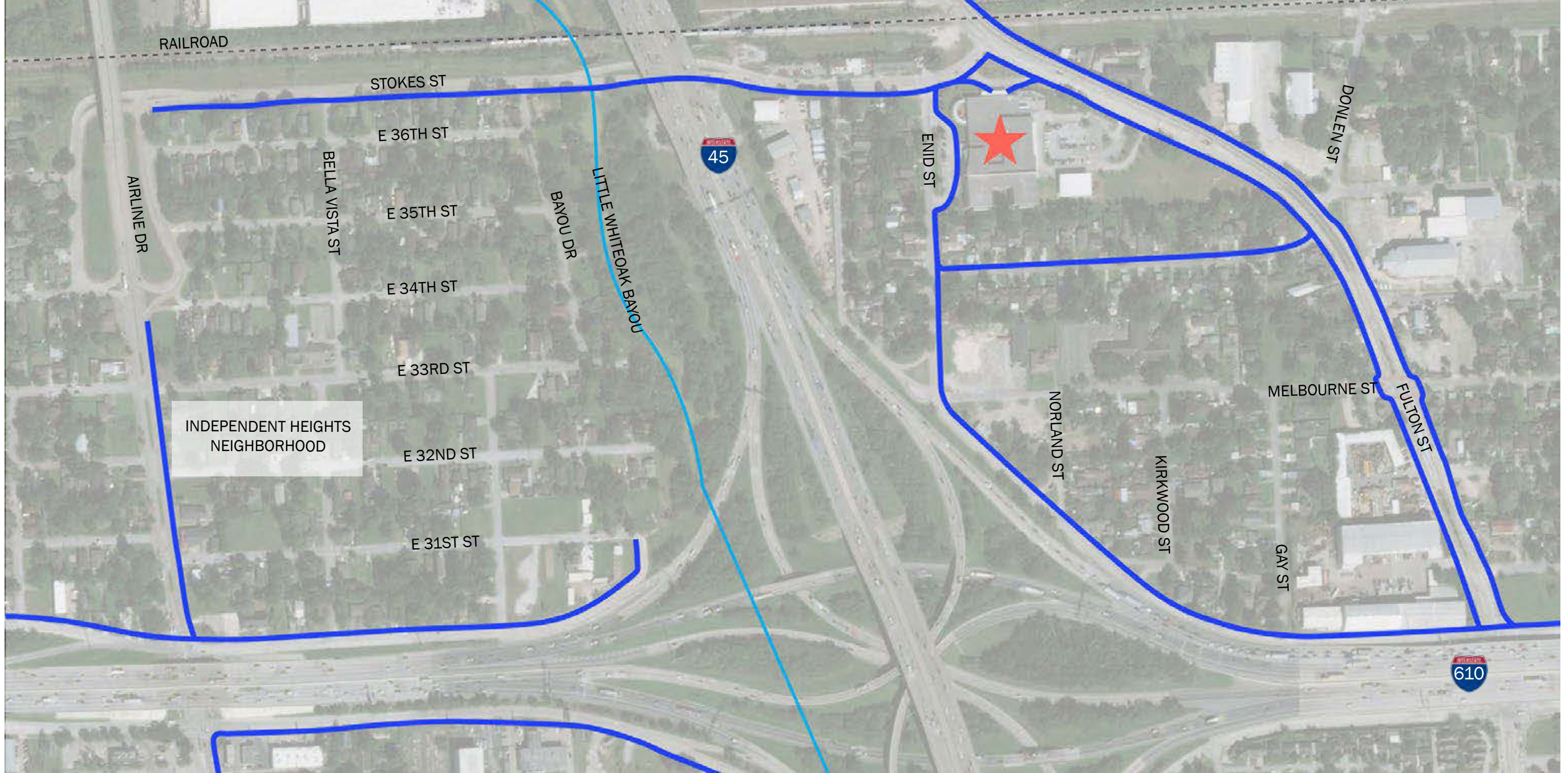
Existing I-45 and Cavalcade Street



Proposed I-45 and Cavalcade Street

NOT TO SCALE

# ROOSEVELT ELEMENTARY SCHOOL

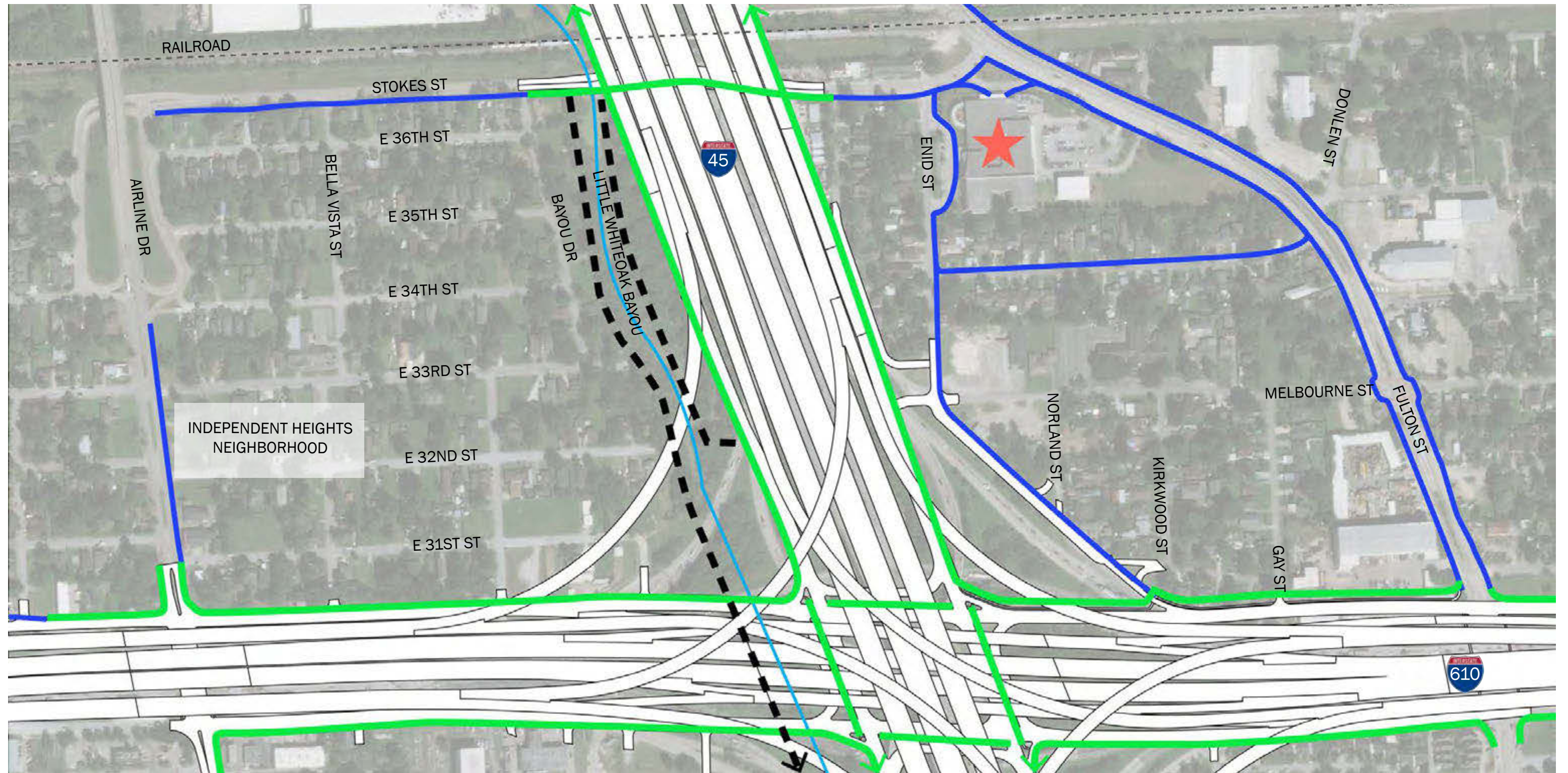






Existing Pedestrian Circulation


Roosevelt Elementary School

NOT TO SCALE

# ROOSEVELT ELEMENTARY SCHOOL

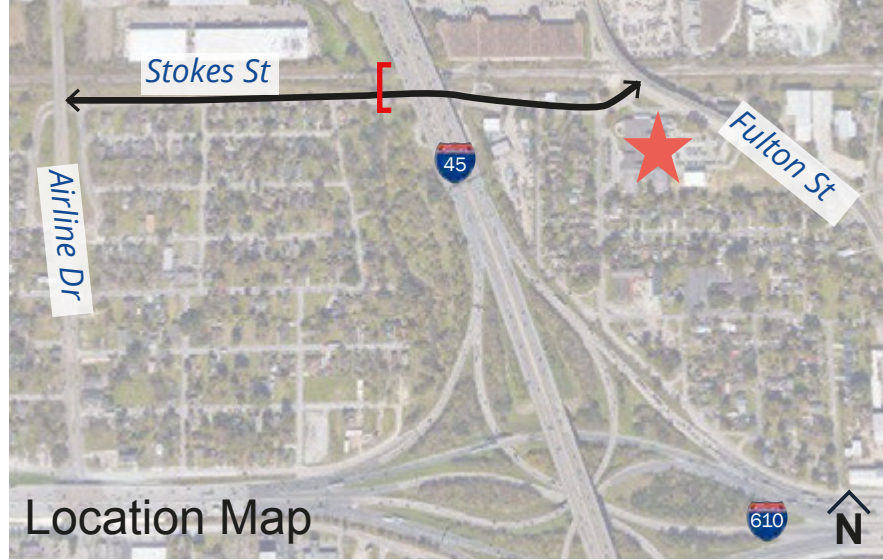


-  Existing Pedestrian Circulation
-  Proposed Pedestrian Realm
-  Proposed Hike/Bike Path
-  Roosevelt Elementary School

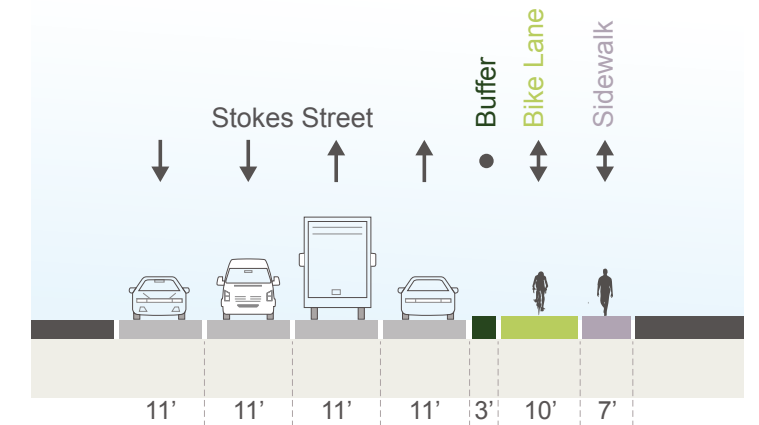
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# ROOSEVELT ELEMENTARY SCHOOL



Location Map



Proposed Section View at Stokes Street Looking East



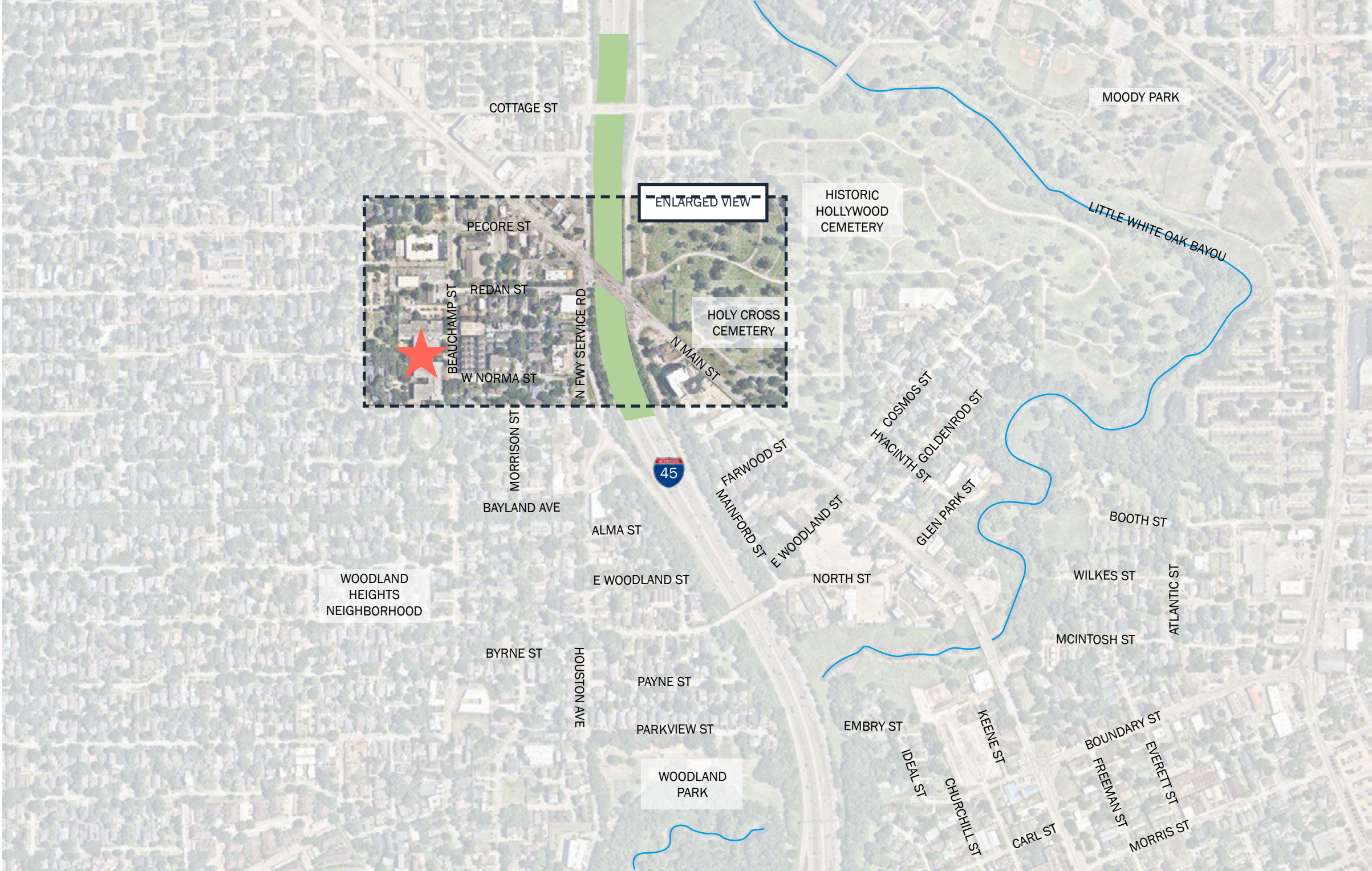
Existing I-45 and Stokes Street



Proposed I-45 and Stokes Street

NOT TO SCALE

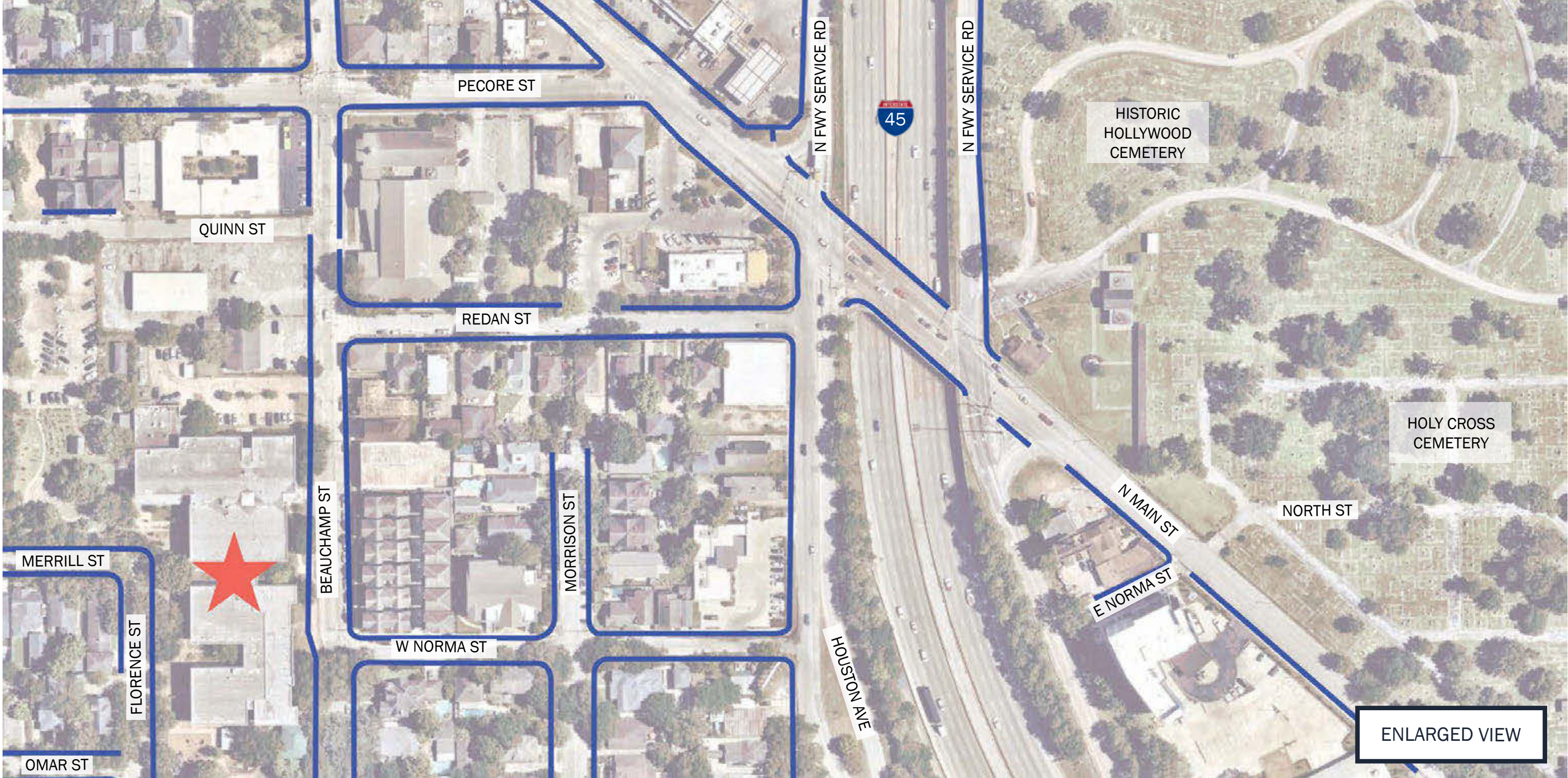
# TRAVIS ELEMENTARY SCHOOL



■ Potential Deck Park    ★ Travis Elementary School

↑ NOT TO SCALE

# TRAVIS ELEMENTARY SCHOOL







Existing Pedestrian Circulation      ★ Travis Elementary School

↑ NOT TO SCALE

# TRAVIS ELEMENTARY SCHOOL



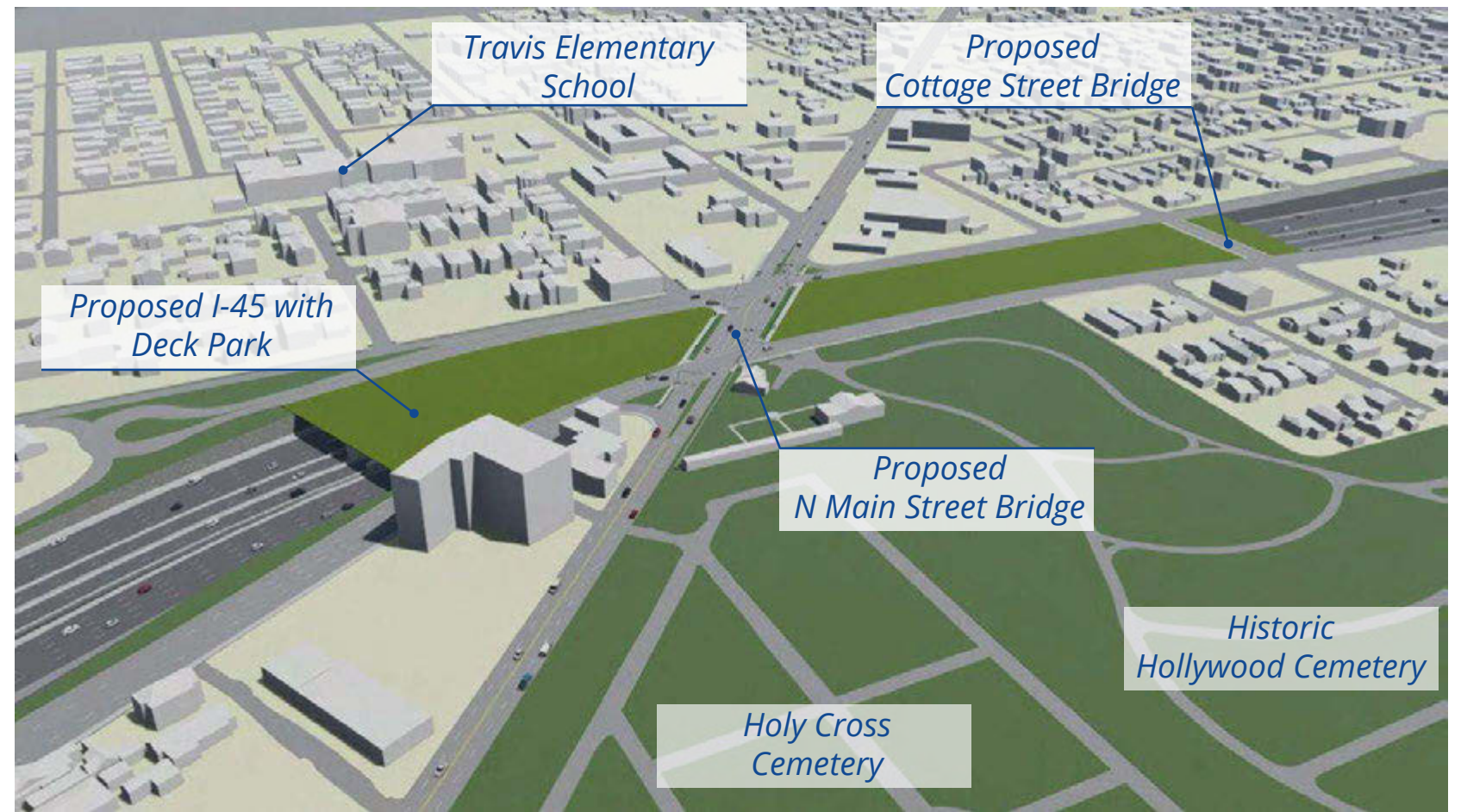
-  Existing Pedestrian Circulation
-  Travis Elementary School
-  Proposed Pedestrian Realm

 NOT TO SCALE

# TRAVIS ELEMENTARY SCHOOL



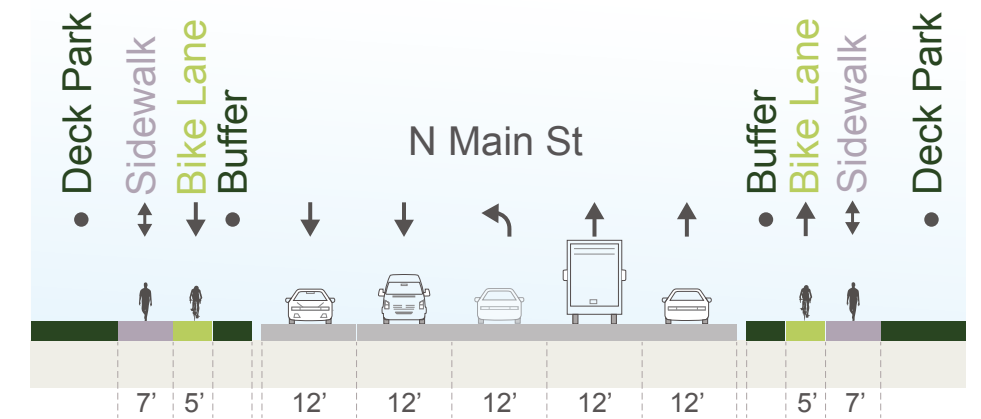
Existing I-45 at Main St and Cottage St  
(Source: Google)



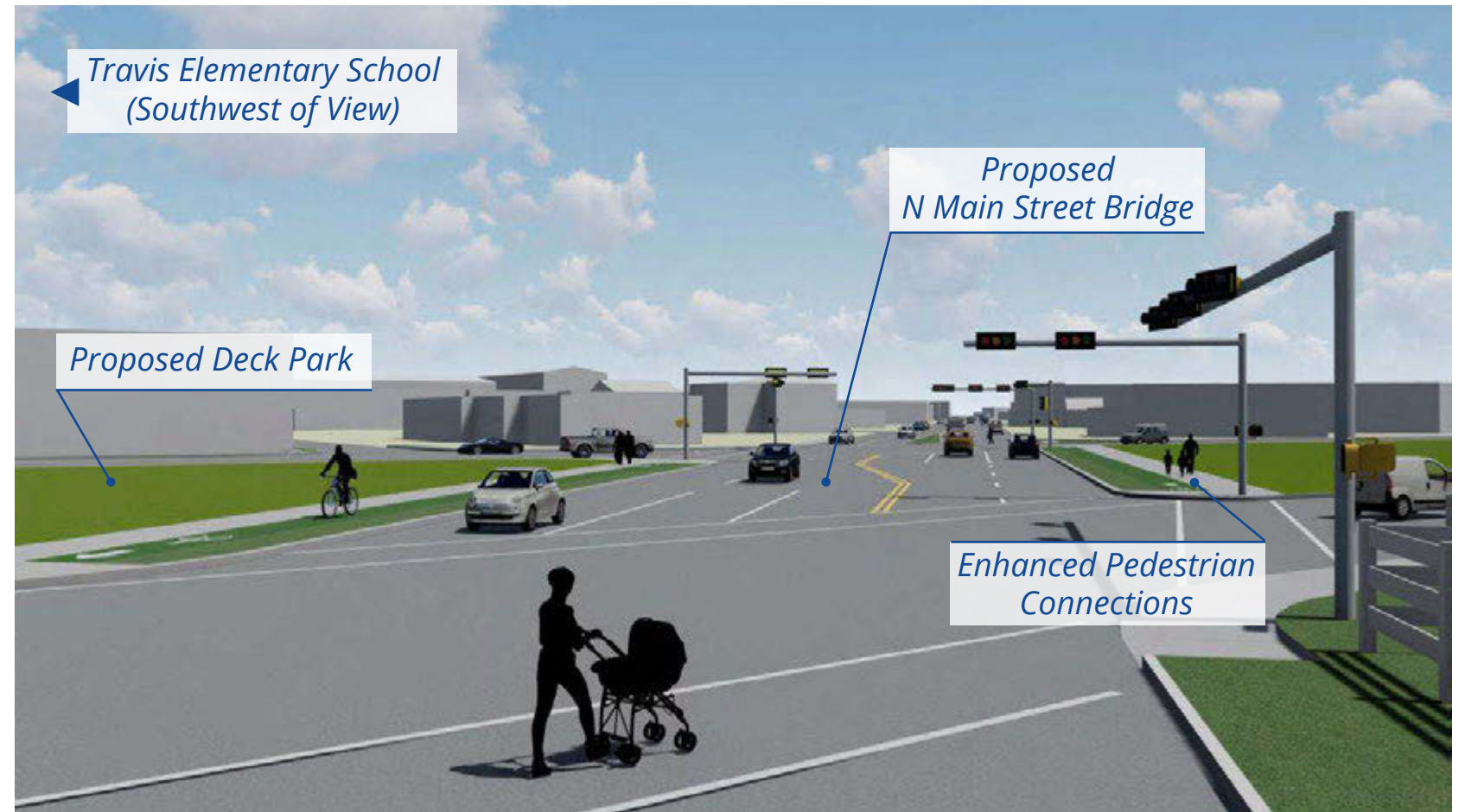
Proposed I-45 at Main St and Cottage St with Deck Park

NOT TO SCALE

# TRAVIS ELEMENTARY SCHOOL



Existing N Main St Bridge over I-45  
(Source: Google)



Proposed N Main St Bridge over I-45

NOT TO SCALE

## Exhibit D

### Summary of Required Information

Timeline	Deliverable
Day 0	VRA Signed
Day 30	TxDOT will establish a publicly-available project-specific website (Relocations Article IV.2.1)
Day 45	TxDOT Provides Draft Standard Operating Procedure for LEP Resource Providers to FHWA for Review (LEP Article IV.8.g)
Day 60	<ul style="list-style-type: none"> <li>• TxDOT Provides Draft of Survey of Displaced Individuals to FHWA (LEP Article IV.8.k)</li> <li>• FHWA Provides Comments on TxDOT's Draft Standard Operating Procedure for LEP Resource Providers (LEP Article IV.8.g)</li> </ul>
Day 75	FHWA Provides Comments to TxDOT on Draft Survey of Displaced Individuals (LEP Article IV.8.k)
Day 90	<ul style="list-style-type: none"> <li>• Complete survey on non-residential displaced entities (Article IV.2.b)</li> <li>• TxDOT Finalizes Survey of Displaced Individuals (LEP Article IV.8.k)</li> <li>• TxDOT and FHWA Finalize Standard Operating Procedure for LEP Resource Providers (LEP Article IV.8.g)</li> </ul>
Day 120	<ul style="list-style-type: none"> <li>• TxDOT will develop and provide LEP training to relevant staff, contractors, etc. (LEP Article IV.8.j)</li> <li>• TxDOT will have completed Survey of Displaced Individuals (LEP Article IV.8.k)</li> </ul>
Day 150	<ul style="list-style-type: none"> <li>• TxDOT provides relocation services to non-residential entities requesting such services following survey (Relocations Article IV.2.b)</li> <li>• TxDOT provides first Report on Compliance with LEP Survey of Displaced Individuals (LEP Article IV.8.k) – <i>Note: Additional reports due 60 days after the 150 day report</i></li> </ul>

	<p><i>and every 60 days thereafter until all persons are relocated.</i></p>
<p>Day 180</p>	<p>Progress Report on Overall VRA Implementation of Required TxDOT Actions (Article VI) – <i>Note: Progress reports on overall VRA implementation are due every 180 days (Article VI). TxDOT and FHWA will agree on the Progress Report format prior to submission of TxDOT’s first required report (Article VI). Reports must be accessible under Section 508 (Article V). FHWA will review and provide timely comments on each progress report to TxDOT (Article VI). Each Progress Report must include an update on all required TxDOT Actions: Reducing the NHHIP Footprint During Detailed Design; Displacements, Relocations, Housing, and Other Community Impacts; Flooding; Air Quality Mitigation; Structural Caps; Parks, Open Space, Trails, Pedestrian and Bicycle Facilities; Access During Construction; and Meaningful Access for Persons with Limited English Proficiency (LEP) (Article VI).</i></p> <p>-Specific Items to be Submitted with Progress Reports</p> <ul style="list-style-type: none"> <li>• Uniform Act Data for All Residential and Non-Residential Displacements (Relocations Article IV.2.a)</li> <li>• Status of non-residential relocation services (Relocations Article IV.2.b)</li> <li>• Access Plan for Essential Services (Relocations Article IV.2.c)</li> <li>• Report on acquisition or demolition of a parcel that was not included in the FEIS or ROD (Relocations Article IV.2.d)</li> <li>• As final design completed, document reduction in right-of-way leading to fewer displacements (Relocations Article IV.2.e)</li> <li>• Implementation of Affordable Housing Plan and Status of disbursement of \$30 million for</li> </ul>



	<p>affordable housing (Relocations Article IV.2.f) – <i>Note: Reporting to begin with first Progress Report after submission of the Affordable Housing Plan</i></p> <ul style="list-style-type: none"> <li>• Report on discussions with the City of Houston on the use of portions of the Project’s future surplus right-of-way for affordable and workforce housing (Relocations Article IV.2.g)</li> <li>• Report on Any Displacee Denied Benefits (Relocations Article IV.2.h)</li> <li>• Progress in Providing Enhanced Relocation Services (Relocations Article IV.2.i)</li> <li>• Update on residents or non-residential owners or renters cut off by project (Relocations Article IV.2.j)</li> <li>• Report on strategies being used for considering public input through future project development (Relocations Article IV.2.p)</li> <li>• Updates on public engagement meetings during design and construction of the project (Relocations Article IV.2.q)</li> <li>• Air quality mitigation implementation (Air Quality Mitigation Article IV.4.d)</li> <li>• Documentation of Any Delays in Providing Language Assistance Services for Relocations &amp; Acquisitions (LEP Article IV.8.e) – <i>Note: Submitted only as needed</i></li> <li>• LEP Training Reports (LEP Article IV.8.j)</li> </ul>
Day 210	TxDOT will have provided supplemental LEP services to those displaced residents and businesses who requested supplemental LEP services (LEP Article IV.8.k)
Day 365	The Parties will negotiate and finalize an updated TxDOT Language Assistance Plan

	and Policy, consistent with the U.S. Department of Justice’s 2002 LEP guidance on updating recipient LEP plans (LEP Article IV.8)
TBD	Plan on schedule and disbursement of \$30 million for affordable housing (Relocations Article IV.2.f) – <i>Note: Report is due 90 days after completion of the Affordable Housing Plan</i>
TBD	Plan for enhanced relocation services (Relocations Article IV.2.i) – <i>Note: Report is due 30 days after completion of the Enhanced Relocations Services Plan</i>
TBD	Plan for Services Needed by People Experiencing Homelessness (Relocations Article IV.2.o) – <i>Note: Report is due 30 days after completion of the Plan for Essential Services for People Experiencing Homelessness</i>
TBD	Segment and Detailed Drainage Study (Flooding Article IV.3.b) – <i>Note: Report is due with the next Progress Report after completion of the study</i>
TBD	Before submittal to the Texas Transportation Commission for consideration, FHWA must review and approve any and all Final Requests for Proposal for Design-Build Contract (Flooding Article IV.3.c)
TBD	Evaluation of potential alternative pedestrian/bicycle routes to address the loss of the existing North Street bridge (Open Space Article IV.6.j) – <i>Note: Report is due in the next Progress Report after the evaluation is completed.</i>

# **NHHIP VRA PROGRESS REPORT**

**February 29, 2024**

## **APPENDIX B**

### **ACCESS TO ESSENTIAL SERVICES PLAN**



U.S. Department  
of Transportation  
Federal Highway  
Administration



# I-45 North Houston Highway Improvement Project (NHHIP)

## ESSENTIAL SERVICES PLAN

February 2024



## EXECUTIVE SUMMARY:

This plan details the approach the Texas Department of Transportation (TxDOT) will implement to ensure that roadway, transit, and pedestrian/bicycle access to essential services will be maintained during and after construction in neighborhoods where such essential services will be impacted by the Project. Per the NHHIP Voluntary Resolution Agreement, essential services include, but are not limited to, health care facilities, grocery stores, pharmacies, schools, places of worship, and voting locations.

### 1. DESIGN PHASE ACTIVITIES

During the design phase:

- TxDOT will identify essential services located within a half-mile of the project. Essential services include but are not limited to health care facilities, grocery stores, pharmacies, schools, places of worship and voting locations.
- TxDOT's Designer will identify existing roadway, transit, and pedestrian/bicycle access to the identified essential services within the project limits.
- TxDOT's Designer will prepare sequence of construction plans to maintain roadway, transit, and pedestrian/bicycle access during construction. Design will be prepared in accordance with latest version of applicable TxDOT procedures, specifications, manuals, guidelines, standard drawings, and standard specifications or previously approved special provisions and special specifications, which include:
  - *Roadway Design Manual*, published by TxDOT;
  - *Texas Manual on Uniform Traffic Control Devices (TMUTCD)*, published by TxDOT;
  - *Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges* (latest Edition), published by TxDOT;
  - other State or Federal approved manuals and guides as applicable.
- The Designer shall develop construction sequencing plans to include:
  - A written narrative of the construction sequencing and work activities per construction phase.
  - Details for the proposed traffic control devices (regulatory signs, warning signs, guide signs, route markers, construction pavement markings, barricades, flag personnel, temporary traffic signals, etc.) to be used to handle traffic during each construction sequence.
  - Details for the proposed traffic control devices for at-grade intersections during each construction phase (stop signs, flag personnel, signals, etc.).
  - Details will show temporary roadways, ramps, structures, and detours required to maintain access throughout the construction phasing.
  - Identification of any required closures during construction. For each required closure, construction plans will include details for the proposed traffic control devices for alternative access routes for the duration of the closure.
  - Construction plans will include notes with requirements for the contractor to coordinate with TxDOT Public Information Office (PIO) for each closure. The requirements will include providing advance notice of closures to TxDOT PIO.

- Construction plans will include notes with restrictions for roadway and pedestrian/bicycle access closures. Restrictions may include limits on duration of closure and/or requirements regarding what work can or cannot be performed concurrently.

Based on this construction sequencing plan, TxDOT will identify disruptions in access to essential services and coordinate with local governments, agencies, schools and school districts to prepare alternative plans for providing access during construction:

- For disruptions to roadway and pedestrian/bicycle networks, TxDOT will identify and evaluate effective alternative routes, to ensure that access is maintained, and the public retains access to the essential services.
- TxDOT will coordinate with City of Houston for identified disruptions to City facilities, including the roadway network and/or pedestrian/bicycle network.
- TxDOT will coordinate with METRO for implementation of alternative routes and/or alternative resource locations associated with identified disruptions to transit operations.
- TxDOT is identifying schools near the project that access could be impacted due to construction. Once identified, TxDOT is meeting with representatives from the schools and school district to provide them an overview of the construction project phasing and detours that could impact access to the school. A presentation is shown that is specific to each school location and information provided to the school includes TxDOT contact information, project development timeline, anticipated beginning of construction, anticipated construction duration, and construction phasing. The construction phasing is shown on a map that shows planned roadway closures and detours around the school. The discussion at these meetings is to understand the internal circulation of each school campus and how buses, drivers, pedestrians, and bicyclists access the campus. From these meetings TxDOT is better able to understand whether construction phasing may need to be modified or particular work identified to be completed when school may not be in session and traffic to the school be lighter or non-existent.

## **2. CONSTRUCTION PHASE ACTIVITIES**

During the construction phase:

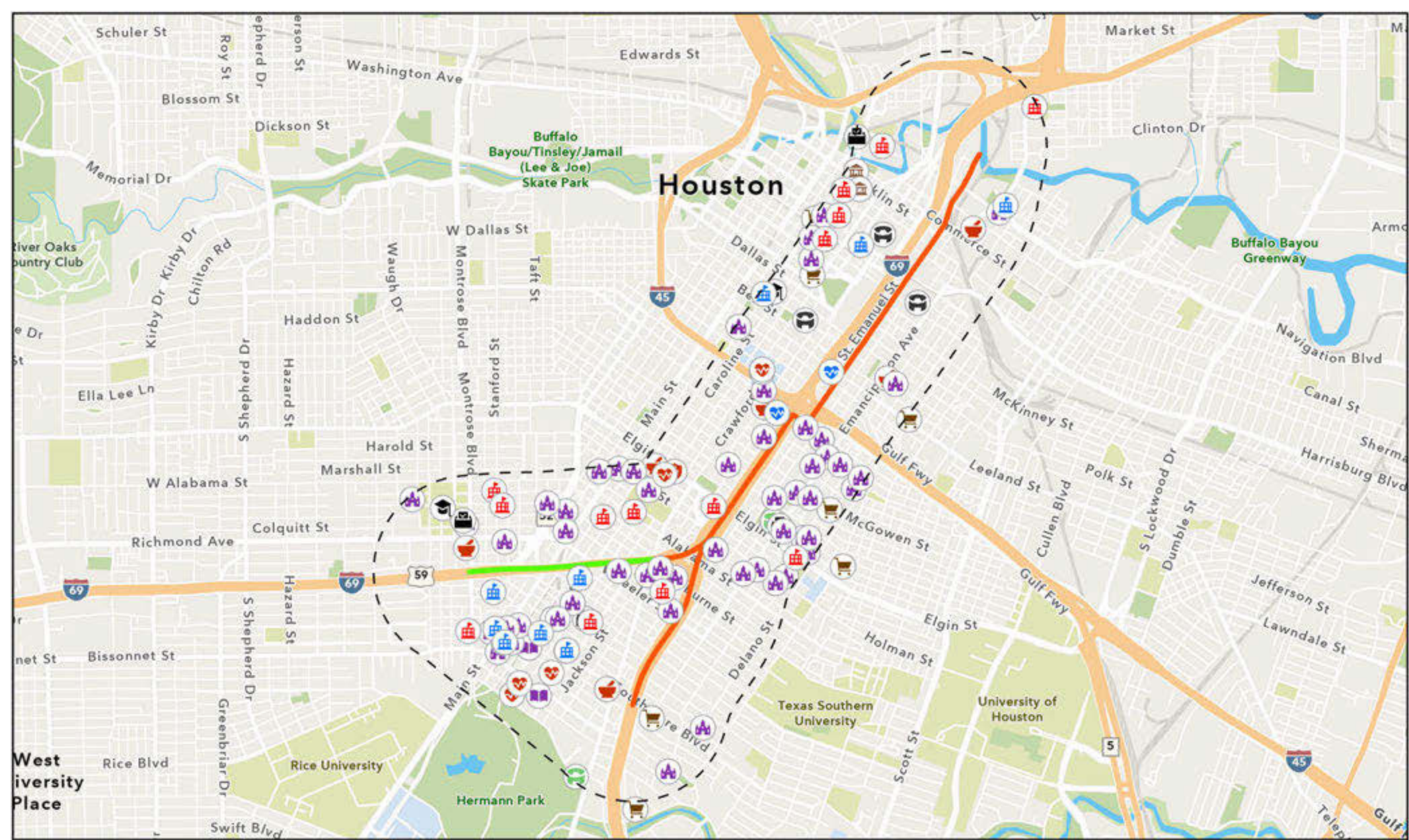
- When a project is let for construction, TxDOT will provide written notification to local governments and community stakeholders of pending construction, including anticipated overall timeframe for construction duration.
- TxDOT's Contractor will implement the construction sequencing details as prepared by TxDOT's Designer. TxDOT will review and approve any Contractor proposed changes to the construction sequencing prior to implementation. Any proposed changes to the construction sequencing plan shall ensure that access to roadway, transit, and pedestrian/bicycle access to essential services is maintained during construction.
- TxDOT's Contractor will coordinate with TxDOT PIO regarding roadway and pedestrian/bicycle access closures. TxDOT PIO will publish advanced notification of closures to the public, explaining closure location and duration.
- For each closure, TxDOT PIO will assess and implement the appropriate method for public notification, to include consideration for electronic notifications and stakeholder meetings. TxDOT PIO will publish construction closures in both English and Spanish.











- The multilingual project website will be leveraged during construction to provide road closure and detour route notifications along with other construction phasing and status information. TxDOT also posts all road closure and major construction activity notices to Houston Transtar.
- For each closure during construction, TxDOT's Contractor will implement traffic control devices as detailed in the construction plans and in accordance with the TMUTCD to re-route roadway, transit and pedestrian/bicycle traffic.

Reporting on impacts to essential services will continue until construction of a design segment is substantially complete.

### **3. IDENTIFICATION OF ESSENTIAL SERVICES**

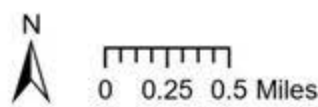
See Figure 1 NHHIP Segments 3A and 3B Essential Services map for essential services identified within one-half mile of Segments 3A and 3B. Table 1 lists the identified Segment 3A and 3B essential services.



-  Public Schools
-  Private Schools
-  Universities
-  Places of Worship
-  Hospitals
-  Clinics
-  Pharmacies
-  Fire Stations
-  Grocery Stores
-  Voting Locations
-  Community Centers
-  Libraries
-  Harris County Buildings
-  Sports Arenas
-  Segment 3A
-  Segment 3B
-  Segments 3A & 3B Half Mile Buffer

**North Houston Highway Improvement Plan (NHHIP)**  
**Figure 1**  
**Segments 3A & 3B Essential Services**

February 2024





**Table 1 Segments 3A and 3B Essential Services within one-half mile of the project**

Essential Service	Address
<b>Public Schools</b>	
School for Young Children	810 Sul Ross Street
Arabic Immersion Magnet	4001 Stanford Street
Dominion Montessori	
A+ Unlimited Potential – Museum District	5100 Montrose Boulevard
Houston Academy for International Studies	1810 Stuart Street
Baylor College of Medicine Academy at Ryan	2610 Elgin Street
HCC Life Skills Program	1301 Alabama Street
Young Women’s College Prep Academy	1906 Cleburne Street
MacGregor Elementary	4801 La Branch Street
Kinder High School for Performing and Visual Arts	790 Austin Street
School for Accelerated Learning	1310 Prairie Street
Kegans State Jail	707 Top Street
Harris County Juvenile Detention Center	1200 Congress Street
Bruce Elementary	510 Jensen Drive
Montessori Country Day School	5117 La Branch Street
Montessori Country Day School	5116 Caroline Street
The Joy School	1 Chelsea Boulevard
Montessori School Downtown	4510 Caroline Street
Montessori Country Day School	5117 La Branch
Crème de la Creme	1400 Sam Jacinto
Incarinate Word Academy	609 Crawford Street
Presbyterian School	5300 Main Street
St Paul’s School	5501 Main Street
Our Lady of Guadalupe School	2405 Navigation Boulevard
<b>Universities</b>	
South Texas College of Law	1303 San Jacinto Street
University of St. Thomas	3800 Montrose Boulevard
<b>Places of Worship</b>	
Chapel of St. Basil	3800 Montrose Boulevard
South Main Baptist Church	4100 Main Street
First Unitarian Universalist Church of Houston	5200 Fannin Street
Covenant Baptist Church	4949 Caroline Street
Holy Rosary Church	3617 Milam Street
Trinity Episcopal Church	1015 Holman Street
Center Bread of Life Learning	1418 Live Oak Street
Augustana Lutheran Church	2001 Wheeler Avenue
Fourth Missionary Baptist Church	2710 Webster Street
Jerusalem Baptist Church	2201 Tuam Street
The Historic St John Missionary Baptist Church	2702 Emancipation Avenue
True Light Baptist Church	4017 Hamilton Street
The Assembly	2015 Berry Street
Houston Beren Seventh-Day Adventist Church	2119 St Emanuel Street

<b>Essential Service</b>	<b>Address</b>
Midtown Family Worship Center	2424 Hamilton Street
St John's United Methodist Church	2019 Crawford Street
Wesley Chapel	2209 Emancipation Avenue
Homewood at Zion	2502 Webster Street
Oliver Chapel Baptist Church	2307 Bastrop Street
St John Missionary Baptist Church	2222 Gray Street
St. Nicholas Church	2508 Clay Street
Our Lady of Guadalupe	2405 Navigation Boulevard
Christ Church Cathedral	1117 Texas Avenue
Episcopal Diocese of Texas	1225 Texas Avenue
Annunciation Catholic Church	1618 Texas Avenue
<b>Hospitals</b>	
Christus St. Joseph Hospital	1919 La Branch Street
HealthSouth Hospital and Diagnostic Center	5445 La Branch Street
Depelchin Children's Hospital	3214 Austin
Dubuis Hospital for Continuing Care	1919 La Branch Street
Park Plaza Hospital	1313 Hermann Drive
Plaza Specialty Hospital	1300 Binz Street
<b>Clinics</b>	
Fastest Labs of Central Houston	2117 Chenevert Street
Concentra Urgent Care	2004 Leeland Street
<b>Pharmacies</b>	
Walgreens	2612 Smith Street
CVS Pharmacy	300 Milam Street
CVS Pharmacy	2410 Polk Street
Eye Care Central	1202 Elgin Street
Midtown Specialty Rx	1701 Webster Street
EaDo Family Dental	2240 Navigation Boulevard
<b>Fire Station</b>	
Fire Station	1402 Elgin Street
<b>Community Center</b>	
Robinson, (J., Jr.) Community Center	2020 Hermann Drive
Emancipation Community Center	3018 Dowling
<b>Libraries</b>	
Clayton Library	5300 Caroline
Parent Resource Library	1500 Binz
Freed-Montrose Library	4100 Montrose Boulevard
<b>Government Buildings</b>	
Harris County Criminal Justice Center	1201 Franklin
Harris County Clerks Office	201 Caroline Street
<b>Grocery Stores</b>	
Phoenicia Specialty Foods	1001 Austin Street
Fannin Food Mart	625 Fannin Street
Grocery One	2711 Leeland Street
HEB	6055 South Freeway

<b>Essential Service</b>	<b>Address</b>
Southmore Market	5203 Emancipation Avenue
Community Food Store	2618 McGowen Street
Eddy Lim Food Market	3015 Sauer Street
<b>Sports Arenas</b>	
Minute Maid Park	501 Crawford Street
Toyota Center	1510 Polk Street
Shell Energy Stadium	2200 Texas Avenue

# **NHHIP VRA PROGRESS REPORT**

**February 29, 2024**

## **APPENDIX C**

**DOCUMENTATION OF BENEFITS PROVIDED  
IN ACCORDANCE WITH UNIFORM ACT**



May 26, 2023

County: Harris

Federal Project No.: N/A


ROW CSJ: 0027-13-226

Hwy. No.: IH45

Parcel ID: 200 / P00001724

Project Limits: From IH 45 To SH 288



BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. 

Dear Occupant

An offer was made by the Texas Department of Transportation on May 25, 2023 to purchase the above- designated property, on which your personal property is located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

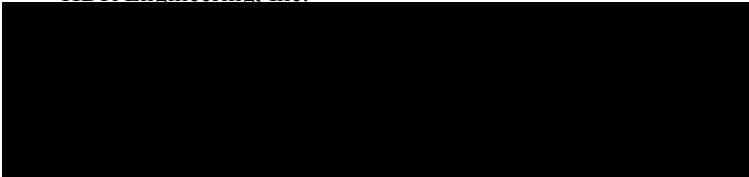
1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
3. Application for relocation assistance payments must be made in writing on standard forms provided by this Department and must be filed with this Department no later than eighteen (18) months after the date you actually move from this parcel.
4. Any person or entity who is 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.
5. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure .



We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or by email at [REDACTED]

Sincerely,

HDR Engineering, Inc.



*Right of Way Project Manager*

Enclosure

Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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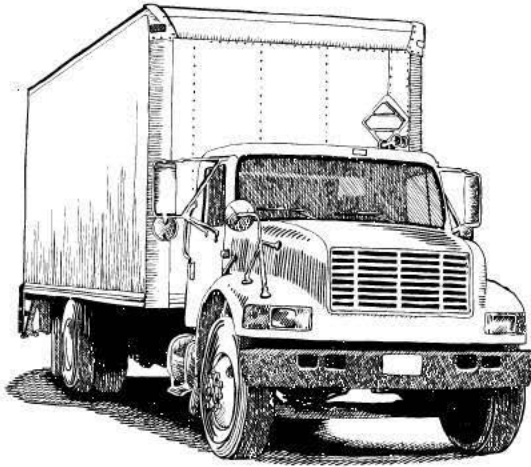
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

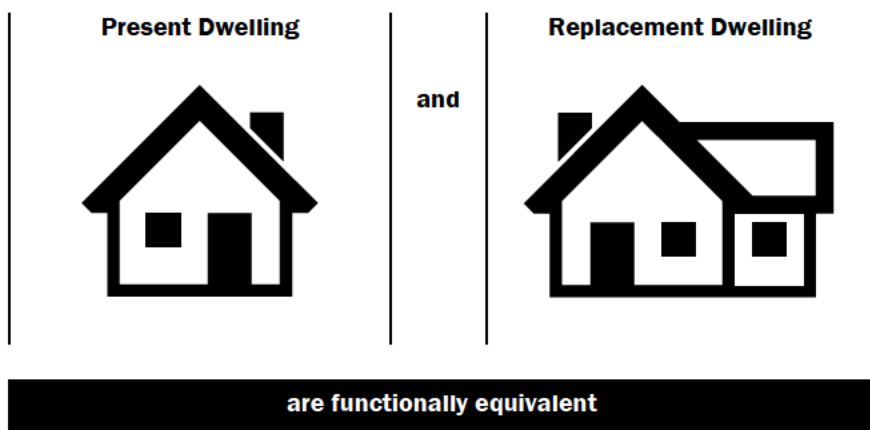
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.



## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

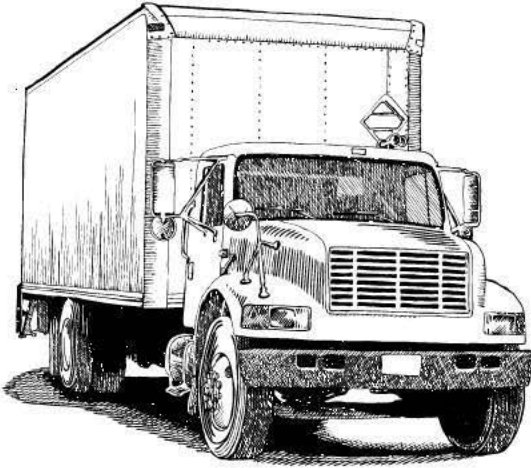
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.



## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships



# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.





December 8, 2023

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 200.003TR / P00001724  
Project Limits: IH 45 to SH 288

Federal Project No.: NHHIP  
Hwy. No.: IH 69

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO. [REDACTED]

[REDACTED]  
[REDACTED]  
Dear [REDACTED]:

An offer was made by the Texas Department of Transportation on May 26, 2023, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$36,582.00** to rent a replacement home that costs **\$2,142.00** per month or more including utilities. This supplement has been based on the cost to rent a [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$2,142.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$2,142.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you



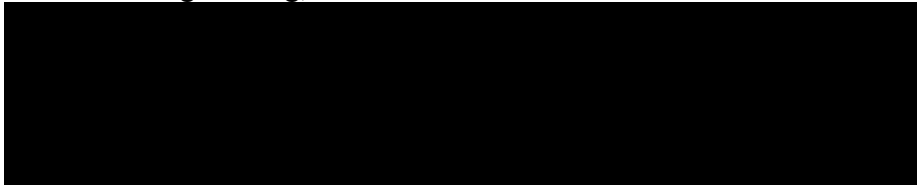
would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$36,582.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or by email at [REDACTED]. In the event

you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] in 8 a.m. between 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager

Enclosure(s):  
Acknowledgement of Explanation of Entitlement  
Relocation Assistance Brochure



**ACKNOWLEDGMENT OF EXPLANATION OF ENTITLEMENT**

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 200.003TR / P00001724  
Project Limits: IH 45 to SH 288

Federal Project: NHHIP  
Hwy. No.: IH 69

I, \_\_\_\_\_, hereby acknowledge receipt of the following:

\_\_\_\_\_ 90-Day Tenant Letter and Explanation of Entitlements

\_\_\_\_\_ Relocation Brochure

\_\_\_\_\_  
Printed Signature of Displacee(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Displacee(s)

\_\_\_\_\_  
Signature of Relocation Agent

\_\_\_\_\_  
Signature of EJ Agent



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**



## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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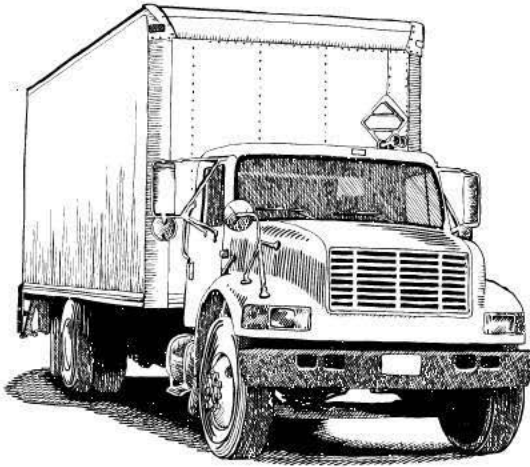
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

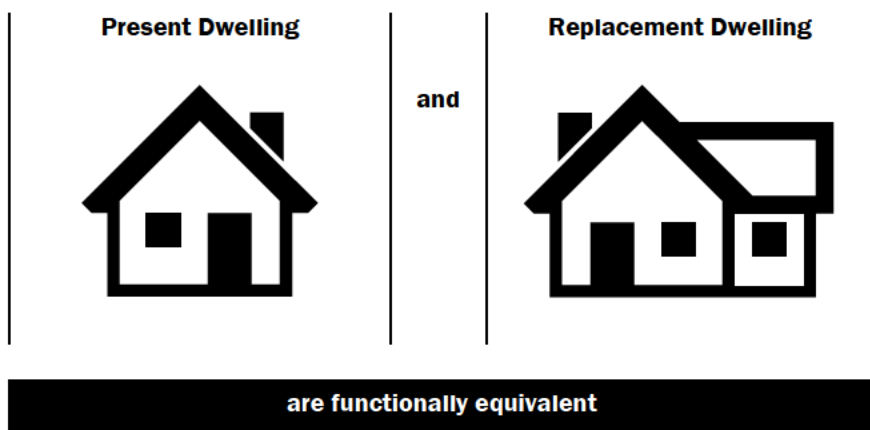
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.



## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

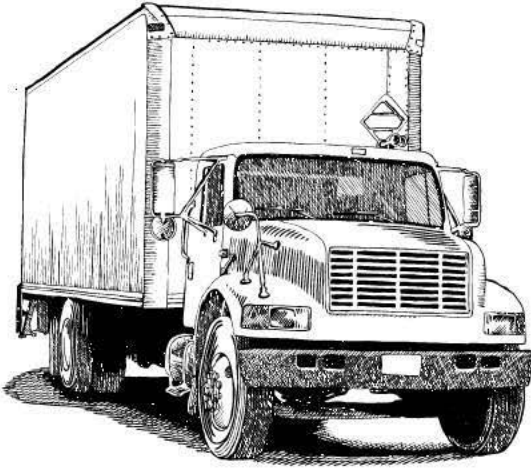
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**



- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.



## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**


Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



IH 45  
Certified Mail Record

Parcel: 201
Reason for Mailing: Initial Offer Package & 90 Day Notification Letter

U.S. Postal Service Certified Mail Receipt		IOP 201
		<b>FEES</b> Postage per piece \$6.500 Certified Fee \$3.500 Return Receipt Fee \$2.800 <b>Total Postage &amp; Fees: \$13.720</b>
	ARTICLE ADDRESS TO:  <div style="background-color: black; width: 300px; height: 100px;"></div>	Postmark Here

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Ensure items 1, 2, and 3 are completed. IOP 201</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<b>A. Signature:</b> ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent ) <b>X</b> 	
	<b>B. Received By:</b> (Printed Name)	<b>C. Date of Delivery</b>
<b>1. Article Addressed to:</b> <div style="background-color: black; width: 350px; height: 100px;"></div>	<b>D. Is delivery address different from item 1?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:	
<div style="background-color: black; width: 320px; height: 80px;"></div>	<b>3. Service Type</b> <input checked="" type="checkbox"/> Certified Mail®	
<div style="background-color: black; width: 230px; height: 30px;"></div>	<b>RECEIVED OCT 08 2019</b>	



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Tracking

FAQs

## Track Another Package +



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Tracking Number: [REDACTED]

Remove

Your item was delivered at 9:25 am on September 30, 2019 in HOUSTON, TX 77002.

### Status

**Delivered**

September 30, 2019 at 9:25 am  
Delivered  
HOUSTON, TX 77002

Get Updates



**Delivered**

**Text & Email Updates**



**Tracking History**



**Product Information**





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September 18, 2019

County: Harris  
ROW CSJ: 0027-13-226  
Parcel: 201AAQ  
Project Limits: From IH 45 To SH 288

Federal Project No.: N/A  
Hwy. No.: IH 69

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. [REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on September 18, 2019 to purchase the above-designated property, on which you are located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a relocation assistance payment for moving costs and related expenses as explained in our brochure. This payment, however, is limited to the cost of relocating your displaced personal property and will not include any costs for moving real property. Such payment may include:
  - a. Actual reasonable costs and related expenses in moving and reinstalling your personal property from the real property acquired by the State for highway right of way.
  - b. Actual reasonable and necessary costs involved in reestablishing your business.
  - c. Actual direct losses of tangible personal property in moving or discontinuing an activity.
  - d. Actual reasonable expenses in searching for a replacement location.
  - e. In lieu of the actual moving expenses described in the foregoing statements, you may be eligible for a fixed moving payment based on your annual net earnings.
3. To be eligible for the moving payment, you must provide the Department reasonable advance notice of the approximate date of the start of your move and a list of the items to be moved. Also, you must permit our staff personnel to make reasonable, timely inspections of your personal property at both the displacement and the replacement sites and to monitor your move.

hdrinc.com

Form ROW-R-LBFNP (Rev. 04/12)



4. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
5. Application for moving payments shall be made in writing on standard forms provided by this Department and the application must be filed with this Department no later than eighteen (18) months after the date you actually move from the State-acquired real property.
6. Any person or entity who is 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.
7. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
[REDACTED]  
Real Estate Services Project Manager  
HDR Engineering, Inc.

Enclosure



# **RELOCATION ASSISTANCE**

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Right of Way Division



December 27, 2023

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 201.002TR / P00001725  
Project Limits: IH 45 at SH 288

Federal Project: NHHIP  
Hwy. No.: IH 69

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. [REDACTED]

[REDACTED]

Dear [REDACTED]:

We have been advised that the Texas Department of Transportation made an offer on June 15, 2023 to purchase the above designated parcel of land, on which you reside, for highway right of way. The Texas Department of Transportation assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$7,014.00** to rent a replacement home that costs **\$1,191.00** per month or more unfurnished and including the utilities in the cost of the rent. This supplement has been based on the cost to rent a [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,191.00** per month or more unfurnished and including utilities in the cost of the rent, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,191.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to purchase rather than rent a replacement dwelling, you may be entitled to a relocation assistance payment not to exceed **\$7,014.00** for loan financing and related incidental expenses to purchase a residential home if the full amount is actually paid on the purchase of the replacement home. This is based upon your purchase and occupancy within one year of a replacement dwelling that meets the requirements outlined in our brochure. If you elect to purchase a home, you ought to consult with this Department as to the



requirements for this payment to be made to you before making any binding obligation to purchase a residential dwelling.

4. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.
5. Application for relocation assistance payments must be made in writing on standard forms provided by this Department and must be filed with this Department no later than eighteen (18) months after the date you actually move from this parcel.
6. Any person or entity who is 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.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or by email at [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between 8 a.m. and 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]  
Right of Way Project Manager

Enclosure(s):  
Acknowledgement of Preferred Language

TxDOT Relocation Brochure  
Certification of Eligibility  
Relocation Advisory Assistance – Parcel Record  
Displacee Move Plan  
Relocation Survey with Return Envelope  
HDR Initial Interview – Residential

**ACKNOWLEDGMENT OF PREFERRED LANGUAGE**

County: Harris

District: Houston

Federal Project No.: N/A

Parcel ID: 201.002 TR / P00001725

ROW CSJ No.: 0027-13-226

Highway: IH 69

My preferred language for speaking is: \_\_\_\_\_.

My preferred language for written communication is: \_\_\_\_\_.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

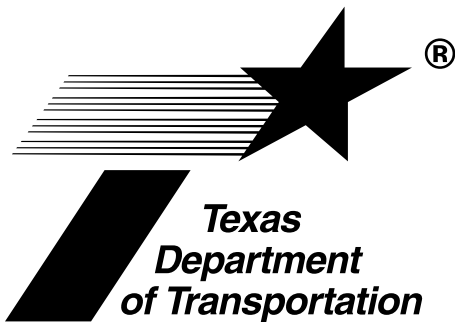
Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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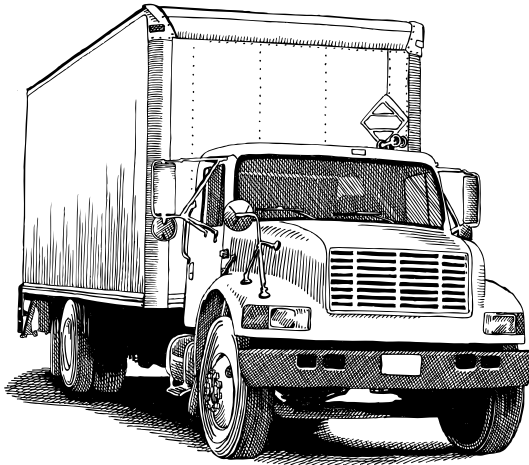
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

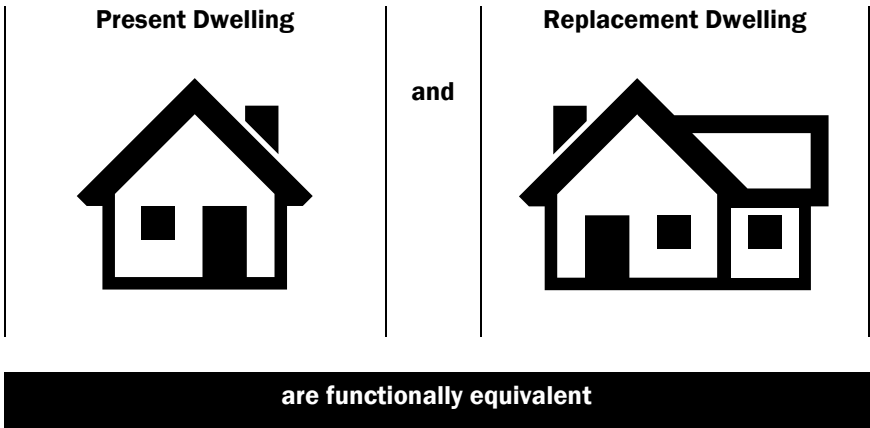
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

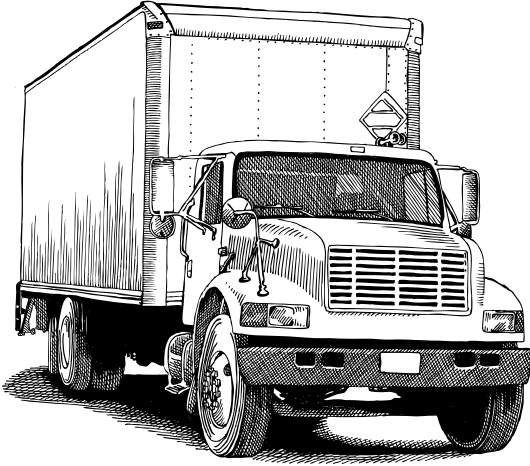
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

## CERTIFICATION OF ELIGIBILITY

ROW CSJ: 0027-13-226  
Parcel ID: 201.002TR / P00001725  
Displacee: XXXXXXXXXX

### Individuals, Families and Unincorporated Businesses or Farming Operations

I certify that myself and any other party(ies) with a financial interest in this relocation assistance claim are either:

- Citizens or Nationals of the United States  
**or**  
 Aliens lawfully present in the United States

\* If an Alien lawfully present in the United States, supporting documentation will be required.

\_\_\_\_\_  
Claimant Date:

\_\_\_\_\_  
Claimant Date:

### Incorporated Business, Farm or Nonprofit Organizations

I certify that I have signature authority for this entity and such entity is lawfully incorporated under the applicable state's laws and authorized to conduct business within the United States.

\_\_\_\_\_  
Claimant Date:



Relocation Agent Use Only (continued)			
Date of Occupancy:	Date Required to Move:	Actual Date of Move:	Distance of Move:
Date Notified of Availability of Relocation Payments and Assistance (Services):			
Date Displacee Offered Assistance in Locating Replacement Housing or Operating Facility:			
Name of Other Agencies Assisting in Relocation:			
Date of 90 day notice:		Method used to verify certificate of eligibility:	
Date of 30 day notice:		Date of initiation of negotiations:	
Method used to verify income:		Translator needed? <input type="checkbox"/> Yes <input type="checkbox"/> No: Language of displacee:	
Date and Substance of Follow-up Contacts (Use extra pages if necessary):			





# RELOCATION ASSISTANCE SERVICES SURVEY

**ROW CSJ Number:** 0027-13-226

**Parcel Number:** 201.002TR / P00001725

**Displacee Name:** [REDACTED]

The Texas Department of Transportation is constantly monitoring the effectiveness of its relocation assistance program. Your feedback is an important part of evaluating these services. After you have completed your move please take a few minutes to complete this evaluation and return it to TxDOT.

	Excellent	Good	Average	Below Average	Poor	Not Applicable
How well did your agent explain the relocation process and describe the notices you would receive?	5	4	3	2	1	
Rate the agent at being able to answer your questions?	5	4	3	2	1	
How well did the agent explain claim types available to you?	5	4	3	2	1	
Agents are required to meet with you in-person throughout the entire relocation process. Please rate their performance in this respect?	5	4	3	2	1	
Rate your agent at being courteous and professional?	5	4	3	2	1	
Did the relocation agent inform you about other properties in the area and offer to show them to you?	5	4	3	2	1	
How useful was the printed material provided to you?	5	4	3	2	1	
Overall, please rate the way your relocation was handled?	5	4	3	2	1	

Comments:

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Please return completed surveys to:  
Right of Way Division  
Texas Department of Transportation  
125 E. 11th St.  
Austin, TX 78701-9909

[Contact/Help](#)



INITIAL INTERVIEW - RESIDENTIAL

PARCEL NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

Limited English Proficiency:  No  Yes If Yes, Speaking/Written language needed: \_\_\_\_\_ / \_\_\_\_\_

Property Address \_\_\_\_\_

Name(s) \_\_\_\_\_

Mailing Address (if different from above) \_\_\_\_\_

Phone Number(s) (home) \_\_\_\_\_ (work) \_\_\_\_\_ (mobile) \_\_\_\_\_

Social Security Number \_\_\_\_\_

I. PROPERTY INFORMATION

Single Family Home  Duplex  Apartment  Mobile Home  Other \_\_\_\_\_

Total Rooms \_\_\_\_\_ Bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Storage Sheds/Areas \_\_\_\_\_

Living Space (sq. ft.) \_\_\_\_\_

Lot Size \_\_\_\_\_

Additional items stored outside the dwelling: \_\_\_\_\_

Amenities:

- Dishwasher  Disposal  Oven/Stove  Vent/Hood
 Microwave  Fireplace  Ceiling Fans  Carpet
 Hardwood Floors  Vinyl/Tile  Security System  Burglar Bars:
 Sprinkler System  Pool/Bathhouse  Hot Tub/Sauna  Fence

Other (explain): \_\_\_\_\_

Adequate and Safe Water from:  Well  Co-op  Public

Sewage from:  Kitchen  and/or Bath  to Septic  or Public Sewer

Utility Connections for:  Stove  Refrigerator

Bathroom(s) equipped with:  Lavatory Basin  Tub  Shower  w/Hot  & Cold

Heat from:  Gas Outlets or \_\_\_\_\_ Other: \_\_\_\_\_

- Adequate and Safe Electric Wiring  Weather tight  DS&S
 Washer and/or Dryer Connections AC:  Central and/or  Window Unit(s)

Condition of Dwelling:  Poor  Fair  Good  Very Good  Excellent

Condition/Quality of Landscaping:  Poor  Fair  Good  Very Good  Excellent

Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**II. OCCUPANT INFORMATION**

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Date dwelling occupied \_\_\_\_\_

Number of occupants living in dwelling \_\_\_\_\_

Age/Sex/Relationship of Household Occupants:

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Do you plan to move together as one household?  Yes  No  Undecided

Would you prefer to purchase or rent your replacement dwelling? \_\_\_\_\_

Distance to: Schools \_\_\_\_\_ Employment \_\_\_\_\_ Public Transportation \_\_\_\_\_

What schools are your children currently attending? \_\_\_\_\_

Would you prefer to stay in the same school district? \_\_\_\_\_

How is your credit? \_\_\_\_\_

Do you have a business in the home or on the property? \_\_\_\_\_

Remarks: \_\_\_\_\_

---

***Special Needs for Relocation Considerations:***

List any disabilities and state which, if any, accommodations have been made in the displacement dwelling: \_\_\_\_\_

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Unique Moving Scenarios: \_\_\_\_\_

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Other Considerations (Elderly Residents, Pets, etc.): \_\_\_\_\_

---



**III. OWNERS (including tenants who own improvements):**

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Owner-Occupant     Absentee-Owner    Marital Status of Owner(s) \_\_\_\_\_

Is there a mortgage on this property? \_\_\_\_\_  Fixed Rate     Adjustable Rate    Other \_\_\_\_\_

Interest Rate \_\_\_\_\_ %    Monthly Payment (P&I) \$ \_\_\_\_\_    Remaining Balance \$ \_\_\_\_\_

Remaining Term \_\_\_\_\_    Mortgage Company \_\_\_\_\_

Loan # \_\_\_\_\_

Any tenants on property? \_\_\_\_\_    Is there a lease? \_\_\_\_\_

**IV. TENANTS:**

---

Existing Lease \_\_\_\_\_    Lease Requested \_\_\_\_\_    Lease Provided \_\_\_\_\_    Monthly Rent \$ \_\_\_\_\_

Furnished     Unfurnished    Security Deposit \$ \_\_\_\_\_

Utilities Included in Rent:     None     Electricity     Gas     Water     Sewer     Trash     Other \_\_\_\_\_

Monthly Cost of ALL Utilities Paid by Tenant \$ \_\_\_\_\_

Do you receive a rent subsidy?     Yes     No

If yes, how much is your rent portion? \$ \_\_\_\_\_    Housing Authority's portion \$ \_\_\_\_\_

Name of Housing Authority and assigned caseworker \_\_\_\_\_ Phone # \_\_\_\_\_

When is your annual review due date? \_\_\_\_\_

Gross Income Last 12 Months \_\_\_\_\_

Other Sources of Eligible Income \_\_\_\_\_

**Attachments (For Tenants Only):**

Copy of Lease Agreement \_\_\_\_\_

Copy of Rent Receipt: \_\_\_\_\_

Utility Verifications \_\_\_\_\_

Income Verifications: \_\_\_\_\_

Other: \_\_\_\_\_





January 25, 2024

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 201.003TR / P00001725  
Project Limits: IH 45 at SH 288

Federal Project: NHHIP  
Hwy. No.: IH 69

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO [REDACTED]

[REDACTED]

Dear [REDACTED]:

We have been advised that the Texas Department of Transportation made an offer on June 15, 2023 to purchase the above designated parcel of land, on which you reside, for highway right of way. The Texas Department of Transportation assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$2,814.00** to rent a replacement home that costs **\$1,263.00 per month** or more unfurnished and including the utilities in the cost of the rent. This supplement has been based on the cost to rent a [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,263.00 per month** or more unfurnished and including utilities in the cost of the rent, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,263.00 per month**, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to purchase rather than rent a replacement dwelling, you may be entitled to a relocation assistance payment not to exceed **\$2,814.00** for loan financing and related incidental expenses to purchase a residential home if the full amount is actually paid on the purchase of the replacement home. This is based upon your purchase and occupancy within one year of a replacement dwelling that meets the requirements outlined in our brochure. If you elect to purchase a home, you ought to consult with this Department as to the



requirements for this payment to be made to you before making any binding obligation to purchase a residential dwelling.

4. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.
5. Application for relocation assistance payments must be made in writing on standard forms provided by this Department and must be filed with this Department no later than eighteen (18) months after the date you actually move from this parcel.
6. Any person or entity who is 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.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To ensure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may [REDACTED] between 8 a.m. and 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]  
[REDACTED]  
Right of Way Project Manager

Enclosure:  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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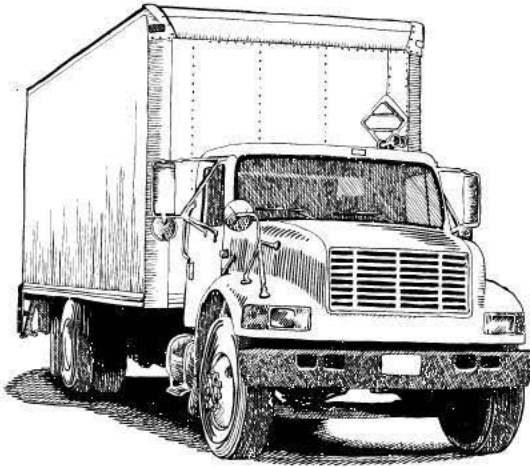
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

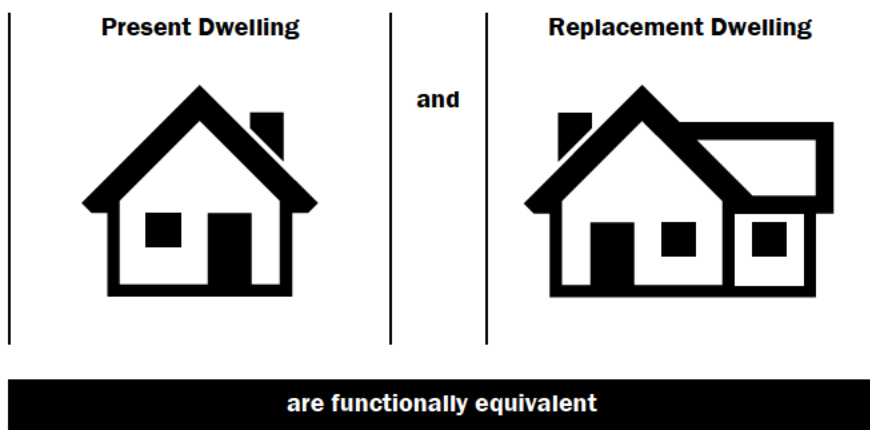
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

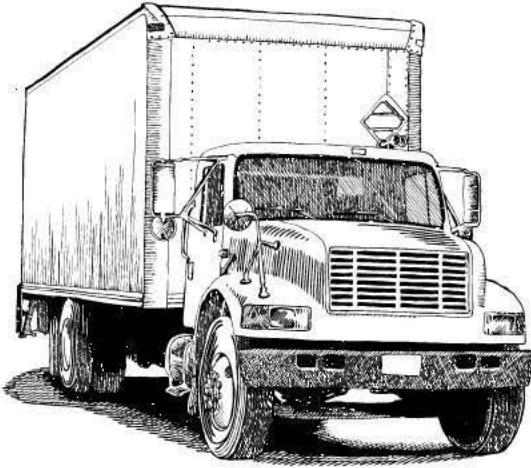
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



January 25, 2024

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 201.005TR / P00001725  
Project Limits: IH 45 at SH 288

Federal Project: NHHIP  
Hwy. No.: IH 69

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. [REDACTED]

[REDACTED]

Dear [REDACTED]:

We have been advised that the Texas Department of Transportation made an offer on June 15, 2023 to purchase the above designated parcel of land, on which you reside, for highway right of way. The Texas Department of Transportation assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$15,960.00** to rent a replacement home that costs **\$1,473.00 per month** or more unfurnished and including the utilities in the cost of the rent. This supplement has been based on the cost to rent a [REDACTED].  
[REDACTED] You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,473.00 per month** or more unfurnished and including utilities in the cost of the rent, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,473.00 per month**, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to purchase rather than rent a replacement dwelling, you may be entitled to a relocation assistance payment not to exceed **\$15,960.00** for loan financing and related incidental expenses to purchase a residential home if the full amount is actually paid on the purchase of the replacement home. This is based upon your purchase and occupancy within one year of a replacement dwelling that meets the requirements outlined in our brochure. If you elect to purchase a home, you ought to consult with this Department as to the





requirements for this payment to be made to you before making any binding obligation to purchase a residential dwelling.

4. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.
5. Application for relocation assistance payments must be made in writing on standard forms provided by this Department and must be filed with this Department no later than eighteen (18) months after the date you actually move from this parcel.
6. Any person or entity who is 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.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To ensure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may [REDACTED] between 8 a.m. and 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]  
Right of Way Project Manager

Enclosure:  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

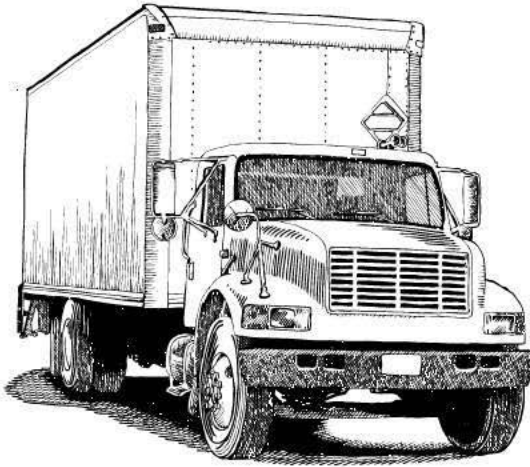
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

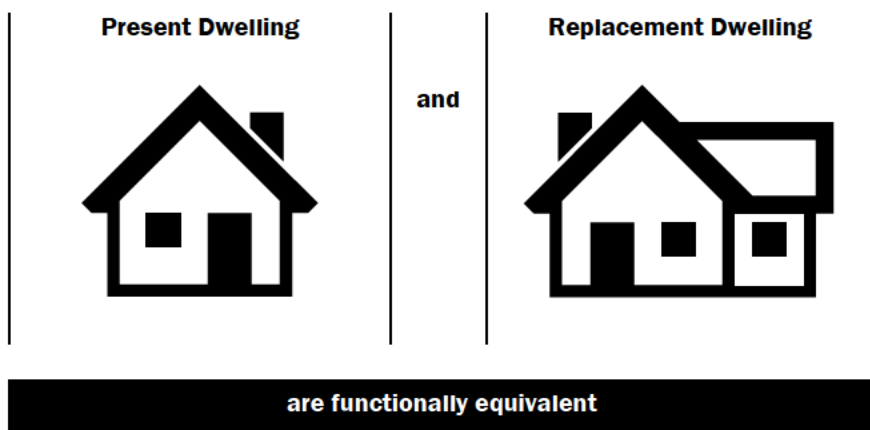
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

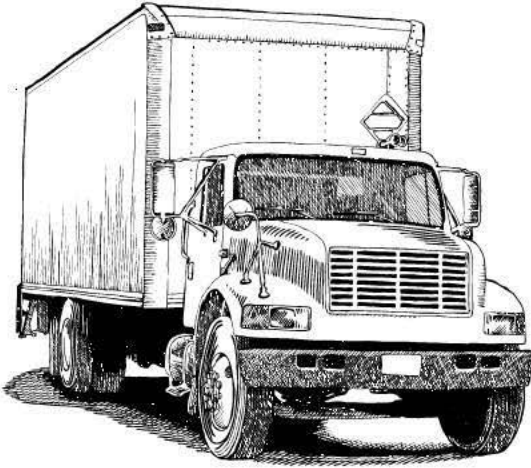
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



July 11, 2019

County: Harris  
Federal Project No.: N/A  
Highway: IH 45

ROW CSJ: 0027-13-226  
Parcel: 203AAQ  
From: IH 69 from SH 288  
To: IH 45(S)

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. [REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on July 9, 2019 to purchase the above-designated property, on which you are located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

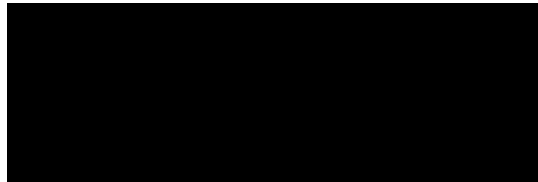
Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a relocation assistance payment for moving costs and related expenses as explained in our brochure. This payment, however, is limited to the cost of relocating your displaced personal property and will not include any costs for moving real property. Such payment may include:
  - a. Actual reasonable costs and related expenses in moving and reinstalling your personal property from the real property acquired by the State for highway right of way.
  - b. Actual reasonable and necessary costs involved in reestablishing your business.
  - c. Actual direct losses of tangible personal property in moving or discontinuing an activity.
  - d. Actual reasonable expenses in searching for a replacement location.
  - e. In lieu of the actual moving expenses described in the foregoing statements, you may be eligible for a fixed moving payment based on your annual net earnings.
3. To be eligible for the moving payment, you must provide the Department reasonable advance notice of the approximate date of the start of your move and a list of the items to be moved. Also, you must permit our staff personnel to make reasonable, timely inspections of your personal property at both the displacement and the replacement sites and to monitor your move.
4. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.

5. Application for moving payments shall be made in writing on standard forms provided by this Department and the application must be filed with this Department no later than eighteen (18) months after the date you actually move from the State-acquired real property.
6. Any person or entity who is 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.
7. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.



Real Estate Services Project Manager

Enclosure



# **RELOCATION ASSISTANCE**

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Right of Way Division



June 15, 2023

County: Harris  
ROW CSJ: 0027-13-226  
Parcel: 204 / P00001728  
Project Limits: IH-45 to SH 288

Federal Project No.: N/A  
Hwy. No.: IH 69

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO.: [REDACTED]

Dear [REDACTED]:

An offer was made by the Texas Department of Transportation on June 15, 2023 to purchase the above-designated property, on which your personal property is located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
3. Application for relocation assistance payments must be made in writing on standard forms provided by this Department and must be filed with this Department no later than eighteen (18) months after the date you actually move from this parcel.
4. Any person or entity who is 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.
5. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.



We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

- Enclosure(s):  
TxDOT Relocation Brochure  
Certification of Eligibility  
Relocation Advisory Assistance – Parcel Record  
Displacee Move Plan  
Relocation Survey with Return Envelope  
HDR Initial Interview – Personal Property Only

cc: BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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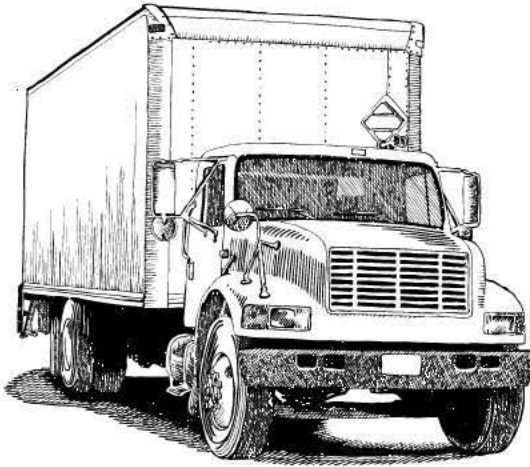
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

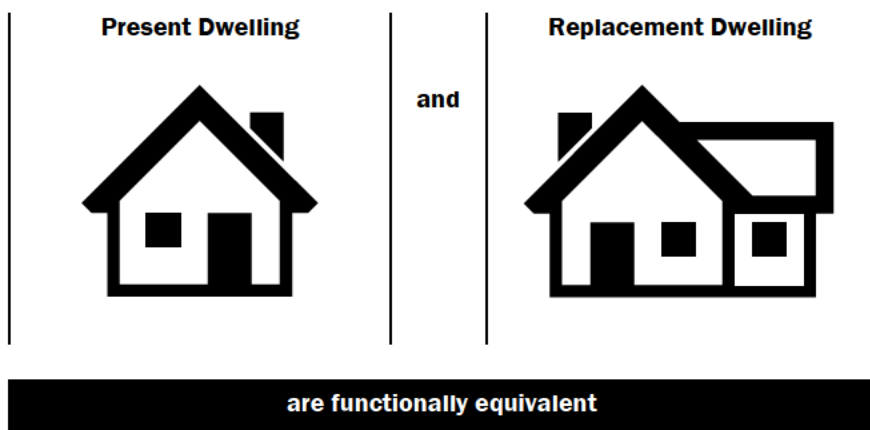
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

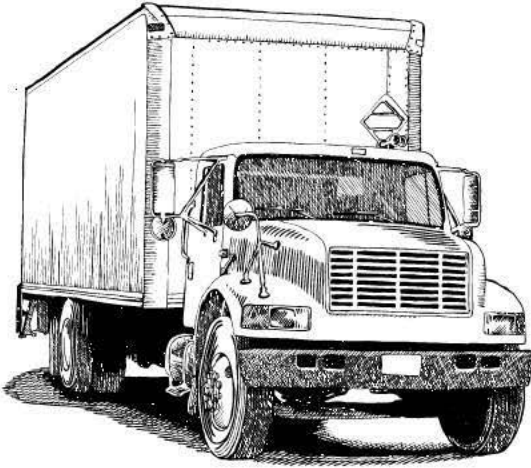
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

## CERTIFICATION OF ELIGIBILITY

ROW CSJ: 0027-13-226

Parcel ID: 204 / P00001728

Displacee: [REDACTED]

### Individuals, Families and Unincorporated Businesses or Farming Operations

I certify that myself and any other party(ies) with a financial interest in this relocation assistance claim are either:

Citizens or Nationals of the United States

**or**

Aliens lawfully present in the United States

\* If an Alien lawfully present in the United States, supporting documentation will be required.

\_\_\_\_\_  
Claimant

Date:

\_\_\_\_\_  
Claimant

Date:

### Incorporated Business, Farm or Nonprofit Organizations

I certify that I have signature authority for this entity and such entity is lawfully incorporated under the applicable state's laws and authorized to conduct business within the United States.

\_\_\_\_\_  
Claimant

Date:



<b>Relocation Agent Use Only (continued)</b>			
Date of Occupancy:	Date Required to Move:	Actual Date of Move:	Distance of Move:
Date Notified of Availability of Relocation Payments and Assistance (Services):			
Date Displacee Offered Assistance in Locating Replacement Housing or Operating Facility:			
Name of Other Agencies Assisting in Relocation:			
Date of 90 day notice:		Method used to verify certificate of eligibility:	
Date of 30 day notice:		Date of initiation of negotiations:	
Method used to verify income:		Translator needed? <input type="checkbox"/> Yes <input type="checkbox"/> No: Language of displacee:	
Date and Substance of Follow-up Contacts (Use extra pages if necessary):			





# RELOCATION ASSISTANCE SERVICES SURVEY

ROWCSJ Number: 0027-13-226

Parcel Number: 204 / P00001728

Displacee Name: [REDACTED]

The Texas Department of Transportation is constantly monitoring the effectiveness of its relocation assistance program. Your feedback is an important part of evaluating these services. After you have completed your move please take a few minutes to complete this evaluation and return it to TxDOT.

	Excellent	Good	Average	Below Average	Poor	Not Applicable
How well did your agent explain the relocation process and describe the notices you would receive?	5	4	3	2	1	
Rate the agent at being able to answer your questions?	5	4	3	2	1	
How well did the agent explain claim types available to you?	5	4	3	2	1	
Agents are required to meet with you in-person throughout the entire relocation process. Please rate their performance in this respect?	5	4	3	2	1	
Rate your agent at being courteous and professional?	5	4	3	2	1	
Did the relocation agent inform you about other properties in the area and offer to show them to you?	5	4	3	2	1	
How useful was the printed material provided to you?	5	4	3	2	1	
Overall, please rate the way your relocation was handled?	5	4	3	2	1	

Comments:

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Please return completed surveys to:  
Right of Way Division  
Texas Department of Transportation  
125 E. 11th St.  
Austin, TX 78701-9909

[Contact/Help](#)



**INITIAL INTERVIEW – PERSONAL PROPERTY ONLY**

PARCEL NUMBER: 204 / P00001728

DATE \_\_\_\_\_

**I. GENERAL INFORMATION**

---

Name \_\_\_\_\_

Property Address \_\_\_\_\_

Mailing Address (if different from above) \_\_\_\_\_

Phone #(s) (Mobile) \_\_\_\_\_ (Business) \_\_\_\_\_ Fax \_\_\_\_\_

Contact Person \_\_\_\_\_ Relationship \_\_\_\_\_

Email \_\_\_\_\_

OCCUPANCY STATUS

OCCUPANCY TYPE

BUSINESS TYPE

↑

Owns Building

↑  Business

Retail

↑  Owns Land

Residence

Wholesale

↑  Rents Building / Space

Individual(s)

Service

↑  Rents Land

↑

↑

Rental

↑

↑

Construction

↑

Other \_\_\_\_\_

FEI or SS # \_\_\_\_\_

Business Activity \_\_\_\_\_

Date first occupied property \_\_\_\_\_

Current Rent \$ \_\_\_\_\_ Current lease terms \_\_\_\_\_

Lease Requested \_\_\_\_\_ Lease Provided \_\_\_\_\_

Services included in rent (utilities, janitorial, etc.) \_\_\_\_\_

**II. INFORMATION RELATED TO REPLACEMENT SITE**

---

Needs for replacement site:

Location \_\_\_\_\_

Zoning \_\_\_\_\_

Special Site/ Equipment Needs \_\_\_\_\_

Purchase/Rental Price Range \_\_\_\_\_

Other \_\_\_\_\_





**III. MOVING REQUIREMENTS**

---

Special Moving Requirements/Issues (e.g., hazardous material, moving permits) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is there a need to hire someone to?

↑ assist in planning the move \_\_\_\_\_

↑ assist with the actual move \_\_\_\_\_

↑ reinstall machinery or other personal property \_\_\_\_\_

Estimate how long to vacate the property \_\_\_\_\_

Will you require advance moving payments for the move (instead of reimbursement)? \_\_\_\_\_

**IV. NOTICES AND EXPLANATION OF BENEFITS**

---

My agent has discussed with me:

↑  Certification of Eligibility

90 Day Notice

↑  30 Day Notice

Right of Appeal

Actual Cost Move

Actual Cost Self-Move

↑  Payment Schedule (if applicable)

Time for Filing Claims (18 Months from Move Date)

↑  
Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
INTERVIEWEE (Printed Name & Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
ACQUISITION/RELOCATION AGENT

\_\_\_\_\_  
Date



August 25, 2023

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 204.003TR  
Project Limits: IH 69 to Hwy 288

Federal Project: NHHIP  
Hwy. No.: IH 45

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED NO.: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]:

An offer was made by the Texas Department of Transportation on June 15, 2023 to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$11,550.00** to rent a replacement home that costs **\$1,143.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom, one-bathroom replacement apartment located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,143.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,143.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED]  
[REDACTED]  
[REDACTED]
4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$11,550.00** for down payment and incidental

expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.

5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or by email at [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between 8 a.m. and 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
[REDACTED]  
[REDACTED]

Right of Way Project Manager

Enclosure:  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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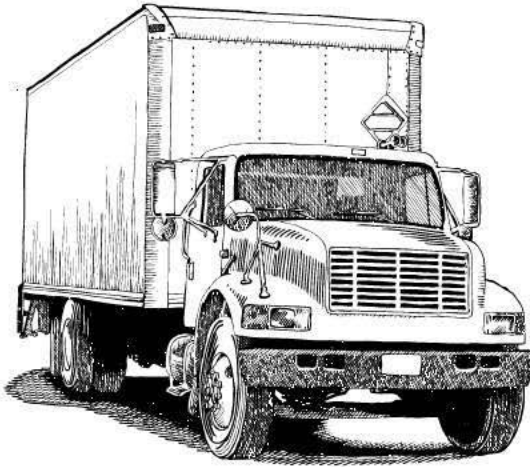
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

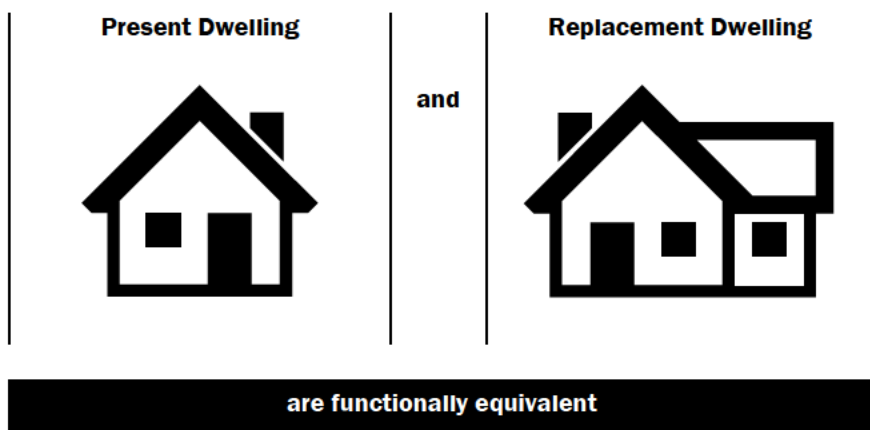
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

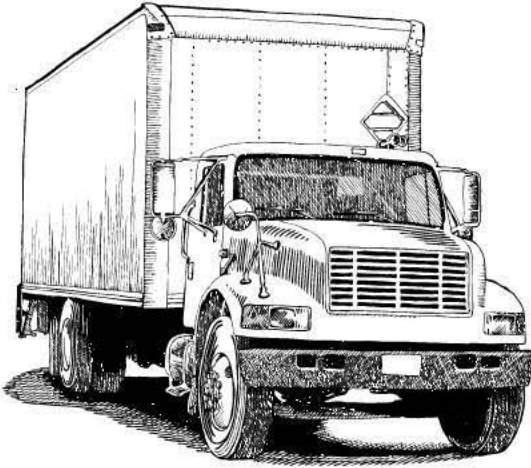
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



October 24, 2023

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 204.004TR / P00001728  
Project Limits: IH 45 at IH 69 South

Federal Project: NHHIP  
Hwy. No.: IH 45

DELIVERY IN-PERSON AND EXPLANATION OF ENTITLEMENT

[Redacted]

Dear [Redacted]:

An offer was made by the Texas Department of Transportation on June 15, 2023, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$44,436.00** to rent a replacement home that costs **\$1,986.00** per month or more including utilities. This supplement has been based on the cost to rent a 8-room, 4-bedroom, 2-1/2-bathroom replacement duplex located at [Redacted]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,986.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,986.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [Redacted].
4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$44,436.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of



benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.

5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or by email at [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between 8 a.m. and 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

[REDACTED]  
Right of Way Project Manager

Enclosure(s):  
Acknowledgment of Preferred Language  
Document Acknowledgment  
TxDOT Relocation Assistance Brochure

IMPORTANT NOTICE	AVISO IMPORTANTE
<p>THIS TRANSLATION IS PROVIDED AS A COURTESY FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT THE PARTIES' INTENTION FOR THIS DOCUMENT TO HAVE ANY LEGAL EFFECTS. IF THERE IS ANY DISCREPANCY BETWEEN THE ENGLISH AND SPANISH VERSIONS OF THIS DOCUMENT, THE ENGLISH VERSION SHALL PREVAIL.</p>	<p>ESTA TRADUCCION ES UNA CORTESIA PARA EFECTOS DE INFORMACION SOLAMENTE. NO ES LA INTENCION DE LAS PARTES QUE ESTE DOCUMENTO TENGA EFECTO LEGAL ALGUNO. SI HAY ALGUNA DISCREPANCIA ENTRE LA VERSION EN INGLES O EN ESPANOL DE ESTE DOCUMENTO, LA VERSION EN INGLES PREVALECERA.</p>

Fecha: Octubre 24, 2023

Condado: Harris  
 Numero de Derecho de Paso (Right-of-Way, ROW) en Sección Controlada (Control Section Job, CSJ): 0500-03-608  
 Identificación de lote: 204.004TR/P00001728  
 Límites del proyecto: desde IH 45 hasta IH 69 Sur

N.º de proyecto federal: NHHIP  
 N.º de autopista: IH 45

██████████  
 ██████████  
 ██████████

Estimado/a familia ██████████:

El Departamento de Transporte de Texas le hizo una oferta en la fecha 15 de junio 2023 de compra por la propiedad descrita arriba, donde vive usted, para el derecho de paso de la autopista. Este Departamento ayuda a las personas destituidas por la compra de terrenos con fines de transporte a través de nuestro Programa de Asistencia para la Reubicación. Los pagos y servicios a los que puede tener derecho se describen en el folleto adjunto titulado "Asistencia para relocalización". Creemos que este folleto será muy útil para usted.

Tome nota de todas y cada una de las siguientes declaraciones:

1. No se le pedirá que se mude de la propiedad que se está adquiriendo por al menos 90 días a partir de la fecha de esta carta. Recibirá, en una fecha posterior, un aviso por escrito y una fecha para la cual debe desalojar la propiedad. Tendrá al menos 30 días después de recibir la notificación por escrito antes de que deba mudarse.
2. Es posible que tenga derecho a un suplemento de vivienda de reemplazo de \$44,436.00 para alquilar una vivienda de reemplazo que cueste \$1,986.00 o más al mes, incluyendo servicios públicos en el costo del alquiler. Este suplemento está basado en el costo de alquiler de una vivienda de ██████████

██████████ No es necesario que alquile esa vivienda en particular para calificar para el suplemento de alquiler; sin embargo, para solicitarlo, debe alquilar y ocupar una vivienda de reemplazo que cueste \$1,986.00 o más al mes, incluyendo servicios públicos, por un año, tal como se explica en nuestro folleto. Si su vivienda de reemplazo se alquila por menos de



\$1,986.00 al mes, es posible que se deba reducir el monto del suplemento. Para evitar la pérdida de este beneficio, le recomendamos que consulte con este Departamento antes de firmar cualquier tipo de compromiso de alquiler de la unidad.

3. Si desea examinar la(s) posible(s) vivienda(s) de reemplazo mencionada(s) anteriormente, esta agencia le brindará transporte para ayudarlo a hacerlo. Si desea examinar otras posibles viviendas de reemplazo, de precio y cualidades funcionales similares, nuestro personal de asistencia para la reubicación estará disponible para ayudarlo con cada visita que quiera hacer a cualquier hora razonable de atención. Hay 2 viviendas como esta que están actualmente disponibles para alquiler en [REDACTED]
4. Si elige comprar en lugar de alquilar una vivienda de reemplazo, es posible que tenga derecho a un suplemento de pago inicial que no exceda los \$44,436.00 para el pago inicial y los gastos imprevistos. Cualquier monto pagado en virtud de esta disposición debe aplicarse a la compra de una vivienda de reemplazo. Para solicitar este pago, debe comprar y ocupar una vivienda residencial en el plazo de un año, como también se explica en nuestro folleto. Para evitar la posible pérdida de beneficios, haría bien en consultar con el Departamento antes de firmar un compromiso vinculante de compra de una vivienda de reemplazo.
5. Debe continuar viviendo en esta propiedad hasta que el Departamento la haya adquirido para ser elegible para un pago suplementario de vivienda. El Departamento le notificará cuando esto haya ocurrido.
6. Además, para ser elegible para un pago complementario de vivienda, su vivienda de reemplazo debe cumplir con los requisitos estatales para una vivienda digna, segura e higiénica. Para asegurarse de que su vivienda de reemplazo cumpla con dichos estándares, le sugerimos que haga que este Departamento la inspeccione antes de firmar el contrato de compra o alquiler. Si eso no es posible, sugerimos que incluya una disposición en el contrato de arras por la propiedad de reemplazo indicando que el contrato será válido solo si la propiedad pasa una inspección que determine que es digna, segura e higiénica según este Departamento.
7. También puede tener derecho a los costos de mudanza, como se explica en nuestro folleto. Sin embargo, estos costos se limitan a los bienes muebles y no incluyen los costos de mudanza de bienes inmuebles.
8. Cualquier persona o entidad que no esté legalmente presente en los Estados Unidos es inelegible para los servicios de asesoría de reubicación y los pagos de reubicación, a menos que dicha inelegibilidad resulte en una dificultad excepcional y extremadamente inusual para un cónyuge, padre o hijo que reúna las condiciones.
9. Finalmente, como se explica en nuestro folleto, puede solicitar una revisión de su caso por parte del Comité de Revisión de Asistencia para la Reubicación del Departamento de Transporte de

Texas si no está satisfecho con la determinación sobre su elegibilidad para el pago o el monto de cualquier pago de reubicación.

Le pedimos que lea y examine detenidamente nuestro folleto para obtener información adicional y conocer los requisitos de elegibilidad de pago. La oficina le brindará asistencia para preparar los formularios necesarios y para presentar sus solicitudes de los beneficios a los que pueda tener derecho, así como cualquier información adicional que desee respecto a nuestro programa de asistencia para la reubicación. Si desea alguna ayuda de este tipo, comuníquese con [REDACTED] en [REDACTED] o visite la oficina del Departamento de Transporte de Texas en Houston, TX . En caso de que no pueda comunicarse con nuestra oficina entre las 8 a.m. y las 5 p. m., puede llamar a [REDACTED] en 8 a.m. entre las 5 p.m. Nuestra persona de contacto colaborará con usted para programar una cita a la hora y en el lugar que le resulte más conveniente.

Atentamente,

**IMPORTANT NOTICE**  
**THIS TRANSLATION IS PROVIDED AS A COURTESY FOR INFORMATIONAL PURPOSES ONLY. ANY USE OTHER THAN INFORMATIONAL IS PROHIBITED**

**AVISO IMPORTANTE**  
**ESTA TRADUCCION ES UNA CORTESIA PARA EFECTOS DE INFORMACION SOLAMENTE. CUALQUIER USO QUE NO SEA INFORMATIVO ESTA PROHIBIDO**

Distrito de

, Departamento de Transporte de Texas.

Adjunto(s)

**COURTESY TRANSLATION**

**ACKNOWLEDGMENT OF PREFERRED LANGUAGE**

County: Harris

District: Houston

Federal Project No.: N/A

Parcel ID: 204.004TR / P00001728

ROW CSJ No.: 0027-13-226

Highway: IH 45

My preferred language for speaking is: \_\_\_\_\_.

My preferred language for written communication is: \_\_\_\_\_.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_



**DOCUMENT ACKNOWLEDGMENT**

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 204.004TR / P00001728  
Project Limits: IH 45 at IH 69 South

Federal Project: NHHIP  
Hwy. No.: IH 45

I, \_\_\_\_\_, hereby acknowledge receipt of the following:

\_\_\_\_\_ 90-Day Tenant Letter and Explanation of Entitlements

\_\_\_\_\_ Relocation Brochure

\_\_\_\_\_  
Printed Signature of Displacee(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Displacee(s)

\_\_\_\_\_  
Signature of Relocation Agent

\_\_\_\_\_  
Signature of EJ Agent



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**



## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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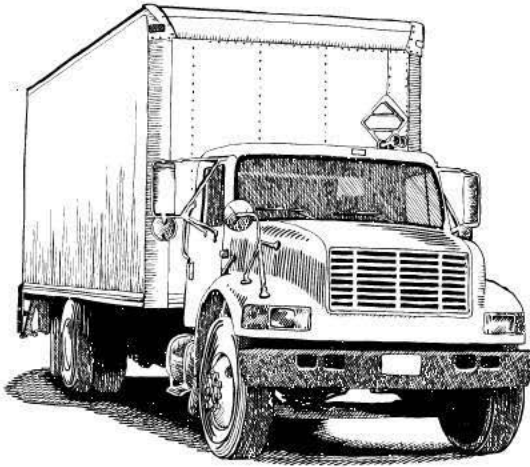
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

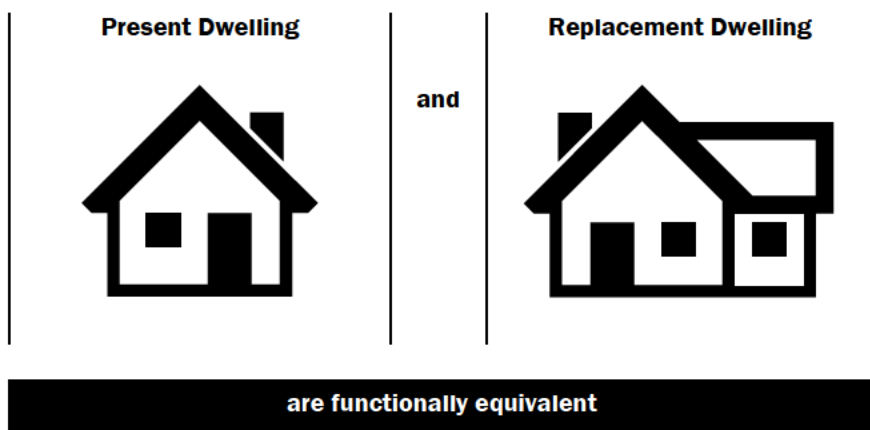
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.



## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

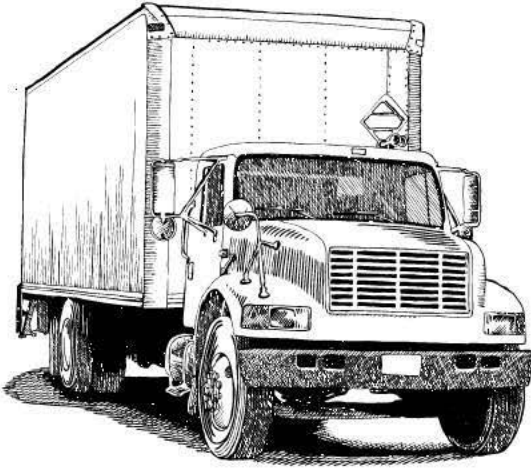
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**



- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.



## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



# **ASISTENCIA PARA RELOCALIZACIÓN**

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Right of Way Division





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# Introducción

El desarrollo de carreteras u otros servicios de transportación pública necesarios para servir y mejorar nuestro modo de vivir requiere el uso de terreno. Esto, en turno, quiere decir que a algunas personas se les requiera cambiarse a otro sitio. Su Departamento de Transportes de Texas (TxDOT, por sus siglas en inglés) está enterado de los gastos y las molestias que se causan al cambiarse de un hogar, negocio o granja. Para ayudar a quien se le requiera cambiarse, TxDOT provee pagos y servicios por medio de su programa de asistencia para relocalización.

Este folleto provee información tocante a los servicios y pagos disponibles para relocalización.

- Sección I - para desplazados residenciales;
- Sección II - para negocios, granjas, y organizaciones no lucrativas desplazadas;
- Sección III - cubre anuncios comerciales;
- Sección IV - cubre servicios de asistencia para relocalización;
- Sección V - cubre como cobrar un pago de relocalización; y
- Sección VI - contiene información sobre el derecho de una persona a apelar la determinación del TxDOT tocante a la cantidad de su derecho a un pago de relocalización.

Si se le requiere cambiarse como resultado de la adquisición de propiedad para un proyecto de TxDOT, un consejero de servicios de relocalización se pondrá en contacto con usted. El consejero podrá contestar sus preguntas específicas y proveerle información adicional. **Para asegurar los máximos beneficios de relocalización debe discutir cualquier cambio propuesto con el consejero para que se llegue a un acuerdo definitivo tocante los requisitos de elegibilidad.**

## Nota Especial

No es posible tratar todas las necesidades y preguntas de cada persona. Este folleto es solamente para información general; no es un documento de ley, regla, o regulación.

## Requisitos para Asistencia

Asistencia para relocalización está a la disposición de todos los individuos, familias, negocios, agricultores, rancheros, y organizaciones no lucrativas cuyo presente legítimo en los Estados Unidos de América que tal desplazamiento es resultado de proyectos de carreteras o transportación pública del estado. Esta asistencia se facilita tanto a inquilinos como a dueños ocupando los bienes raíces necesarios para el proyecto.

## Aviso Anticipado

A cada persona desplazada se le dará suficiente tiempo para planear una mudanza ordenada, oportuna, y eficiente. Esto aplica no solamente a ocupantes de residencias sino también a toda propiedad de donde el ocupante se tiene que cambiar a otro lugar o de donde cambia su propiedad personal a otro lugar. A lo máximo práctico, a ninguna persona legalmente ocupando bienes raíces se le requerirá cambiarse de ese sitio sin menos de 90 días de aviso anticipado por escrito.

### Advertencia

Para asegurar su elegibilidad y pago rápido de sus beneficios de relocalización, **usted debe** proveer a su consejero de asistencia para relocalización de TxDOT un aviso por anticipo de la fecha aproximada para la mudanza planeada y una lista de las cosas que se van a mover para que un representante del TxDOT pueda examinar la propiedad personal en los sitios de desplazamiento y de reemplazo, y supervisar la mudanza. **Un inquilino que se mueva antes de la fecha en que se principian las negociaciones para adquirir la propiedad, no calificará para ningún pago de relocalización salvo que reciba, antes de cambiarse de la propiedad, un aviso, por escrito, de su elegibilidad anticipada para relocalización.**

# Algunas Definiciones Importantes

**Agencia Adquisidora** - La “agencia adquiriente” o “la agencia” pueda ser el Departamento de Transporte de Texas (a continuación llamado “el TxDOT”) o una subdivisión política del estado incluyendo pero no limitado a ciudades y condados.

**Persona Desplazada** - Cualquier persona (individuo, familia, corporación, o asociación) quien se cambia de bienes raíces o mueve propiedad personal de bienes raíces como resultado de la adquisición de esos bienes raíces, todos o parte, o como resultado de un aviso escrito de TxDOT que desocupe los bienes raíces necesarios para un proyecto estatal de carreteras o transporte. En un caso de adquisición parcial, TxDOT determinará si una persona es desplazada como resultado directo de la adquisición. Beneficios de relocalización variarán dependiendo del tipo y tiempo de ocupación de la propiedad adquirida.

Personas desplazadas se clasifican como:

- Un dueño ocupante de una propiedad residencial (incluyendo casas móviles).
- Un inquilino ocupante de una propiedad residencial (incluyendo casas móviles y cuartos para dormir).
- Un negocio, granja, u organización no lucrativa.
- Un individuo con solo bienes personales desplazados.

**Negocio** - Cualquier actividad legal conducida primariamente para la compra, venta, arrendamiento, y/o renta de propiedad personal o bienes raíces, o para la fabricación, tratamiento, y/o venta de productos, comodidades, o cualquier otro inmueble; o para la venta de servicios al público; o solamente para propósitos de beneficios de relocalización, anuncio(s) comerciales al aire libre; cuando los anuncios tengan que moverse como resultado de una carretera estatal o proyecto de transporte.

**Familia** - El vocablo “familia” indica dos o más individuos ocupando juntos una sola vivienda de familia que:

- Son relacionados por sangre, adopción, matrimonio, o tutela legal que viven juntos como unidad de familia, más todos otros individuos sin tomar en cuenta ligas de sangre o de ley que viven con o se consideran parte de la unidad familiar, o
- No son relacionados por ligas de sangre o de ley pero viven juntos por acuerdo mutuo.

**Granja** - Cualquier actividad conducida solamente o primariamente para la producción de productos o comodidades de agricultura, incluyendo árboles maderables, para venta y uso casero, y comúnmente produciendo tales productos o comodidades en suficiente cantidad para contribuir sustancialmente al mantenimiento del operador.

**Comienzo de Negociaciones** - La fecha en cual la agencia adquisidora hace su primer oferta escrita a un dueño de bienes raíces, o al representante del dueño, para comprar los bienes raíces para un proyecto estatal de carreteras o transporte.

**Organización No Lucrativa** - Cualquier organización que está incorporada bajo las leyes aplicables de un estado como organización no lucrativa, y dispensada de pagar impuestos federales sobre ingresos bajo la sección 501 del Código de Recaudación Interna (Internal Revenue Code).

**Negocio Pequeño** - Un negocio con cuando menos uno, pero no más de 500 empleados trabajando en el sitio que se está adquiriendo.

# Sección I:

## Desplazados Residenciales

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### Reembolso de Gastos de Mudanza

Si usted califica como persona desplazada, usted tiene derecho a reembolso de sus costos de mudanza y ciertos gastos relacionados incurridos en moverse. Los métodos de moverse y los varios tipos de pagos de mudanza se explican en seguida.

### Individuos y Familias

Individuos y familias desplazadas pueden elegir que se les paguen a base de costos de mudanzas actuales y razonables y gastos relacionados, o en acuerdo con un programa de costos fijos. Sin embargo, **para asegurar su elegibilidad y reembolso rápido de gastos de mudanza, usted debe comunicarse con el consejero de asistencia de relocalización de TxDOT antes de moverse.**

**Puede Elegir de:**



**Costos de Mundanza  
Reales y Razonables**

**Incluyendo:**

- Embalaje y Desembalaje
- Almacenamiento Temporario
- Transportación
- Primas de Seguro
- Otros Costos Relacionados

**-0-**

**Costos  
Fijos**

**Basado en  
Número de Cuartos**

## **Costos de Mudanza Reales y Razonables**

Se le puede pagar por sus costos reales y razonables de mudanza y gastos relacionados cuando el trabajo se hace por una empresa comercial. El reembolso se limitará a una distancia de 50 millas.

Gastos relacionados pueden incluir:

- Embalaje y desembalaje de propiedad personal.
- Desconexión y reconexión de artefactos de hogar.
- Almacenamiento temporario de propiedad personal.
- Seguro mientras la propiedad está almacenada o en tránsito.
- Cuotas de entrada a un parque de viviendas móviles.

### **Advertencia**

**Gastos deben ser necesarios y razonables según TxDOT y comprobados por recibos. Antes de tomar acción o hacer gastos de mudanza, verifique su elegibilidad para reembolso con su consejero de asistencia para mudanza.**

## **Programa de Costos Fijos**

O usted puede elegir que se le pague a base de un programa de costos fijos. Este pago se basa en el número de cuartos en su vivienda. Recibos no son necesarios. Bajo esta opción, no será elegible para reembolso de los gastos relacionados.

## **Pagos para Viviendas de Reemplazo**

Pagos para viviendas de reemplazo se pueden comprender mejor si usted se familiariza con el sentido de los términos siguientes.

- “Comparable” y “Digno, Seguro y Sanitario” (DSS)
- Estos términos se explican en las páginas siguientes.



## Un Reemplazo “Comparable” Significa Que Su...

**Vivienda Presente**



y

**Vivienda de Reemplazo**



**Funcionan Equivalentemente**

Sobre:

- Número de Cuartos
- Espacio de Vivienda
- Ubicación
- Pies Cuadrados

Una vivienda de reemplazo comparable tiene que ser digna, segura, y sanitaria, y debe ser equivalente en función a su vivienda presente. Mientras no necesariamente idéntica a su vivienda presente, el reemplazo debe tener ciertos atributos:

- Similar número de cuartos y espacio de vivienda.
- Ubicada en un área no sujeta a condiciones ambientales desfavorables.
- En general, no ser menos deseable que su locación presente con respecto a servicios públicos y facilidades comerciales y públicas.
- Actualmente disponible a usted y dentro de sus alcances financieros.
- Ubicada en un sitio tamaño típico para desarrollo residencial con las mejoras normales al sitio.

## **Digna, Segura, y Sanitaria (DSS)...**

Viviendas de reemplazo deben ser dignas, seguras, y sanitarias. Esto indica que satisface todos los requisitos mínimos establecidos por el estado y que es conforme a los códigos aplicables de vivienda y ocupación.

La vivienda debe:

- Estar sólida en su estructura, segura contra la intemperie, y en buen estado de reparación.
- Tener un sistema seguro de alambrado eléctrico adecuado para alumbramiento y aparatos electrodomésticos.
- Tener un sistema de calefacción capaz de mantener una temperatura saludable (aproximadamente 70 grados) excepto esas áreas donde las condiciones del clima no requieren dicho sistema.
- Tener tamaño adecuado con respecto al número de cuartos y el área del espacio de vivienda necesaria para acomodar a la(s) persona(s) desplazada(s).
- Tener un cuarto de baño, bien alumbrado y ventilado con privacidad y un lavamanos, baño o ducha, e inodoro, todos funcionando en buen orden y debidamente conectados a abastecimientos apropiados de agua y un sistema de drenaje.
- Tener un espacio para cocina con un fregadero completamente utilizable, debidamente conectado a agua potable fría y caliente y a un sistema de drenaje, y con espacio adecuado y conexiones para una estufa y un refrigerador.
- Tener salida libre conduciendo a un espacio seguro y abierto a nivel de tierra.
- Estar libre de barreras que impidan entrada, salida, o uso razonable de la vivienda en caso de una persona desplazada y físicamente desventajada.

## **Pagos para Viviendas de Reemplazo Se Separan en Tres Tipos Básicos:**

- Suplemento para Comprar (página 12)
- Asistencia para Rentar (página 13)
- Asistencia con el Enganche (página 13)

El tipo de pago depende en si usted es dueño o inquilino, y en cuanto tiempo ha vivido en la propiedad que se está adquiriendo antes de que principien las negociaciones.

## **Periodos Básicos de Tiempo De Ocupación y a lo que Tiene Derecho**

Hay un requisito básico de periodo de ocupación que determina el tipo de pago por vivienda de reemplazo a cual tiene derecho. El periodo de ocupación simplemente significa el número de días que usted ocupó la vivienda inmediatamente antes de la fecha cuando la agencia adquisidora inició las.

Dueños que estaban en ocupación 90 días o más inmediatamente antes del principio de negociaciones pueden ser elegibles para un suplemento para comprar.

Si usted es un inquilino que ha estado en ocupación 90 días o más inmediatamente antes del principio de negociaciones, puede ser elegible para asistencia de un pago de renta o para un enganche.

Si usted ha estado en ocupación menos que 90 días antes del principio de negociaciones y la propiedad se adquiere más tarde, o si usted ocupa la propiedad después del principio de negociaciones y todavía ocupa en la fecha de adquisición, puede usted ser elegible para asistencia con su renta o con el enganche. Comuníquese con su consejero de relocalización para más detalles.

## **Suplemento para Comprar (Dueños Ocupantes de 90 Días o Más)**

Si usted es dueño y ha ocupado su vivienda por 90 días o más inmediatamente antes del principio de negociaciones, puede usted ser elegible - además de la compensación justa por su propiedad - para un suplemento para compra así como asistencia para los costos necesarios para comprar una vivienda comparable de reemplazo que sea digna, segura, y sanitaria. El departamento computará el pago máximo por cual usted puede ser elegible a recibir. **Usted debe comprar y ocupar una vivienda de reemplazo DSS dentro de un (1) año.**

### **El Suplemento para Comprar Incluye:**

#### **Diferencia en Precio**

El pago por diferencia en precio es la cantidad de la vivienda de reemplazo que excede al costo de adquisición de la vivienda de desplazamiento. El pago por diferencia en precio y los pagos siguientes son además del precio de adquisición pagado por su propiedad.

#### **Aumento en Costo de Interés de Hipoteca**

Se le puede reembolsar el aumento en costos del interés hipotecario si el tipo de interés en su nueva hipoteca excede el tipo de su hipoteca presente. Para ser elegible, la vivienda adquirida debe haber estado gravada por una hipoteca en buena fe que era un gravamen válido por no menos de 180 días inmediatamente antes de iniciarse las negociaciones.

#### **Gastos Incidentales de Viviendas de Reemplazo**

También se le puede reembolsar por otros gastos como gastos razonables incurridos por aplicaciones para préstamos, honorarios para archivar documentos, y ciertos otros costos de cierre. Esto no incluye gastos anticipados como impuestos sobre bienes raíces y seguros sobre propiedad o costos por servicios normalmente pagados por vendedores de propiedades residenciales o proporcionadas por compañías aseguradoras de títulos de propiedad y agentes de cierre como parte de otros de sus servicios.

## **Suplemento Para Asistencia de Renta (Dueños Ocupantes e Inquilinos de Menos de 90 Días)**

El suplemento para asistencia de renta fue diseñado para facilitarle a rentar una vivienda de reemplazo digna, segura, y sanitaria. Si elige rentar una vivienda de reemplazo y los pagos de renta son más que los que estaba pagando, puede tener derecho a un pago de suplemento para renta. TxDOT determinará el pago máximo a cual pueda tener derecho de recibir de acuerdo con procedimientos establecidos. El pago suplemental para rentar se hará en un solo pago a menos que TxDOT determine que el pago debe ser pagado en plazos. Para ser elegible, usted tiene que rentar y ocupar una vivienda de reemplazo DSS dentro de un (1) año.

Todos los desplazados elegibles tienen la libertad de elección al escoger una vivienda de reemplazo. Si una persona desplazada decide no aceptar la vivienda de reemplazo ofrecida por TxDOT, él o ella pueden escoger una vivienda de reemplazo de su gusto siempre que cumpla con los requisitos de vivienda DSS.

### **Asistencia con el Enganche**

Dueños-ocupantes de menos de 90 días pueden ser elegibles para asistencia con el enganche, y gastos incidentales, no en exceso del costo aprobado para el suplemento de asistencia para renta.

Gastos incidentales de viviendas de reemplazo incluyen gastos razonables de aplicaciones para préstamos, archivo de documentos, y ciertos otros costos de cierre. Estos no incluyen gastos anticipados, como impuestos sobre bienes raíces y seguros sobre propiedad. También pueda ser elegible para un reembolso de cuotas de origen o toma de préstamos, si dichas cuotas son normales a tramitaciones de bienes raíces en su localidad y no representan interés anticipado.

Recuerde que debe comprar y ocupar su vivienda DSS dentro de un (1) año de su mudanza (para dueños) o un (1) año de la fecha de la notificación de desalojo (para inquilinos) de 90 días.

## **Ley de Vivienda Equitativa**

La Ley de Vivienda Equitativa (actualmente, Título VIII de la Ley de Derechos Civiles de 1968) expone la política de los Estados Unidos de proveer, dentro límites constitucionales, vivienda equitativa. Esta Ley y Leyes subsiguientes y enmiendas hacen ilegales a prácticas discriminatorias en la compra y renta de la mayoría de unidades residenciales si están basadas en raza, color, religión, sexo u origen nacional.

Cuando posible, a personas pertenecientes a minorías se les dará oportunidades razonables de relocalizar a viviendas de reemplazo dignas, seguras, y sanitarias a su alcance financiero, no necesariamente ubicadas en áreas de concentración de minorías. Esta política, sin embargo, no requiere que una agencia adquisidora provea un pago más que lo necesario para que la persona se relocalice a una vivienda de reemplazo comparable.

## **A Todo Desplazado Residencial**

La cosa más importante que recordar es que la vivienda de reemplazo que usted escoja tiene que cumplir con los requisitos básicos de “digna, segura y sanitaria.”

### **No:**

- Firme un contrato de venta o un convenio para rentar **hasta** que un representante de TxDOT inspeccione y certifique por escrito que la vivienda que propone comprar o rentar cumple los requisitos básicos.
- Peligre su derecho de recibir un pago de vivienda de reemplazo ocupando una vivienda que no cumpla con los requisitos.

# Sección II: Negocios, Granjas y Organizaciones No Lucrativas

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## Reembolso de Costos de Mudanza

**Dueños u inquilinos se pueden pagar a base de gastos actuales razonables de mudanza y gastos relacionados o, bajo ciertas circunstancias, un pago fijo.**

A. Gastos actuales razonables de mudanza se pagan cuando la mudanza se lleva a cabo por una empresa de mudanza profesional o si se cambia “por sí mismo” (página 16). Gastos relacionados, tal como pérdidas de propiedad personal (página 18), y gastos de buscar un sitio de reemplazo (página 18) también pueden ser reembolsables. También se le puede reembolsar por gastos incurridos en restablecer su negocio (página 18).

o,

B. Puede ser elegible para recibir un pago fijo. Este pago se basa en los ingresos netos anuales del negocio o de la granja, no en exceso de \$40,000. Para una organización no lucrativa, el pago fijo es el promedio de los ingresos brutos de dos años menos gastos administrativos. Se deben cumplir ciertas condiciones para calificar para un pago fijo. Vea página 19.

## Gastos Actuales Razonables de Mudanza



### **Incluyendo**

Pérdidas de Propiedad Personal

### **Más**

Gastos en Búsqueda de Sitio de Reemplazo

### **Más**

Gastos para Restablecer su Negocio

Reembolsos de gastos de mudanza se limitan a costos razonables y necesarios asociados con una mudanza de no más de 50 millas de la ubicación original.

### **Aviso**

**Gastos deben ser necesarios y razonables según TxDOT y respaldados con los recibos pertinentes. Antes de tomar una acción o incurrir cualquier gasto de mudanza, verifique su elegibilidad para reembolso con su consejero de mudanza.**



## **Dos Maneras de Mover Su Empresa**

- *Empresa de Mudanza Profesional.* Se le puede pagar los costos efectivos y razonables de su mudanza llevada a cabo por una empresa de mudanza profesional. Todos sus gastos deben ser comprobados por recibos o facturas para asegurar pago pronto de su reclamo de costos de mudanza. Ciertos otros gastos también son reembolsables: como empaque, encajonamiento, desempaque, desencajonamiento, desconexión, desarme, cambio, rearme, y reinstalación de maquinaria, equipo, y otra propiedad personal. Otros gastos como costos de almacenamiento temporario, seguros mientras en tránsito o almacenamiento, y el costo de nuevas licencias o permisos también pueden ser reembolsables.
- *Mudanza “Por Sí Mismo.”* Si decide tomar responsabilidad total por toda o parte de la mudanza, TxDOT puede aprobar un pago negociado, no en exceso de la oferta o presupuesto aceptable más bajo preparado por empresas de mudanza calificadas, consultores de mudanza, o un empleado calificado del departamento. Si no se pueden obtener dos ofertas o presupuestos aceptables, o si usted decide cambiarse “por sí mismo” a base de costos efectivos, su pago de mudanza se pueda basar sobre gastos efectivos y razonables comprobados por facturas pagadas u otra evidencia de los gastos actuales. Presupuestos de costos u ofertas para mudanzas “por sí mismo” negociadas se obtendrán por TxDOT. Además, pagos por mudanzas “por sí mismo” se deben aprobar por TxDOT antes del principio de la mudanza propuesta

## **Notificación e Inspección**

Para asegurar elegibilidad y pago pronto por gastos de mudanza, debe proveer a TxDOT noticia anticipada por escrito de la fecha aproximada para la mudanza planeada, para que TxDOT pueda examinar la propiedad personal en los sitios de desplazamiento y reemplazo y monitoree la mudanza.

## **Pérdidas Directas de Bienes Personales Tangibles/Compra de Bienes Personales Reemplazados**

Negocios, granjas, y organizaciones no lucrativas desplazadas puedan ser elegibles para un pago por pérdidas directas y actuales de propiedad personal tangible o la compra de sustituto personal propiedad incurridas como resultado de la mudanza o discontinuación de la operación. Este pago varía dependiendo si el artículo se reemplaza o no; sin embargo no puede exceder el costo estimado de mudanza y reinstalación.

Su consejero de relocalización le explicará este procedimiento en detalle si se enfrenta con esta situación.

## **Gastos para Restablecer el Sitio de Reemplazo**

Un negocio pequeño (no más de 500 empleados), granja u organización no lucrativa puede ser elegible para recibir un pago, que no exceda \$25,000, para gastos actualmente incurridos para reubicar y reestablecer en otro sitio. Estos costos de restablecimiento deben ser razonables y necesarios según TxDOT. Su consejero de relocalización le explicará sobre los gastos elegibles incluidos bajo esta categoría de asistencia de relocalización.

## **Gastos de Búsqueda para Propiedad de Reemplazamiento**

Negocios, granjas, y organizaciones no lucrativas desplazadas tienen derecho a reembolso por los gastos efectivos y razonables incurridos en búsqueda de propiedad de reemplazamiento no en exceso de \$2,500. Gastos pueden incluir transportación, comidas, y hospedaje fuera de su domicilio; el valor razonable del tiempo usado durante la búsqueda; honorarios pagados a agentes de bienes raíces, corredores o consultores (excluyendo comisiones); y otros gastos que TxDOT determine ser razonables y necesarios.

## **Pago Fijo (En Lugar De)**

Negocios, granjas, y organizaciones no lucrativas desplazadas puedan ser elegibles para un pago fijo en lugar del pago por gastos de mudanza, gastos de restablecimiento, pérdidas de propiedad personal, y gastos de búsqueda. El pago fijo no puede ser menos de \$1,000 o más de \$40,000.

Para que un negocio pueda ser elegible para un pago fijo, TxDOT tiene que determinar que todo lo siguiente aplica:

1. El negocio tiene o renta propiedad personal que se tiene que mover en relación con su desplazamiento y por cual gastos se incurrirían al mudarse.
2. El negocio no se puede relocalizar sin una pérdida substancial de su clientela actual.
3. El negocio no es parte de una empresa comercial con más de tres otras entidades que no se están adquiriendo y no están bajo el mismo propietario y participan en las mismas o actividades similares.
4. El negocio no se conduce en una vivienda desplazada con el único propósito de rentar dicha vivienda a otros.
5. El negocio no se conduce en el sitio desplazado con el único propósito de rentar el sitio a otros.
6. El negocio contribuyó substancialmente a los ingresos de la persona desplazada durante los dos (2) años sujetos a impuestos anteriores al desplazamiento.

Para que el dueño de una granja sea elegible para un pago fijo, la operación granjera debe ser desplazada por una adquisición total o parcial. En el caso de adquisición parcial, TxDOT tiene que determinar que la adquisición causó el desplazamiento del operador o que causó un cambio substancial en la naturaleza de la operación granjera.

Para que una organización no lucrativa pueda ser elegible para un pago fijo, debe proveer prueba de su calificación como organización no lucrativa bajo las leyes federales o estatales aplicables.

**Solicitudes para pagos fijos en lugar de gastos efectivos deben ser presentadas a TxDOT antes de la mudanza propuesta de la propiedad de desplazamiento.**

- Cuando el reclamo de pago fijo se escoge, un negocio, granja, u organización no lucrativa no podrá reclamar otro tipo de costos de mudanza.
- No todos los negocios, granjas, y organizaciones no lucrativas desplazadas puedan ser elegibles para este tipo de pago. Comuníquese con su consejero de relocalización para más detalles.

# Sección III: Anuncios Comerciales

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El dueño de cualquier anuncio(s) comercial al aire libre es elegible para un pago de desplazamiento por gastos efectivos y relacionados a mudanza.

## **Tipos de Pagos por Anuncios Comerciales**

### **Gastos Efectivos**

Gastos de mudanza efectivos y razonables se puedan pagar cuando la mudanza se hace por un profesional calificado (página 8). Reclamos para dichos gastos deben ser comprobados con recibos detallados u otra evidencia verificable de los gastos incurridos.

### **Por Sí Mismo**

Si usted elige tomar responsabilidad total por parte o toda la mudanza, TxDOT puede aprobar un pago negociado como detallado en la página 17. Pagos negociados por mudanzas por sí mismo deben ser aprobados por el TxDOT antes de que principie la mudanza propuesta.

- **Pérdidas Directas de Gastos de Bienes Personales**

Este pago se basa en el costo depreciado de reproducción del anuncio menos el producto de su venta, o el costo presupuestado de mover el anuncio sin tomar en cuenta su almacenaje, cual costo sea el menos.

o

- **Compra de Bienes Personales Reemplazados**

Es pago se basa en el costo de recambio de mismo clase letrero (signo) menos el venta/intercambia, o el costo estimado para of movimiento del existente letrero (signo), sin cuenta por almacenamiento, el que es menos costo.

## **Gastos de Búsqueda**

Dueños de anuncios comerciales desplazados tienen derecho a reembolso por gastos efectivos y razonables incurridos en búsqueda de un sitio para el anuncio (página 18), no en exceso de \$2,500.

### **Aviso**

**Para asegurar elegibilidad y pago pronto por gastos de mudanza, usted debe proveer a TxDOT noticia anticipada por escrito de la fecha aproximada de la mudanza planeada y un dibujo del anuncio desplazado indicando su tamaño (dimensiones), número de postes, tipo de materiales, alumbrado, y la materia anunciada.**

También, anuncios comerciales que se mueven a sitios que no son conformes con las disposiciones de embellecimiento de carreteras del Acta Estatal de Abolición de Basura (Texas Litter Abatement Act) no serán elegibles para un pago de relocalización.

# Sección IV:

## Servicios para Relocalización

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### Servicios para Asistencia de Relocalización

Cualquier individuo, familia, negocio o granja desplazada por un programa estatal de carretera o transporte se le ofrecerá servicios para asistencia en relocalización con el propósito de localizar en un sitio adecuado de reemplazo. Servicios en relocalización son proveídos por personal calificado empleado por TxDOT. Estos servicios son para ayudarle a relocalizarse con éxito.

Consejeros de asistencia de relocalización están para ayudarle y para aconsejarle; no deje de hacer pleno uso de sus servicios. No deje de hacer preguntas, y asegurarse que entiende bien todos sus derechos y beneficios de relocalización.

### Contacto Personal

Un consejero de relocalización se pondrá en contacto con usted personalmente. Servicios y pagos de relocalización se le explicarán de acuerdo con su elegibilidad. Durante la entrevista inicial, sus requisitos y deseos se determinarán, igual como su necesidad de asistencia. No se le puede requerir moverse si no se le otorga cuando menos una vivienda comparable. Cuando posible, viviendas comparables se inspeccionarán antes de que se le ofrezcan para asegurar que cumplen con los requisitos de dignidad, seguridad, y sanidad.

Además, el consejero de relocalización le dará listados actuales de otras viviendas de reemplazo disponibles. Se le proveerá transporte para inspeccionar viviendas disponibles, especialmente si usted es anciano o está incapacitado. El departamento también proveerá consejo o le ayudará a conseguir asistencia de otras fuentes disponibles para reducir dificultades en adaptarse a su nueva sitio. Información sobre programas federales, estatales y locales que ofrecen asistencia también está disponible.

## **Asistencia a Negocios y Granjas**

El consejero de relocalización le asistirá a localizar propiedades comerciales y granjas. Se tomarán medidas para reducir los daños económicos y para aumentar la probabilidad de que puedan relocalizarse en la comunidad afectada. El consejero también explorará y proveerá consejo sobre fuentes posibles de fondos y asistencia de otras agencias locales, estatales, y federales.

## **Servicios Sociales Proveídos por otras Agencias**

Su consejero de relocalización estará enterado de los servicios proveídos por otras agencias públicas y privadas en su comunidad. Si usted tiene necesidades especiales, el consejero hará todo esfuerzo para asegurar los servicios de esas agencias con personal calificado para ayudarlo. Hágale saber sus necesidades para que usted reciba la ayuda que requiere.

## **Oficina de Relocalización**

Además de contactos personales por el consejero de relocalización, la agencia de TxDOT pueda establecer una oficina de relocalización en o cerca de un proyecto donde un número considerable de personas se van a relocalizar. Oficinas de relocalización en dichos proyectos están abiertas durante horas convenientes, incluyendo por la noche cuando necesario.

La oficina mantiene una variedad de información sobre:

- Listados de propiedades de reemplazo disponibles
- Leyes locales de viviendas y códigos de construcción
- Servicios sociales
- Depósitos de valores y plazos de interés
- Enganches usuales
- Requisitos de préstamos de Asuntos de Veteranos (VA) y Administración Federal de Vivienda (FHA)
- Impuestos sobre bienes raíces
- Información educativa del consumidor sobre viviendas

Visite su oficina de relocalización si hay una establecida, será más que bienvenido.



## **Asistencia Consultiva de Relocalización**

### **Lista de Control**

Esta lista de control es un resumen de la asistencia consejera de relocalización que usted puede razonablemente esperar recibir si usted es desplazado por un proyecto estatal de carreteras o transportación. Además, se le requiere a TxDOT que coordine sus actividades de relocalización con otras agencias causando desplazamiento para asegurar que toda persona desplazada reciba beneficios de relocalización equitativos y consistentes.

El consejero de relocalización entrevistará a personas desplazadas para:

- Determinar necesidades y preferencias
- Explicar sus beneficios de relocalización
- Ofrecer asistencia
- Ofrecer transportación si es necesaria
- Asegurar la disponibilidad de propiedad comparable antes de desplazamiento
- Proveer inscripciones al corriente de propiedades comparables
- Proveer por escrito la cantidad del pago para vivienda de reemplazamiento
- Inspeccionar viviendas para aceptabilidad de DSS
- Proveer información sobre otros programas federales y estatales ofreciendo asistencia
- Proveer consejo para minimizar dificultades

# Sección V: Reclamo de Pago

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## **¿Cómo obtengo mi pago de relocalización?**

Usted debe presentar un reclamo para reembolso departamento le proveerá las formas de reclamo necesarias, le asistirá a llenarlas, y le explicará el tipo de documentación, si algún, que necesita someter para recibir sus pagos de relocalización.

Si los gastos que tiene que hacer antes de su mudanza le causan dificultades, discuta sus necesidades financieras con TxDOT.

## **¿Cuándo debo presentar mi reclamo?**

Debe presentar todos sus reclamos no más tarde que 18 meses después de moverse o de que se le requiera moverse. Sin embargo, es a su ventaja presentarlo lo más pronto posible después de que se mueva. Lo más pronto que someta su reclamo, lo más pronto se puede tratar y pagar.

Si no puede presentar su reclamo dentro de 18 meses, el departamento puede extender este término de tiempo por una causa justa.

Se requiere que el departamento le pague pronto después de que usted presente un reclamo aceptable. Si hay un asunto sobre su derecho de recibir un pago de relocalización o a la cantidad del pago, se le notificará, por escrito, del problema y lo que usted pueda hacer para resolver el asunto.

## **Pagos Duplicados**

No se hará ningún pago bajo el Programa de Relocalización si la persona desplazada es elegible para recibir otro pago bajo ley que tiene substancialmente el mismo propósito y efecto que el pago de relocalización.

## Otro Beneficio Importante



### **No Afecta Desfavorablemente a:**

- Elegibilidad Para Seguro Social**
- Elegibilidad Para Beneficencia Social**
- Impuestos Sobre Ingresos**

Ningún pago de relocalización recibido se considerará como ingreso para propósito del Código de Recaudación Interna (Internal Revenue Code) o para determinar la calificación o el grado de calificación de cualquier persona para asistencia bajo el Acta de Seguridad Social (Social Security Act) o cualquier otra ley federal.

# Sección VI: Derecho de Apelación

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Si usted cree que el TxDOT no ha determinado debidamente su elegibilidad para, o la cantidad de, un pago, puede apelar al Comité de Revisa de Asistencia para Relocalización del TxDOT. Solicitudes se deben presentar por escrito, TxDOT le asistirá en presentar una apelación y le explicará los procedimientos necesarios. Se le dará una oportunidad plena y pronta a audiencia por el comité de revisión. Tiene derecho a representación por consejero legal u otro representante respecto a la apelación (pero solamente a su propio gasto).

El comité de revisión considerará toda justificación pertinente y materia sometida por usted y otra información disponible necesaria para asegurar una revisión equitativa. Este comité proveerá de una determinación escrita resultante de la apelación, con una explicación de la base de la decisión.

# Sección VII: Derechos Civiles

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De acuerdo con el Título VI del Acta de Derechos Civiles del 1964 y otros estatutos relacionados, es la política de del departamento asegurar que ninguna persona, basado en raza, religión (donde el objetivo primario de la ayuda financiera es proveer empleo. 42 U.S.C. §2000d-4) color, país de origen, género, edad, represalias o incapacidad, será excluida de participar en o negado beneficios de o de otra manera sujeto a discriminación en cualquiera de nuestras actividades y programas.

Si usted cree que ha experimentado discriminación o que sus derechos han sido violados en cualquier programa o actividad del departamento, puede presentar una Demanda Título VI de Discriminación.

## **Se puede obtener la forma para Queja de Discriminación del Título VI por medio de:**

- Visitar al sitio web de TxDOT al:  
[www.txdot.gov/inside-tdot/office/civil-rights/contact.html](http://www.txdot.gov/inside-tdot/office/civil-rights/contact.html)
- Ponerse en contacto con la Oficina de Derechos Civiles al 1-866-480-2518.
- Visitando la Oficina de Derechos Civiles al 200 E. Riverside Drive, 2º piso, Austin, Texas 78704.

Si tiene algunas preguntas sobre como completar esta forma, puede ponerse en contacto con la Oficina de Derechos Civiles al número arriba citado. Solicitándolo, se le puede ofrecer ayuda si usted tiene inglés limitado, o está incapacitado. Se pueden presentar demandas usando otro formato p Ej. disquete, cinta magnetofónica, o en Braille.

Si tiene impedimentos de habla o audición, marque al Texas Relay al 1-800-735-2988 o al 711 para ayuda.

La Oficina de Derechos Civiles del departamento le notificará al recibir su demanda.

## Notes

## Notes

## Notes





## **Oficina de Relocalización**

Puede ponerse en contacto con la oficina de relocalización en la dirección siguiente para asistencia consejera de relocalización o para información sobre la ley estatal y procedimientos que regulan este programa.



September 1, 2023

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 204.016TR  
Project Limits: IH 69 to Hwy 288

Federal Project: NHHIP  
Hwy. No.: IH 45

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED NO.: [REDACTED]

[REDACTED]

Dear [REDACTED]:

An offer was made by the Texas Department of Transportation on June 15, 2023 to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$42,420.00** to rent a replacement home that costs **\$1,153.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom, one-bathroom replacement apartment located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,153.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,153.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED].
4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$42,420.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a

replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.

5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or by email at [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between 8 a.m. and 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

Right of Way Project Manager

Enclosure:  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**



## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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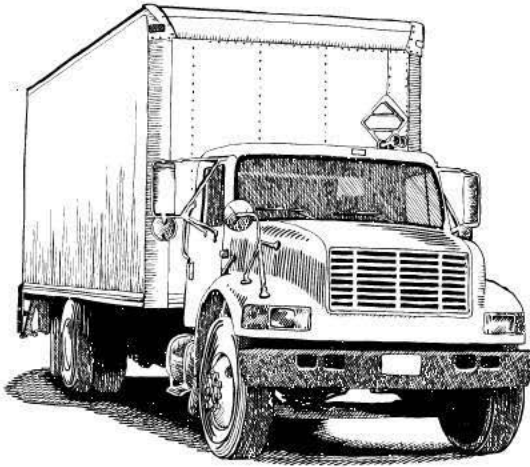
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

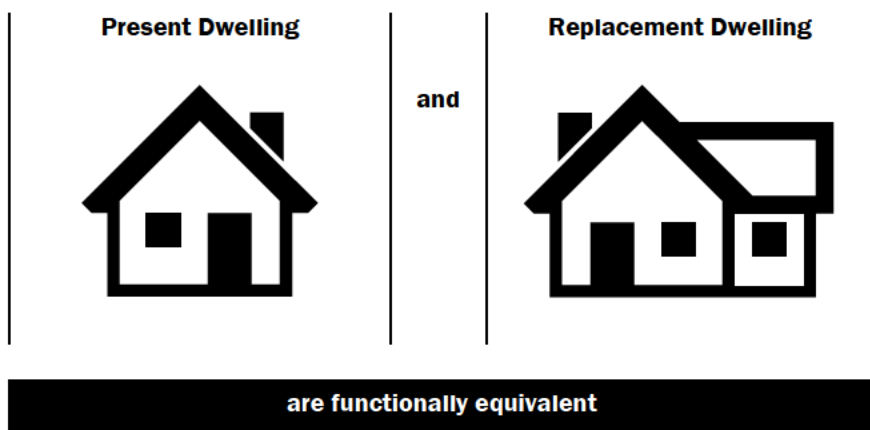
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.



## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

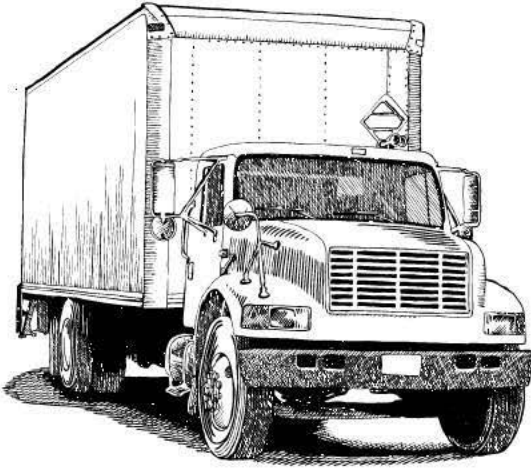
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**



- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.



## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



November 21, 2023

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 204.017TR / P00001728  
Project Limits: IH 45 to SH 288

Federal Project: NHHIP  
Hwy. No.: IH 45

DELIVERY IN-PERSON

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]:

An offer was made by the Texas Department of Transportation on June 15, 2023, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$72,833.46** to rent a replacement home that costs **\$2,267.00** per month or more including utilities. This supplement has been based on the cost to rent a 7-room, 3-bedrooms, 2-bathrooms replacement apartment located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$2,267.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$2,267.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent [REDACTED].
4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$72,833.46** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of



benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.

5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or by email at [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between 8 a.m. and 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

Enclosure(s):  
Acknowledgement of Preferred Language  
Acknowledgement of Explanation of Entitlement  
Relocation Assistance Brochure



**ACKNOWLEDGMENT OF PREFERRED LANGUAGE**

County: Harris

District: Houston

Federal Project No.: N/A

Parcel ID: 204.017TR / P00001728

ROW CSJ No.: 0027-13-226

Highway: IH 45

My preferred language for speaking is: \_\_\_\_\_.

My preferred language for written communication is: \_\_\_\_\_.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_



**ACKNOWLEDGMENT OF EXPLANATION OF ENTITLEMENT**

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 204.017TR / P00001728  
Project Limits: IH 45 to SH 288

Federal Project: NHHIP  
Hwy. No.: IH 45

I, \_\_\_\_\_, hereby acknowledge receipt of the following:

\_\_\_\_\_ 90-Day Tenant Letter and Explanation of Entitlements

\_\_\_\_\_ Relocation Brochure

\_\_\_\_\_  
Printed Signature of Displacee(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Displacee(s)

\_\_\_\_\_  
Signature of Relocation Agent

\_\_\_\_\_  
Signature of EJ Agent



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.



# Section I: Residential Displacees

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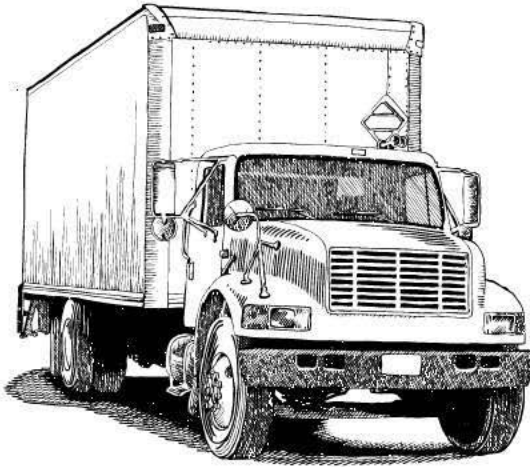
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

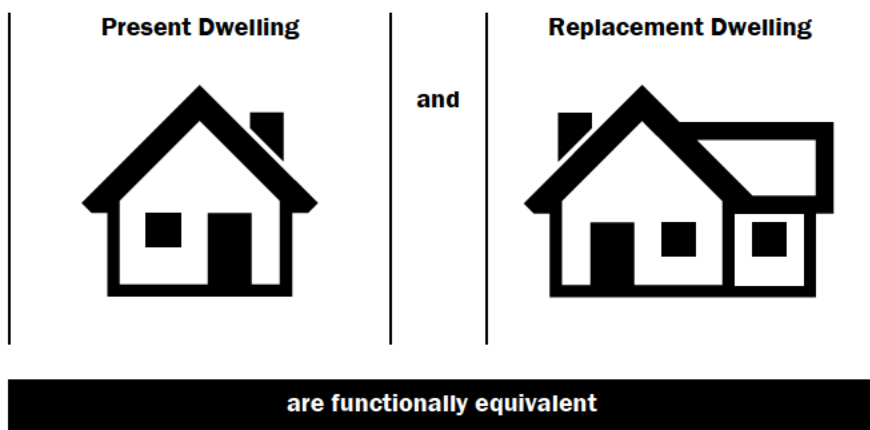
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).



## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

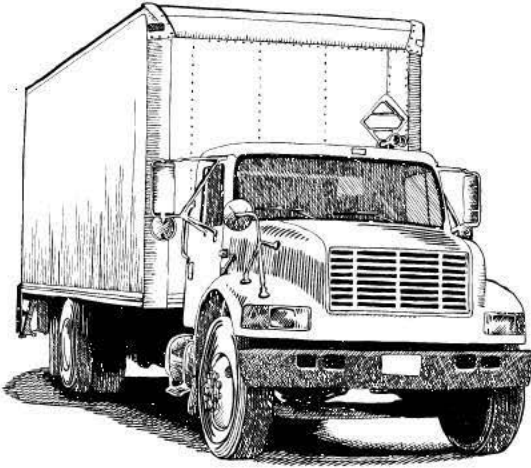
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.



## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.



## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



November 29, 2023

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 204.018TR / P00001728  
Project Limits: From IH 45 at SH 288

Federal Project No.: NHHIP  
Hwy. No.: IH 69

DELIVERY IN-PERSON



Dear [REDACTED]:

An offer was made by the Texas Department of Transportation on June 15, 2023, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$8,820.00** to rent a replacement home that costs **\$1,153.00** per month or more including utilities. This supplement has been based on the cost to rent a 3-room, 1 bedroom replacement apartment located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,153.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,153.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you



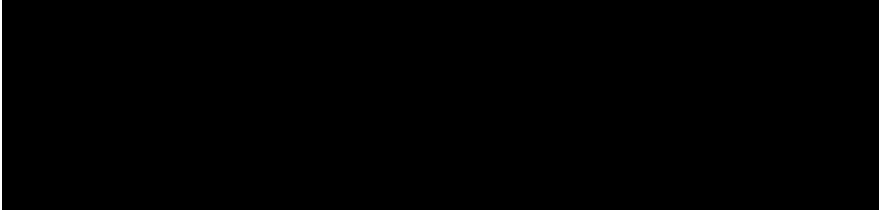
would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$8,820.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] at [REDACTED] or by email at [REDACTED]. In the event

you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] in 8 a.m. between 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,



Enclosure(s):  
Acknowledgement of Preferred Language  
Acknowledgement of Explanation of Entitlement  
Relocation Assistance Brochure

IMPORTANT NOTICE	AVISO IMPORTANTE
<p>THIS TRANSLATION IS PROVIDED AS A COURTESY FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT THE PARTIES' INTENTION FOR THIS DOCUMENT TO HAVE ANY LEGAL EFFECTS. IF THERE IS ANY DISCREPANCY BETWEEN THE ENGLISH AND SPANISH VERSIONS OF THIS DOCUMENT, THE ENGLISH VERSION SHALL PREVAIL.</p>	<p>ESTA TRADUCCION ES UNA CORTESIA PARA EFECTOS DE INFORMACION SOLAMENTE. NO ES LA INTENCION DE LAS PARTES QUE ESTE DOCUMENTO TENGA EFECTO LEGAL ALGUNO. SI HAY ALGUNA DISCREPANCIA ENTRE LA VERSION EN INGLES O EN ESPANOL DE ESTE DOCUMENTO, LA VERSION EN INGLES PREVALECERA.</p>

Fecha: 29 de Noviembre 2023

Condado: Harris  
 Numero de Derecho de Paso (Right-of-Way, ROW) en Sección Controlada (Control Section Job, CSJ): 0027-13-226  
 Identificación de lote: 204.018TR / P00001728  
 Límites del proyecto: desde IH 45 hasta SH 288 Sur

N.º de proyecto federal: NHHIP  
 N.º de autopista: IH 69



El Departamento de Transporte de Texas le hizo una oferta en la fecha 15 de junio 2023 de compra por la propiedad descrita arriba, donde vive usted, para el derecho de paso de la autopista. Este Departamento ayuda a las personas destituidas por la compra de terrenos con fines de transporte a través de nuestro Programa de Asistencia para la Reubicación. Los pagos y servicios a los que puede tener derecho se describen en el folleto adjunto titulado "Asistencia para relocalización". Creemos que este folleto será muy útil para usted.

Tome nota de todas y cada una de las siguientes declaraciones:

1. No se le pedirá que se mude de la propiedad que se está adquiriendo por al menos 90 días a partir de la fecha de esta carta. Recibirá, en una fecha posterior, un aviso por escrito y una fecha para la cual debe desalojar la propiedad. Tendrá al menos 30 días después de recibir la notificación por escrito antes de que deba mudarse.
2. Es posible que tenga derecho a un suplemento de vivienda de reemplazo de \$8,820.00 para alquilar una vivienda de reemplazo que cueste \$1,153.00 o más al mes, incluyendo servicios públicos en el costo del alquiler. Este suplemento está basado en el costo de alquiler de una vivienda de reemplazo de 3 ambiente(s), 1 dormitorio(s), de tipo 1 baño, ubicada en [REDACTED]. No es necesario que alquile esa vivienda en particular para calificar para el suplemento de alquiler; sin embargo, para solicitarlo, debe alquilar y ocupar una vivienda de reemplazo que cueste \$1,153.00 o más al mes, incluyendo servicios públicos, por un año, tal como se explica en nuestro folleto. Si su vivienda de reemplazo se alquila por menos de \$1,153.00 al mes, es posible que se deba reducir el monto del



suplemento. Para evitar la pérdida de este beneficio, le recomendamos que consulte con este Departamento antes de firmar cualquier tipo de compromiso de alquiler de la unidad.

3. Si desea examinar la(s) posible(s) vivienda(s) de reemplazo mencionada(s) anteriormente, esta agencia le brindará transporte para ayudarlo a hacerlo. Si desea examinar otras posibles viviendas de reemplazo, de precio y cualidades funcionales similares, nuestro personal de asistencia para la reubicación estará disponible para ayudarlo con cada visita que quiera hacer a cualquier hora razonable de atención. Hay 2 viviendas como esta que están actualmente disponibles para alquiler en [REDACTED] en su comunidad.
4. Si elige comprar en lugar de alquilar una vivienda de reemplazo, es posible que tenga derecho a un suplemento de pago inicial que no exceda los \$8,820.00 para el pago inicial y los gastos imprevistos. Cualquier monto pagado en virtud de esta disposición debe aplicarse a la compra de una vivienda de reemplazo. Para solicitar este pago, debe comprar y ocupar una vivienda residencial en el plazo de un año, como también se explica en nuestro folleto. Para evitar la posible pérdida de beneficios, haría bien en consultar con el Departamento antes de firmar un compromiso vinculante de compra de una vivienda de reemplazo.
5. Debe continuar viviendo en esta propiedad hasta que el Departamento la haya adquirido para ser elegible para un pago suplementario de vivienda. El Departamento le notificará cuando esto haya ocurrido.
6. Además, para ser elegible para un pago complementario de vivienda, su vivienda de reemplazo debe cumplir con los requisitos estatales para una vivienda digna, segura e higiénica. Para asegurarse de que su vivienda de reemplazo cumpla con dichos estándares, le sugerimos que haga que este Departamento la inspeccione antes de firmar el contrato de compra o alquiler. Si eso no es posible, sugerimos que incluya una disposición en el contrato de arras por la propiedad de reemplazo indicando que el contrato será válido solo si la propiedad pasa una inspección que determine que es digna, segura e higiénica según este Departamento.
7. También puede tener derecho a los costos de mudanza, como se explica en nuestro folleto. Sin embargo, estos costos se limitan a los bienes muebles y no incluyen los costos de mudanza de bienes inmuebles.
8. Cualquier persona o entidad que no esté legalmente presente en los Estados Unidos es inelegible para los servicios de asesoría de reubicación y los pagos de reubicación, a menos que dicha inelegibilidad resulte en una dificultad excepcional y extremadamente inusual para un cónyuge, padre o hijo que reúna las condiciones.
9. Finalmente, como se explica en nuestro folleto, puede solicitar una revisión de su caso por parte del Comité de Revisión de Asistencia para la Reubicación del Departamento de Transporte de Texas si no está satisfecho con la determinación sobre su elegibilidad para el pago o el monto de cualquier pago de reubicación.

Le pedimos que lea y examine detenidamente nuestro folleto para obtener información adicional y conocer los requisitos de elegibilidad de pago. La oficina le brindará asistencia para preparar los formularios necesarios y para presentar sus solicitudes de los beneficios a los que pueda tener derecho, así como cualquier información adicional que desee respecto a nuestro programa de asistencia para la reubicación. Si desea alguna ayuda de este tipo, comuníquese con [REDACTED] en [REDACTED] o visite la oficina del Departamento de Transporte de Texas en [REDACTED]. En caso de que no pueda comunicarse con nuestra oficina entre las 8 a. m. y las 5 p. m., puede llamar a [REDACTED] entre las 5 p.m. Nuestra persona de contacto colaborará con usted para programar una cita a la hora y en el lugar que le resulte más conveniente.

Atentamente,

**IMPORTANT NOTICE**  
**THIS TRANSLATION IS PROVIDED AS A**  
**COURTESY FOR INFORMATIONAL**  
**PURPOSES ONLY. ANY USE OTHER THAN**  
**INFORMATIONAL IS PROHIBITED**

**AVISO IMPORTANTE**  
**ESTA TRADUCCION ES UNA**  
**CORTESIA PARA EFECTOS DE**  
**INFORMACION SOLAMENTE.**  
**CUALQUIER USO QUE NO SEA**  
**INFORMATIVO ESTA PROHIBIDO**

Distrito de

Departamento de Transporte de Texas.

Adjunto(s)

**COURTESY TRANSLATION – NO!**

**ACKNOWLEDGMENT OF PREFERRED LANGUAGE**

County: Harris

District: Houston

Federal Project No.: N/A

Parcel ID: 204.018TR / P00001728

ROW CSJ No.: 0027-13-226

Highway: IH 69

My preferred language for speaking is: \_\_\_\_\_.

My preferred language for written communication is: \_\_\_\_\_.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_



**ACKNOWLEDGMENT OF EXPLANATION OF ENTITLEMENT**

County: Harris  
ROW CSJ: 0027-13-226  
Parcel ID: 204.018TR / P00001728  
Project Limits: IH 45 to SH 288

Federal Project: NHHIP  
Hwy. No.: IH 69

I, \_\_\_\_\_, hereby acknowledge receipt of the following:

\_\_\_\_\_ 90-Day Tenant Letter and Explanation of Entitlements

\_\_\_\_\_ Relocation Brochure

\_\_\_\_\_  
Printed Signature of Displacee(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Displacee(s)

\_\_\_\_\_  
Signature of Relocation Agent

\_\_\_\_\_  
Signature of EJ Agent



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**



## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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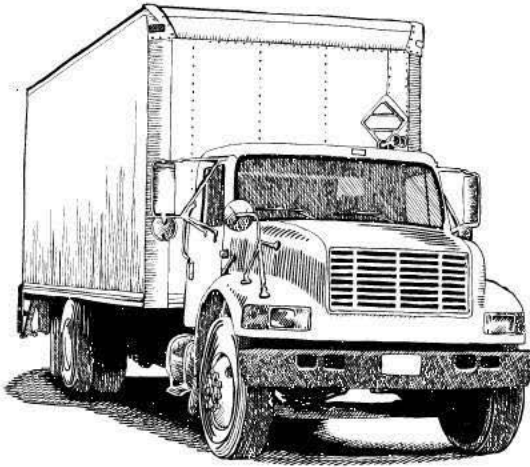
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

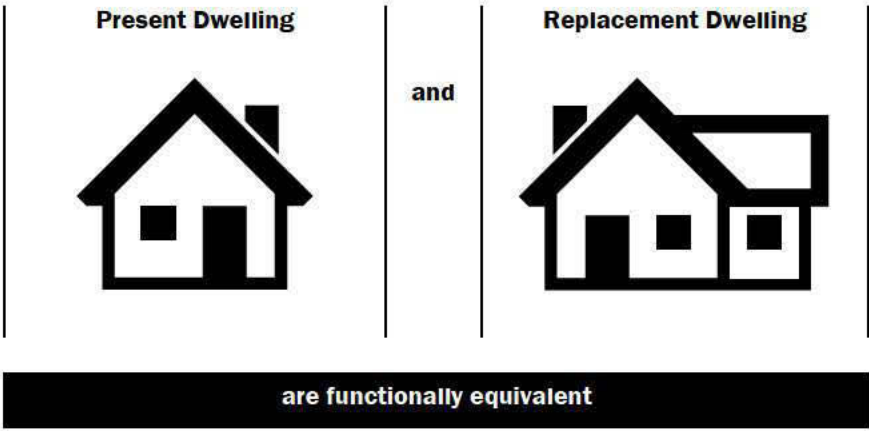
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

**A Comparable Replacement means that your...**



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.



## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

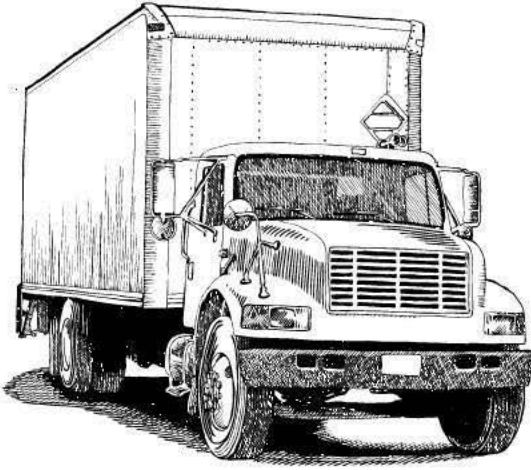
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**



- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.



## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



# **ASISTENCIA PARA RELOCALIZACIÓN**

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Right of Way Division





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# Introducción

El desarrollo de carreteras u otros servicios de transportación pública necesarios para servir y mejorar nuestro modo de vivir requiere el uso de terreno. Esto, en turno, quiere decir que a algunas personas se les requiera cambiarse a otro sitio. Su Departamento de Transportes de Texas (TxDOT, por sus siglas en inglés) está enterado de los gastos y las molestias que se causan al cambiarse de un hogar, negocio o granja. Para ayudar a quien se le requiera cambiarse, TxDOT provee pagos y servicios por medio de su programa de asistencia para relocalización.

Este folleto provee información tocante a los servicios y pagos disponibles para relocalización.

- Sección I - para desplazados residenciales;
- Sección II - para negocios, granjas, y organizaciones no lucrativas desplazadas;
- Sección III - cubre anuncios comerciales;
- Sección IV - cubre servicios de asistencia para relocalización;
- Sección V - cubre como cobrar un pago de relocalización; y
- Sección VI - contiene información sobre el derecho de una persona a apelar la determinación del TxDOT tocante a la cantidad de su derecho a un pago de relocalización.

Si se le requiere cambiarse como resultado de la adquisición de propiedad para un proyecto de TxDOT, un consejero de servicios de relocalización se pondrá en contacto con usted. El consejero podrá contestar sus preguntas específicas y proveerle información adicional. **Para asegurar los máximos beneficios de relocalización debe discutir cualquier cambio propuesto con el consejero para que se llegue a un acuerdo definitivo tocante los requisitos de elegibilidad.**

## Nota Especial

No es posible tratar todas las necesidades y preguntas de cada persona. Este folleto es solamente para información general; no es un documento de ley, regla, o regulación.

## Requisitos para Asistencia

Asistencia para relocalización está a la disposición de todos los individuos, familias, negocios, agricultores, rancheros, y organizaciones no lucrativas cuyo presente legítimo en los Estados Unidos de América que tal desplazamiento es resultado de proyectos de carreteras o transportación pública del estado. Esta asistencia se facilita tanto a inquilinos como a dueños ocupando los bienes raíces necesarios para el proyecto.

## Aviso Anticipado

A cada persona desplazada se le dará suficiente tiempo para planear una mudanza ordenada, oportuna, y eficiente. Esto aplica no solamente a ocupantes de residencias sino también a toda propiedad de donde el ocupante se tiene que cambiar a otro lugar o de donde cambia su propiedad personal a otro lugar. A lo máximo práctico, a ninguna persona legalmente ocupando bienes raíces se le requerirá cambiarse de ese sitio sin menos de 90 días de aviso anticipado por escrito.

### Advertencia

Para asegurar su elegibilidad y pago rápido de sus beneficios de relocalización, **usted debe** proveer a su consejero de asistencia para relocalización de TxDOT un aviso por anticipo de la fecha aproximada para la mudanza planeada y una lista de las cosas que se van a mover para que un representante del TxDOT pueda examinar la propiedad personal en los sitios de desplazamiento y de reemplazo, y supervisar la mudanza. **Un inquilino que se mueva antes de la fecha en que se principian las negociaciones para adquirir la propiedad, no calificará para ningún pago de relocalización salvo que reciba, antes de cambiarse de la propiedad, un aviso, por escrito, de su elegibilidad anticipada para relocalización.**

# Algunas Definiciones Importantes

**Agencia Adquisidora** - La “agencia adquiriente” o “la agencia” pueda ser el Departamento de Transporte de Texas (a continuación llamado “el TxDOT”) o una subdivisión política del estado incluyendo pero no limitado a ciudades y condados.

**Persona Desplazada** - Cualquier persona (individuo, familia, corporación, o asociación) quien se cambia de bienes raíces o mueve propiedad personal de bienes raíces como resultado de la adquisición de esos bienes raíces, todos o parte, o como resultado de un aviso escrito de TxDOT que desocupe los bienes raíces necesarios para un proyecto estatal de carreteras o transporte. En un caso de adquisición parcial, TxDOT determinará si una persona es desplazada como resultado directo de la adquisición. Beneficios de relocalización variarán dependiendo del tipo y tiempo de ocupación de la propiedad adquirida.

Personas desplazadas se clasifican como:

- Un dueño ocupante de una propiedad residencial (incluyendo casas móviles).
- Un inquilino ocupante de una propiedad residencial (incluyendo casas móviles y cuartos para dormir).
- Un negocio, granja, u organización no lucrativa.
- Un individuo con solo bienes personales desplazados.

**Negocio** - Cualquier actividad legal conducida primariamente para la compra, venta, arrendamiento, y/o renta de propiedad personal o bienes raíces, o para la fabricación, tratamiento, y/o venta de productos, comodidades, o cualquier otro inmueble; o para la venta de servicios al público; o solamente para propósitos de beneficios de relocalización, anuncio(s) comerciales al aire libre; cuando los anuncios tengan que moverse como resultado de una carretera estatal o proyecto de transporte.

**Familia** - El vocablo “familia” indica dos o más individuos ocupando juntos una sola vivienda de familia que:

- Son relacionados por sangre, adopción, matrimonio, o tutela legal que viven juntos como unidad de familia, más todos otros individuos sin tomar en cuenta ligas de sangre o de ley que viven con o se consideran parte de la unidad familiar, o
- No son relacionados por ligas de sangre o de ley pero viven juntos por acuerdo mutuo.

**Granja** - Cualquier actividad conducida solamente o primariamente para la producción de productos o comodidades de agricultura, incluyendo árboles maderables, para venta y uso casero, y comúnmente produciendo tales productos o comodidades en suficiente cantidad para contribuir sustancialmente al mantenimiento del operador.

**Comienzo de Negociaciones** - La fecha en cual la agencia adquisidora hace su primer oferta escrita a un dueño de bienes raíces, o al representante del dueño, para comprar los bienes raíces para un proyecto estatal de carreteras o transporte.

**Organización No Lucrativa** - Cualquier organización que está incorporada bajo las leyes aplicables de un estado como organización no lucrativa, y dispensada de pagar impuestos federales sobre ingresos bajo la sección 501 del Código de Recaudación Interna (Internal Revenue Code).

**Negocio Pequeño** - Un negocio con cuando menos uno, pero no más de 500 empleados trabajando en el sitio que se está adquiriendo.

# Sección I:

## Desplazados Residenciales

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### Reembolso de Gastos de Mudanza

Si usted califica como persona desplazada, usted tiene derecho a reembolso de sus costos de mudanza y ciertos gastos relacionados incurridos en moverse. Los métodos de moverse y los varios tipos de pagos de mudanza se explican en seguida.

### Individuos y Familias

Individuos y familias desplazadas pueden elegir que se les paguen a base de costos de mudanzas actuales y razonables y gastos relacionados, o en acuerdo con un programa de costos fijos. Sin embargo, **para asegurar su elegibilidad y reembolso rápido de gastos de mudanza, usted debe comunicarse con el consejero de asistencia de relocalización de TxDOT antes de moverse.**

**Puede Elegir de:**



**Costos de Mundanza  
Reales y Razonables**

**Incluyendo:**

- Embalaje y Desembalaje
- Almacenamiento Temporario
- Transportación
- Primas de Seguro
- Otros Costos Relacionados

**-0-**

**Costos  
Fijos**

**Basado en  
Número de Cuartos**

## **Costos de Mudanza Reales y Razonables**

Se le puede pagar por sus costos reales y razonables de mudanza y gastos relacionados cuando el trabajo se hace por una empresa comercial. El reembolso se limitará a una distancia de 50 millas.

Gastos relacionados pueden incluir:

- Embalaje y desembalaje de propiedad personal.
- Desconexión y reconexión de artefactos de hogar.
- Almacenamiento temporario de propiedad personal.
- Seguro mientras la propiedad está almacenada o en tránsito.
- Cuotas de entrada a un parque de viviendas móviles.

### **Advertencia**

**Gastos deben ser necesarios y razonables según TxDOT y comprobados por recibos. Antes de tomar acción o hacer gastos de mudanza, verifique su elegibilidad para reembolso con su consejero de asistencia para mudanza.**

## **Programa de Costos Fijos**

O usted puede elegir que se le pague a base de un programa de costos fijos. Este pago se basa en el número de cuartos en su vivienda. Recibos no son necesarios. Bajo esta opción, no será elegible para reembolso de los gastos relacionados.

## **Pagos para Viviendas de Reemplazo**

Pagos para viviendas de reemplazo se pueden comprender mejor si usted se familiariza con el sentido de los términos siguientes.

- “Comparable” y “Digno, Seguro y Sanitario” (DSS)
- Estos términos se explican en las páginas siguientes.



## Un Reemplazo “Comparable” Significa Que Su...

Vivienda Presente



y

Vivienda de Reemplazo



Funcionan Equivalentemente

Sobre:

- Número de Cuartos
- Espacio de Vivienda
- Ubicación
- Pies Cuadrados

Una vivienda de reemplazo comparable tiene que ser digna, segura, y sanitaria, y debe ser equivalente en función a su vivienda presente. Mientras no necesariamente idéntica a su vivienda presente, el reemplazo debe tener ciertos atributos:

- Similar número de cuartos y espacio de vivienda.
- Ubicada en un área no sujeta a condiciones ambientales desfavorables.
- En general, no ser menos deseable que su locación presente con respecto a servicios públicos y facilidades comerciales y públicas.
- Actualmente disponible a usted y dentro de sus alcances financieros.
- Ubicada en un sitio tamaño típico para desarrollo residencial con las mejoras normales al sitio.

## **Digna, Segura, y Sanitaria (DSS)...**

Viviendas de reemplazo deben ser dignas, seguras, y sanitarias. Esto indica que satisface todos los requisitos mínimos establecidos por el estado y que es conforme a los códigos aplicables de vivienda y ocupación.

La vivienda debe:

- Estar sólida en su estructura, segura contra la intemperie, y en buen estado de reparación.
- Tener un sistema seguro de alambrado eléctrico adecuado para alumbramiento y aparatos electrodomésticos.
- Tener un sistema de calefacción capaz de mantener una temperatura saludable (aproximadamente 70 grados) excepto esas áreas donde las condiciones del clima no requieren dicho sistema.
- Tener tamaño adecuado con respecto al número de cuartos y el área del espacio de vivienda necesaria para acomodar a la(s) persona(s) desplazada(s).
- Tener un cuarto de baño, bien alumbrado y ventilado con privacidad y un lavamanos, baño o ducha, e inodoro, todos funcionando en buen orden y debidamente conectados a abastecimientos apropiados de agua y un sistema de drenaje.
- Tener un espacio para cocina con un fregadero completamente utilizable, debidamente conectado a agua potable fría y caliente y a un sistema de drenaje, y con espacio adecuado y conexiones para una estufa y un refrigerador.
- Tener salida libre conduciendo a un espacio seguro y abierto a nivel de tierra.
- Estar libre de barreras que impidan entrada, salida, o uso razonable de la vivienda en caso de una persona desplazada y físicamente desventajada.

## **Pagos para Viviendas de Reemplazo Se Separan en Tres Tipos Básicos:**

- Suplemento para Comprar (página 12)
- Asistencia para Rentar (página 13)
- Asistencia con el Enganche (página 13)

El tipo de pago depende en si usted es dueño o inquilino, y en cuanto tiempo ha vivido en la propiedad que se está adquiriendo antes de que principien las negociaciones.

## **Periodos Básicos de Tiempo De Ocupación y a lo que Tiene Derecho**

Hay un requisito básico de periodo de ocupación que determina el tipo de pago por vivienda de reemplazo a cual tiene derecho. El periodo de ocupación simplemente significa el número de días que usted ocupó la vivienda inmediatamente antes de la fecha cuando la agencia adquirente inició las.

Dueños que estaban en ocupación 90 días o más inmediatamente antes del principio de negociaciones pueden ser elegibles para un suplemento para comprar.

Si usted es un inquilino que ha estado en ocupación 90 días o más inmediatamente antes del principio de negociaciones, puede ser elegible para asistencia de un pago de renta o para un enganche.

Si usted ha estado en ocupación menos que 90 días antes del principio de negociaciones y la propiedad se adquiere más tarde, o si usted ocupa la propiedad después del principio de negociaciones y todavía ocupa en la fecha de adquisición, puede usted ser elegible para asistencia con su renta o con el enganche. Comuníquese con su consejero de relocalización para más detalles.

## **Suplemento para Comprar (Dueños Ocupantes de 90 Días o Más)**

Si usted es dueño y ha ocupado su vivienda por 90 días o más inmediatamente antes del principio de negociaciones, puede usted ser elegible - además de la compensación justa por su propiedad - para un suplemento para compra así como asistencia para los costos necesarios para comprar una vivienda comparable de reemplazo que sea digna, segura, y sanitaria. El departamento computará el pago máximo por cual usted puede ser elegible a recibir. **Usted debe comprar y ocupar una vivienda de reemplazo DSS dentro de un (1) año.**

### **El Suplemento para Comprar Incluye:**

#### **Diferencia en Precio**

El pago por diferencia en precio es la cantidad de la vivienda de reemplazo que excede al costo de adquisición de la vivienda de desplazamiento. El pago por diferencia en precio y los pagos siguientes son además del precio de adquisición pagado por su propiedad.

#### **Aumento en Costo de Interés de Hipoteca**

Se le puede reembolsar el aumento en costos del interés hipotecario si el tipo de interés en su nueva hipoteca excede el tipo de su hipoteca presente. Para ser elegible, la vivienda adquirida debe haber estado gravada por una hipoteca en buena fe que era un gravamen válido por no menos de 180 días inmediatamente antes de iniciarse las negociaciones.

#### **Gastos Incidentales de Viviendas de Reemplazo**

También se le puede reembolsar por otros gastos como gastos razonables incurridos por aplicaciones para préstamos, honorarios para archivar documentos, y ciertos otros costos de cierre. Esto no incluye gastos anticipados como impuestos sobre bienes raíces y seguros sobre propiedad o costos por servicios normalmente pagados por vendedores de propiedades residenciales o proporcionadas por compañías aseguradoras de títulos de propiedad y agentes de cierre como parte de otros de sus servicios.

## **Suplemento Para Asistencia de Renta (Dueños Ocupantes e Inquilinos de Menos de 90 Días)**

El suplemento para asistencia de renta fue diseñado para facilitarle a rentar una vivienda de reemplazo digna, segura, y sanitaria. Si elige rentar una vivienda de reemplazo y los pagos de renta son más que los que estaba pagando, puede tener derecho a un pago de suplemento para renta. TxDOT determinará el pago máximo a cual pueda tener derecho de recibir de acuerdo con procedimientos establecidos. El pago suplemental para rentar se hará en un solo pago a menos que TxDOT determine que el pago debe ser pagado en plazos. Para ser elegible, usted tiene que rentar y ocupar una vivienda de reemplazo DSS dentro de un (1) año.

Todos los desplazados elegibles tienen la libertad de elección al escoger una vivienda de reemplazo. Si una persona desplazada decide no aceptar la vivienda de reemplazo ofrecida por TxDOT, él o ella pueden escoger una vivienda de reemplazo de su gusto siempre que cumpla con los requisitos de vivienda DSS.

### **Asistencia con el Enganche**

Dueños-ocupantes de menos de 90 días pueden ser elegibles para asistencia con el enganche, y gastos incidentales, no en exceso del costo aprobado para el suplemento de asistencia para renta.

Gastos incidentales de viviendas de reemplazo incluyen gastos razonables de aplicaciones para préstamos, archivo de documentos, y ciertos otros costos de cierre. Estos no incluyen gastos anticipados, como impuestos sobre bienes raíces y seguros sobre propiedad. También pueda ser elegible para un reembolso de cuotas de origen o toma de préstamos, si dichas cuotas son normales a tramitaciones de bienes raíces en su localidad y no representan interés anticipado.

Recuerde que debe comprar y ocupar su vivienda DSS dentro de un (1) año de su mudanza (para dueños) o un (1) año de la fecha de la notificación de desalojo (para inquilinos) de 90 días.

## **Ley de Vivienda Equitativa**

La Ley de Vivienda Equitativa (actualmente, Título VIII de la Ley de Derechos Civiles de 1968) expone la política de los Estados Unidos de proveer, dentro límites constitucionales, vivienda equitativa. Esta Ley y Leyes subsiguientes y enmiendas hacen ilegales a prácticas discriminatorias en la compra y renta de la mayoría de unidades residenciales si están basadas en raza, color, religión, sexo u origen nacional.

Cuando posible, a personas pertenecientes a minorías se les dará oportunidades razonables de relocalizar a viviendas de reemplazo dignas, seguras, y sanitarias a su alcance financiero, no necesariamente ubicadas en áreas de concentración de minorías. Esta política, sin embargo, no requiere que una agencia adquisidora provea un pago más que lo necesario para que la persona se relocalice a una vivienda de reemplazo comparable.

## **A Todo Desplazado Residencial**

La cosa más importante que recordar es que la vivienda de reemplazo que usted escoja tiene que cumplir con los requisitos básicos de “digna, segura y sanitaria.”

### **No:**

- Firme un contrato de venta o un convenio para rentar **hasta** que un representante de TxDOT inspeccione y certifique por escrito que la vivienda que propone comprar o rentar cumple los requisitos básicos.
- Peligre su derecho de recibir un pago de vivienda de reemplazo ocupando una vivienda que no cumpla con los requisitos.

# Sección II: Negocios, Granjas y Organizaciones No Lucrativas

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## Reembolso de Costos de Mudanza

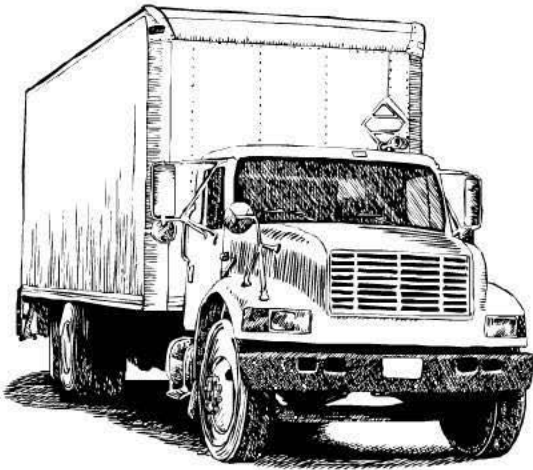
**Dueños u inquilinos se pueden pagar a base de gastos actuales razonables de mudanza y gastos relacionados o, bajo ciertas circunstancias, un pago fijo.**

A. Gastos actuales razonables de mudanza se pagan cuando la mudanza se lleva a cabo por una empresa de mudanza profesional o si se cambia “por sí mismo” (página 16). Gastos relacionados, tal como pérdidas de propiedad personal (página 18), y gastos de buscar un sitio de reemplazo (página 18) también pueden ser reembolsables. También se le puede reembolsar por gastos incurridos en restablecer su negocio (página 18).

o,

B. Puede ser elegible para recibir un pago fijo. Este pago se basa en los ingresos netos anuales del negocio o de la granja, no en exceso de \$40,000. Para una organización no lucrativa, el pago fijo es el promedio de los ingresos brutos de dos años menos gastos administrativos. Se deben cumplir ciertas condiciones para calificar para un pago fijo. Vea página 19.

## Gastos Actuales Razonables de Mudanza



### **Incluyendo**

Pérdidas de Propiedad Personal

### **Más**

Gastos en Búsqueda de Sitio de Reemplazo

### **Más**

Gastos para Restablecer su Negocio

Reembolsos de gastos de mudanza se limitan a costos razonables y necesarios asociados con una mudanza de no más de 50 millas de la ubicación original.

### **Aviso**

**Gastos deben ser necesarios y razonables según TxDOT y respaldados con los recibos pertinentes. Antes de tomar una acción o incurrir cualquier gasto de mudanza, verifique su elegibilidad para reembolso con su consejero de mudanza.**



## **Dos Maneras de Mover Su Empresa**

- *Empresa de Mudanza Profesional.* Se le puede pagar los costos efectivos y razonables de su mudanza llevada a cabo por una empresa de mudanza profesional. Todos sus gastos deben ser comprobados por recibos o facturas para asegurar pago pronto de su reclamo de costos de mudanza. Ciertos otros gastos también son reembolsables: como empaque, encajonamiento, desempaque, desencajonamiento, desconexión, desarme, cambio, rearme, y reinstalación de maquinaria, equipo, y otra propiedad personal. Otros gastos como costos de almacenamiento temporario, seguros mientras en tránsito o almacenamiento, y el costo de nuevas licencias o permisos también pueden ser reembolsables.
- *Mudanza “Por Sí Mismo.”* Si decide tomar responsabilidad total por toda o parte de la mudanza, TxDOT puede aprobar un pago negociado, no en exceso de la oferta o presupuesto aceptable más bajo preparado por empresas de mudanza calificadas, consultores de mudanza, o un empleado calificado del departamento. Si no se pueden obtener dos ofertas o presupuestos aceptables, o si usted decide cambiarse “por sí mismo” a base de costos efectivos, su pago de mudanza se pueda basar sobre gastos efectivos y razonables comprobados por facturas pagadas u otra evidencia de los gastos actuales. Presupuestos de costos u ofertas para mudanzas “por sí mismo” negociadas se obtendrán por TxDOT. Además, pagos por mudanzas “por sí mismo” se deben aprobar por TxDOT antes del principio de la mudanza propuesta

## **Notificación e Inspección**

Para asegurar elegibilidad y pago pronto por gastos de mudanza, debe proveer a TxDOT noticia anticipada por escrito de la fecha aproximada para la mudanza planeada, para que TxDOT pueda examinar la propiedad personal en los sitios de desplazamiento y reemplazo y monitoree la mudanza.

## **Pérdidas Directas de Bienes Personales Tangibles/Compra de Bienes Personales Reemplazados**

Negocios, granjas, y organizaciones no lucrativas desplazadas puedan ser elegibles para un pago por pérdidas directas y actuales de propiedad personal tangible o la compra de sustituto personal propiedad incurridas como resultado de la mudanza o discontinuación de la operación. Este pago varía dependiendo si el artículo se reemplaza o no; sin embargo no puede exceder el costo estimado de mudanza y reinstalación.

Su consejero de relocalización le explicará este procedimiento en detalle si se enfrenta con esta situación.

## **Gastos para Restablecer el Sitio de Reemplazo**

Un negocio pequeño (no más de 500 empleados), granja u organización no lucrativa puede ser elegible para recibir un pago, que no exceda \$25,000, para gastos actualmente incurridos para reubicar y reestablecer en otro sitio. Estos costos de restablecimiento deben ser razonables y necesarios según TxDOT. Su consejero de relocalización le explicará sobre los gastos elegibles incluidos bajo esta categoría de asistencia de relocalización.

## **Gastos de Búsqueda para Propiedad de Reemplazamiento**

Negocios, granjas, y organizaciones no lucrativas desplazadas tienen derecho a reembolso por los gastos efectivos y razonables incurridos en búsqueda de propiedad de reemplazamiento no en exceso de \$2,500. Gastos pueden incluir transportación, comidas, y hospedaje fuera de su domicilio; el valor razonable del tiempo usado durante la búsqueda; honorarios pagados a agentes de bienes raíces, corredores o consultores (excluyendo comisiones); y otros gastos que TxDOT determine ser razonables y necesarios.

## **Pago Fijo (En Lugar De)**

Negocios, granjas, y organizaciones no lucrativas desplazadas puedan ser elegibles para un pago fijo en lugar del pago por gastos de mudanza, gastos de restablecimiento, pérdidas de propiedad personal, y gastos de búsqueda. El pago fijo no puede ser menos de \$1,000 o más de \$40,000.

Para que un negocio pueda ser elegible para un pago fijo, TxDOT tiene que determinar que todo lo siguiente aplica:

1. El negocio tiene o renta propiedad personal que se tiene que mover en relación con su desplazamiento y por cual gastos se incurrirían al mudarse.
2. El negocio no se puede relocalizar sin una pérdida substancial de su clientela actual.
3. El negocio no es parte de una empresa comercial con más de tres otras entidades que no se están adquiriendo y no están bajo el mismo propietario y participan en las mismas o actividades similares.
4. El negocio no se conduce en una vivienda desplazada con el único propósito de rentar dicha vivienda a otros.
5. El negocio no se conduce en el sitio desplazado con el único propósito de rentar el sitio a otros.
6. El negocio contribuyó substancialmente a los ingresos de la persona desplazada durante los dos (2) años sujetos a impuestos anteriores al desplazamiento.

Para que el dueño de una granja sea elegible para un pago fijo, la operación granjera debe ser desplazada por una adquisición total o parcial. En el caso de adquisición parcial, TxDOT tiene que determinar que la adquisición causó el desplazamiento del operador o que causó un cambio substancial en la naturaleza de la operación granjera.

Para que una organización no lucrativa pueda ser elegible para un pago fijo, debe proveer prueba de su calificación como organización no lucrativa bajo las leyes federales o estatales aplicables.

**Solicitudes para pagos fijos en lugar de gastos efectivos deben ser presentadas a TxDOT antes de la mudanza propuesta de la propiedad de desplazamiento.**

- Cuando el reclamo de pago fijo se escoge, un negocio, granja, u organización no lucrativa no podrá reclamar otro tipo de costos de mudanza.
- No todos los negocios, granjas, y organizaciones no lucrativas desplazadas puedan ser elegibles para este tipo de pago. Comuníquese con su consejero de relocalización para más detalles.

# Sección III: Anuncios Comerciales

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El dueño de cualquier anuncio(s) comercial al aire libre es elegible para un pago de desplazamiento por gastos efectivos y relacionados a mudanza.

## **Tipos de Pagos por Anuncios Comerciales**

### **Gastos Efectivos**

Gastos de mudanza efectivos y razonables se puedan pagar cuando la mudanza se hace por un profesional calificado (página 8). Reclamos para dichos gastos deben ser comprobados con recibos detallados u otra evidencia verificable de los gastos incurridos.

### **Por Sí Mismo**

Si usted elige tomar responsabilidad total por parte o toda la mudanza, TxDOT puede aprobar un pago negociado como detallado en la página 17. Pagos negociados por mudanzas por sí mismo deben ser aprobados por el TxDOT antes de que principie la mudanza propuesta.

- **Pérdidas Directas de Gastos de Bienes Personales**

Este pago se basa en el costo depreciado de reproducción del anuncio menos el producto de su venta, o el costo presupuestado de mover el anuncio sin tomar en cuenta su almacenaje, cual costo sea el menos.

o

- **Compra de Bienes Personales Reemplazados**

Es pago se basa en el costo de recambio de mismo clase letrero (signo) menos el venta/intercambia, o el costo estimado para of movimiento del existente letrero (signo), sin cuenta por almacenamiento, el que es menos costo.

## **Gastos de Búsqueda**

Dueños de anuncios comerciales desplazados tienen derecho a reembolso por gastos efectivos y razonables incurridos en búsqueda de un sitio para el anuncio (página 18), no en exceso de \$2,500.

### **Aviso**

**Para asegurar elegibilidad y pago pronto por gastos de mudanza, usted debe proveer a TxDOT noticia anticipada por escrito de la fecha aproximada de la mudanza planeada y un dibujo del anuncio desplazado indicando su tamaño (dimensiones), número de postes, tipo de materiales, alumbrado, y la materia anunciada.**

También, anuncios comerciales que se mueven a sitios que no son conformes con las disposiciones de embellecimiento de carreteras del Acta Estatal de Abolición de Basura (Texas Litter Abatement Act) no serán elegibles para un pago de relocalización.

# **Sección IV:**

## **Servicios para Relocalización**

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### **Servicios para Asistencia de Relocalización**

Cualquier individuo, familia, negocio o granja desplazada por un programa estatal de carretera o transporte se le ofrecerá servicios para asistencia en relocalización con el propósito de localizar en un sitio adecuado de reemplazo. Servicios en relocalización son proveídos por personal calificado empleado por TxDOT. Estos servicios son para ayudarle a relocalizarse con éxito.

Consejeros de asistencia de relocalización están para ayudarle y para aconsejarle; no deje de hacer pleno uso de sus servicios. No deje de hacer preguntas, y asegurarse que entiende bien todos sus derechos y beneficios de relocalización.

### **Contacto Personal**

Un consejero de relocalización se pondrá en contacto con usted personalmente. Servicios y pagos de relocalización se le explicarán de acuerdo con su elegibilidad. Durante la entrevista inicial, sus requisitos y deseos se determinarán, igual como su necesidad de asistencia. No se le puede requerir moverse si no se le otorga cuando menos una vivienda comparable. Cuando posible, viviendas comparables se inspeccionarán antes de que se le ofrezcan para asegurar que cumplen con los requisitos de dignidad, seguridad, y sanidad.

Además, el consejero de relocalización le dará listados actuales de otras viviendas de reemplazo disponibles. Se le proveerá transporte para inspeccionar viviendas disponibles, especialmente si usted es anciano o está incapacitado. El departamento también proveerá consejo o le ayudará a conseguir asistencia de otras fuentes disponibles para reducir dificultades en adaptarse a su nueva sitio. Información sobre programas federales, estatales y locales que ofrecen asistencia también está disponible.

## **Asistencia a Negocios y Granjas**

El consejero de relocalización le asistirá a localizar propiedades comerciales y granjas. Se tomarán medidas para reducir los daños económicos y para aumentar la probabilidad de que puedan relocalizarse en la comunidad afectada. El consejero también explorará y proveerá consejo sobre fuentes posibles de fondos y asistencia de otras agencias locales, estatales, y federales.

## **Servicios Sociales Proveídos por otras Agencias**

Su consejero de relocalización estará enterado de los servicios proveídos por otras agencias públicas y privadas en su comunidad. Si usted tiene necesidades especiales, el consejero hará todo esfuerzo para asegurar los servicios de esas agencias con personal calificado para ayudarlo. Hágale saber sus necesidades para que usted reciba la ayuda que requiere.

## **Oficina de Relocalización**

Además de contactos personales por el consejero de relocalización, la agencia de TxDOT pueda establecer una oficina de relocalización en o cerca de un proyecto donde un número considerable de personas se van a relocalizar. Oficinas de relocalización en dichos proyectos están abiertas durante horas convenientes, incluyendo por la noche cuando necesario.

La oficina mantiene una variedad de información sobre:

- Listados de propiedades de reemplazo disponibles
- Leyes locales de viviendas y códigos de construcción
- Servicios sociales
- Depósitos de valores y plazos de interés
- Enganches usuales
- Requisitos de préstamos de Asuntos de Veteranos (VA) y Administración Federal de Vivienda (FHA)
- Impuestos sobre bienes raíces
- Información educativa del consumidor sobre viviendas

Visite su oficina de relocalización si hay una establecida, será más que bienvenido.



## **Asistencia Consultiva de Relocalización**

### **Lista de Control**

Esta lista de control es un resumen de la asistencia consejera de relocalización que usted puede razonablemente esperar recibir si usted es desplazado por un proyecto estatal de carreteras o transportación. Además, se le requiere a TxDOT que coordine sus actividades de relocalización con otras agencias causando desplazamiento para asegurar que toda persona desplazada reciba beneficios de relocalización equitativos y consistentes.

El consejero de relocalización entrevistará a personas desplazadas para:

- Determinar necesidades y preferencias
- Explicar sus beneficios de relocalización
- Ofrecer asistencia
- Ofrecer transportación si es necesaria
- Asegurar la disponibilidad de propiedad comparable antes de desplazamiento
- Proveer inscripciones al corriente de propiedades comparables
- Proveer por escrito la cantidad del pago para vivienda de reemplazamiento
- Inspeccionar viviendas para aceptabilidad de DSS
- Proveer información sobre otros programas federales y estatales ofreciendo asistencia
- Proveer consejo para minimizar dificultades

# Sección V: Reclamo de Pago

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## **¿Cómo obtengo mi pago de relocalización?**

Usted debe presentar un reclamo para reembolso departamento le proveerá las formas de reclamo necesarias, le asistirá a llenarlas, y le explicará el tipo de documentación, si algún, que necesita someter para recibir sus pagos de relocalización.

Si los gastos que tiene que hacer antes de su mudanza le causan dificultades, discuta sus necesidades financieras con TxDOT.

## **¿Cuándo debo presentar mi reclamo?**

Debe presentar todos sus reclamos no más tarde que 18 meses después de moverse o de que se le requiera moverse. Sin embargo, es a su ventaja presentarlo lo más pronto posible después de que se mueva. Lo más pronto que someta su reclamo, lo más pronto se puede tratar y pagar.

Si no puede presentar su reclamo dentro de 18 meses, el departamento puede extender este término de tiempo por una causa justa.

Se requiere que el departamento le pague pronto después de que usted presente un reclamo aceptable. Si hay un asunto sobre su derecho de recibir un pago de relocalización o a la cantidad del pago, se le notificará, por escrito, del problema y lo que usted pueda hacer para resolver el asunto.

## **Pagos Duplicados**

No se hará ningún pago bajo el Programa de Relocalización si la persona desplazada es elegible para recibir otro pago bajo ley que tiene substancialmente el mismo propósito y efecto que el pago de relocalización.

## Otro Beneficio Importante



### **No Afecta Desfavorablemente a:**

- Elegibilidad Para Seguro Social**
- Elegibilidad Para Beneficencia Social**
- Impuestos Sobre Ingresos**

Ningún pago de relocalización recibido se considerará como ingreso para propósito del Código de Recaudación Interna (Internal Revenue Code) o para determinar la calificación o el grado de calificación de cualquier persona para asistencia bajo el Acta de Seguridad Social (Social Security Act) o cualquier otra ley federal.

# Sección VI: Derecho de Apelación

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Si usted cree que el TxDOT no ha determinado debidamente su elegibilidad para, o la cantidad de, un pago, puede apelar al Comité de Revisa de Asistencia para Relocalización del TxDOT. Solicitudes se deben presentar por escrito, TxDOT le asistirá en presentar una apelación y le explicará los procedimientos necesarios. Se le dará una oportunidad plena y pronta a audiencia por el comité de revisión. Tiene derecho a representación por consejero legal u otro representante respecto a la apelación (pero solamente a su propio gasto).

El comité de revisión considerará toda justificación pertinente y materia sometida por usted y otra información disponible necesaria para asegurar una revisión equitativa. Este comité proveerá de una determinación escrita resultante de la apelación, con una explicación de la base de la decisión.

# Sección VII: Derechos Civiles

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De acuerdo con el Título VI del Acta de Derechos Civiles del 1964 y otros estatutos relacionados, es la política de del departamento asegurar que ninguna persona, basado en raza, religión (donde el objetivo primario de la ayuda financiera es proveer empleo. 42 U.S.C. §2000d-4) color, país de origen, género, edad, represalias o incapacidad, será excluida de participar en o negado beneficios de o de otra manera sujeto a discriminación en cualquiera de nuestras actividades y programas.

Si usted cree que ha experimentado discriminación o que sus derechos han sido violados en cualquier programa o actividad del departamento, puede presentar una Demanda Título VI de Discriminación.

## **Se puede obtener la forma para Queja de Discriminación del Título VI por medio de:**

- Visitar al sitio web de TxDOT al:  
[www.txdot.gov/inside-txdot/office/civil-rights/contact.html](http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html)
- Ponerse en contacto con la Oficina de Derechos Civiles al 1-866-480-2518.
- Visitando la Oficina de Derechos Civiles al 200 E. Riverside Drive, 2º piso, Austin, Texas 78704.

Si tiene algunas preguntas sobre como completar esta forma, puede ponerse en contacto con la Oficina de Derechos Civiles al número arriba citado. Solicitándolo, se le puede ofrecer ayuda si usted tiene inglés limitado, o está incapacitado. Se pueden presentar demandas usando otro formato p Ej. disquete, cinta magnetofónica, o en Braille.

Si tiene impedimentos de habla o audición, marque al Texas Relay al 1-800-735-2988 o al 711 para ayuda.

La Oficina de Derechos Civiles del departamento le notificará al recibir su demanda.

## Notes

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## Notes





## **Oficina de Relocalización**

Puede ponerse en contacto con la oficina de relocalización en la dirección siguiente para asistencia consejera de relocalización o para información sobre la ley estatal y procedimientos que regulan este programa.



July 11, 2019

County: Harris  
Federal Project No.: N/A  
Highway: IH 45

ROW CSJ: 0027-13-226  
Parcel: 206AAQ  
From: IH 69 from SH 288  
To: IH 45(S)

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. [REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on July 9, 2019 to purchase the above-designated property, on which you are located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a relocation assistance payment for moving costs and related expenses as explained in our brochure. This payment, however, is limited to the cost of relocating your displaced personal property and will not include any costs for moving real property. Such payment may include:
  - a. Actual reasonable costs and related expenses in moving and reinstalling your personal property from the real property acquired by the State for highway right of way.
  - b. Actual reasonable and necessary costs involved in reestablishing your business.
  - c. Actual direct losses of tangible personal property in moving or discontinuing an activity.
  - d. Actual reasonable expenses in searching for a replacement location.
  - e. In lieu of the actual moving expenses described in the foregoing statements, you may be eligible for a fixed moving payment based on your annual net earnings.
3. To be eligible for the moving payment, you must provide the Department reasonable advance notice of the approximate date of the start of your move and a list of the items to be moved. Also, you must permit our staff personnel to make reasonable, timely inspections of your personal property at both the displacement and the replacement sites and to monitor your move.
4. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.

5. Application for moving payments shall be made in writing on standard forms provided by this Department and the application must be filed with this Department no later than eighteen (18) months after the date you actually move from the State-acquired real property.
6. Any person or entity who is 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.
7. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.



Real Estate Services Project Manager

Enclosure



# **RELOCATION ASSISTANCE**

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Right of Way Division



August 10, 2023

County: Harris  
ROW CSJ: 0500-03-608  
Parcel: 308.001 / P00013380  
Project Limits: IH 45 to IH 69 (S)

Federal Project No.: N/A  
Hwy. No.: IH 45

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO. [REDACTED]

[REDACTED]  
Attention: [REDACTED]  
[REDACTED]  
[REDACTED]

Dear Property Owner:

An offer was made by the Texas Department of Transportation on December 19, 2019 to purchase the above-designated property, on which your personal property is located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a relocation assistance payment for moving costs and related expenses as explained in our brochure. This payment, however, is limited to the cost of relocating your displaced personal property and will not include any costs for moving real property. Such payment may include:
  - a. Actual reasonable costs and related expenses in moving and reinstalling your personal property from the real property acquired by the State for highway right of way.
  - b. Actual reasonable and necessary costs involved in reestablishing your business.
  - c. Actual direct losses of tangible personal property in moving or discontinuing an activity.
  - d. Actual reasonable expenses in searching for a replacement location.
  - e. In lieu of the actual moving expenses described in the foregoing statements, you may be eligible for a fixed moving payment based on your annual net earnings.
3. To be eligible for the moving payment, you must provide the Department reasonable advance notice of the approximate date of the start of your move and a list of the items to be moved. Also, you must permit our staff personnel to make reasonable, timely inspections of your personal property at both the displacement and the replacement sites and to monitor your move.

hdrinc.com  
[REDACTED]  
[REDACTED]



4. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
5. Application for moving payments shall be made in writing on standard forms provided by this Department and the application must be filed with this Department no later than eighteen (18) months after the date you actually move from the State-acquired real property.
6. Any person or entity who is 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.
7. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] at [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

[REDACTED]  
Right of Way Project Manager

- Enclosure(s):
- Acknowledgment of Preferred Language
  - TxDOT Relocation Assistance Brochure
  - Certification of Eligibility
  - Relocation Advisory Assistance – Parcel Record
  - Displacee Move Plan
  - Relocation Survey with Return Envelope
  - HDR Initial Interview – Non Residential

**ACKNOWLEDGMENT OF PREFERRED LANGUAGE**

County: Harris

District: Houston

Federal Project No.: N/A

Parcel ID: 308.001 / P00013380

ROW CSJ No.: 0500-03-608

Highway: IH 45

My preferred language for speaking is: \_\_\_\_\_.

My preferred language for written communication is: \_\_\_\_\_.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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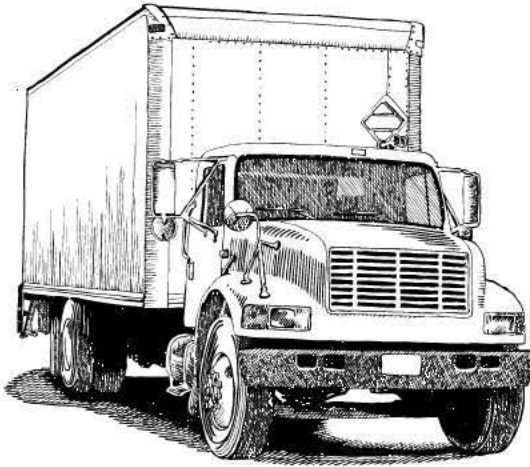
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

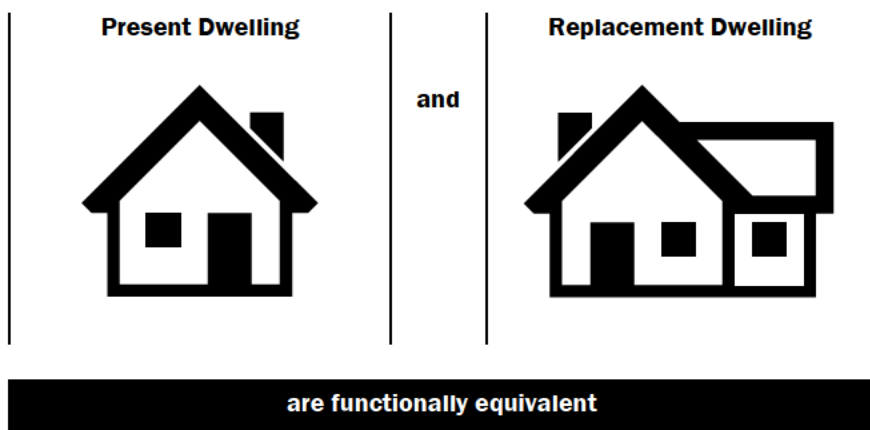
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

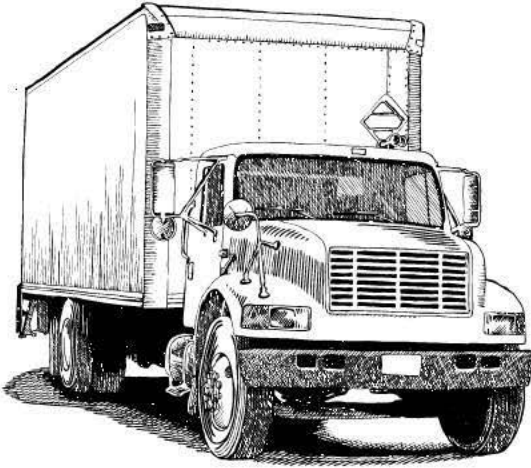
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

## CERTIFICATION OF ELIGIBILITY

ROW CSJ: 0500-03-608

Parcel ID: 308.001 / P00013380

Displacee: [REDACTED]

### Individuals, Families and Unincorporated Businesses or Farming Operations

I certify that myself and any other party(ies) with a financial interest in this relocation assistance claim are either:

Citizens or Nationals of the United States

**or**

Aliens lawfully present in the United States

\* If an Alien lawfully present in the United States, supporting documentation will be required.

\_\_\_\_\_  
Claimant Date:

\_\_\_\_\_  
Claimant Date:

### Incorporated Business, Farm or Nonprofit Organizations

I certify that I have signature authority for this entity and such entity is lawfully incorporated under the applicable state's laws and authorized to conduct business within the United States.

\_\_\_\_\_  
Claimant Date:

## RELOCATION ADVISORY ASSISTANCE - PARCEL RECORD

Use Separate Form for Each Displaced Family Unit or Business/Farm/Non-Profit (Print or Type All Information)				
Displacee's Name (Include Spouse's Name): [REDACTED]		ROW CSJ: 0500-03-608 Parcel No: 308.001 / P00013380	County: Harris Project No.: NHHIP	
Original Address (Place of Displacement):		New Address:		
Phone No.:	Site or Apt. No.:	Phone No.:	Site or Apt. No.:	
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	ADA Considerations / Special Needs:	Ethnic Code: <input type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Black <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Other		
Fee Interest Before Displacement: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant		Fee Interest After Relocation: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant		
Existing Lease		Replacement Lease		
Date signed:		Date signed:		
Duration:		Duration:		
Lease amount: \$		Lease amount: \$		
Utilities included? <input type="checkbox"/> yes <input type="checkbox"/> no		Utilities included? <input type="checkbox"/> yes <input type="checkbox"/> no		
Business, Farm or Nonprofit Organization				
Type of Activity:			<input type="checkbox"/> Continued <input type="checkbox"/> Terminated	
Last two years income: Year 1: \$		Year 2: \$		
Residential Displacements				
Type of Property (Single Detached, Multi-Family, etc.) Apartment		Number of Persons Actually Living in Dwelling:		
Age/Sex/Relationship of Other Household Occupants:				
Total Number of Rooms in Subject:	Number of Bedrooms:	Number of Bathrooms:	Number of Rooms Occupied:	Living Space (Sq. ft.):
Displacee Income:				
1. Occupation (Where & What):		3. Other sources of eligible income:		
2. Gross Last 12 Months \$		4. Welfare (Source & Amounts):		
The information contained within this form is being collected to allow the Agency to provide the best possible advisory services and to help identify all possible relocation benefits the displacee(s) is/are eligible for. By signing below I certify, to the best of my knowledge, that all the foregoing information is current and accurate and that no information has been withheld or omitted.				
Displacee Signature: _____			Date: _____	
Displacee Name (printed): _____			Title: _____	
Relocation Agent Use Only				
Reason displacee verification not included:			Date move plan received/approved:	
Relocation Agent's Signature: _____			Date: _____	
Relocation Agents' Name (printed): _____				
The Texas Department of Transportation maintains the information collected through this form. With few exceptions, you are entitled on request to be informed about the information that we collect about you. Under Sections 552.021 and 552.023 of the Government Code, you also are entitled to receive and review this information. Under Section 559.004 of the Government Code, you are also entitled to have us correct information about you that is incorrect.				







# RELOCATION ASSISTANCE SERVICES SURVEY

ROWCSJ Number: 0500-03-608

Parcel Number: 308.001 / P00013380

Displacee Name: [REDACTED]

The Texas Department of Transportation is constantly monitoring the effectiveness of its relocation assistance program. Your feedback is an important part of evaluating these services. After you have completed your move please take a few minutes to complete this evaluation and return it to TxDOT.

	Excellent	Good	Average	Below Average	Poor	Not Applicable
How well did your agent explain the relocation process and describe the notices you would receive?	5	4	3	2	1	
Rate the agent at being able to answer your questions?	5	4	3	2	1	
How well did the agent explain claim types available to you?	5	4	3	2	1	
Agents are required to meet with you in-person throughout the entire relocation process. Please rate their performance in this respect?	5	4	3	2	1	
Rate your agent at being courteous and professional?	5	4	3	2	1	
Did the relocation agent inform you about other properties in the area and offer to show them to you?	5	4	3	2	1	
How useful was the printed material provided to you?	5	4	3	2	1	
Overall, please rate the way your relocation was handled?	5	4	3	2	1	

Comments:

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Please return completed surveys to:  
 Right of Way Division  
 Texas Department of Transportation  
 125 E. 11th St.  
 Austin, TX 78701-9909

[Contact/Help](#)



**INITIAL INTERVIEW – NON-RESIDENTIAL**

PARCEL NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

**I. GENERAL INFORMATION**

Limited English Proficiency:  No  Yes If Yes, Speaking/Written language needed: \_\_\_\_\_ / \_\_\_\_\_

Business Name \_\_\_\_\_

Business Owner's Name \_\_\_\_\_

Property Address \_\_\_\_\_

Mailing Address (if different from above) \_\_\_\_\_

Phone #(s) (Office) \_\_\_\_\_ (Mobile) \_\_\_\_\_ Fax \_\_\_\_\_

Contact Person \_\_\_\_\_ Relationship \_\_\_\_\_

Email \_\_\_\_\_

OCCUPANCY STATUS

BUSINESS OWNERSHIP

BUSINESS TYPE

Owns Building

Sole Proprietor

Retail

Owns Land

Corporation

Wholesale

L.L.C.

Manufacturing

Rents Building

Partnership

Service

Rents Land

Non-Profit

Rental

Personal Property Only

Farm

Construction

Franchise

Other \_\_\_\_\_

Tax ID # \_\_\_\_\_

Business Activity \_\_\_\_\_

# of employees on site \_\_\_\_\_ Date first occupied property \_\_\_\_\_

Current Rent \$ \_\_\_\_\_ Current lease terms \_\_\_\_\_

Lease Requested \_\_\_\_\_ Lease Provided \_\_\_\_\_

Services included in rent (utilities, janitorial, etc.) \_\_\_\_\_

**II. INFORMATION RELATED TO REPLACEMENT SITE**

At this time, do you plan to cease operations  or continue operations  after you move from this site?  
If continue, complete the rest of this section:

Displacee desires to: Buy  Rent  Retain Improvements  Build

Needs for replacement site:

Location \_\_\_\_\_

Zoning \_\_\_\_\_





Street/Highway Access \_\_\_\_\_

Site \_\_\_\_\_

Buildings (type, sq. ft, etc.) \_\_\_\_\_

Utilities \_\_\_\_\_

HV/AC \_\_\_\_\_

Specialized Plumbing \_\_\_\_\_

Licenses/Permits \_\_\_\_\_

Parking Areas \_\_\_\_\_

Storage \_\_\_\_\_

Special Equipment Needs \_\_\_\_\_

Purchase/Rental Price Range \_\_\_\_\_

Other \_\_\_\_\_

**III. MOVING REQUIREMENTS**

Special Moving Requirements/Issues (e.g., hazardous material, moving permits) \_\_\_\_\_

Is there a need to hire someone to?

assist in planning the move \_\_\_\_\_

assist with the actual move \_\_\_\_\_

reinstall machinery or other personal property \_\_\_\_\_

Estimate how long to vacate the property \_\_\_\_\_





August 14, 2023

County: Harris  
ROW CSJ: 0500-03-608  
Parcel: 308.002 / P00013380  
Project Limits: IH 45 to IH 69 (S)

Federal Project No.: N/A  
Hwy. No.: IH 45

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO [REDACTED]

Attention: [REDACTED]

Dear Occupant:

An offer was made by the Texas Department of Transportation on December 19, 2019 to purchase the above-designated property, on which your personal property is located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
3. Application for relocation assistance payments must be made in writing on standard forms provided by this Department and must be filed with this Department no later than eighteen (18) months after the date you actually move from this parcel.
4. Any person or entity who is 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.
5. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

HDR Engineering, Inc.

[REDACTED]  
[REDACTED]  
Right of Way Project Manager

Enclosure(s):

Acknowledgment of Preferred Language  
TxDOT Relocation Assistance Brochure  
Certification of Eligibility  
Relocation Advisory Assistance – Parcel Record  
Displacee Move Plan  
Relocation Survey with Return Envelope  
HDR Initial Interview – Personal Property Only

cc: BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, NO [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**ACKNOWLEDGMENT OF PREFERRED LANGUAGE**

County: Harris

District: Houston

Federal Project No.: N/A

Parcel ID: 308.002 / P00013380

ROW CSJ No.: 0500-03-608

Highway: IH 45

My preferred language for speaking is: \_\_\_\_\_.

My preferred language for written communication is: \_\_\_\_\_.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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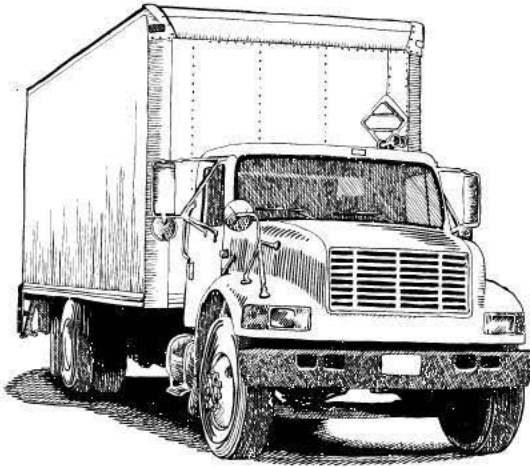
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

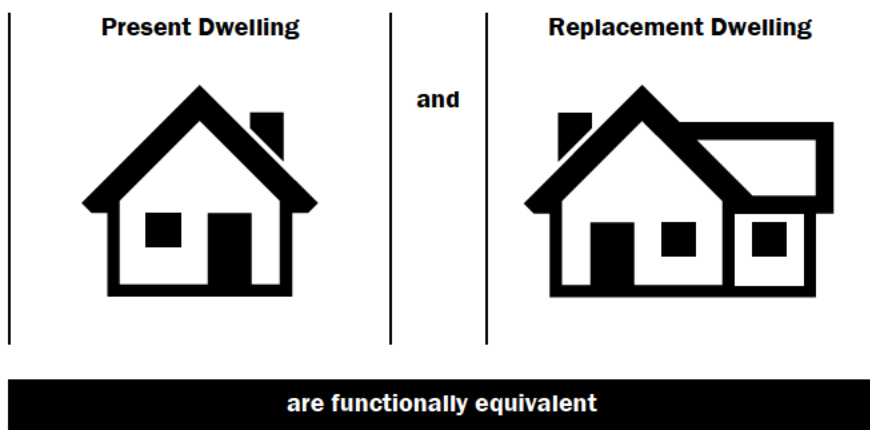
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

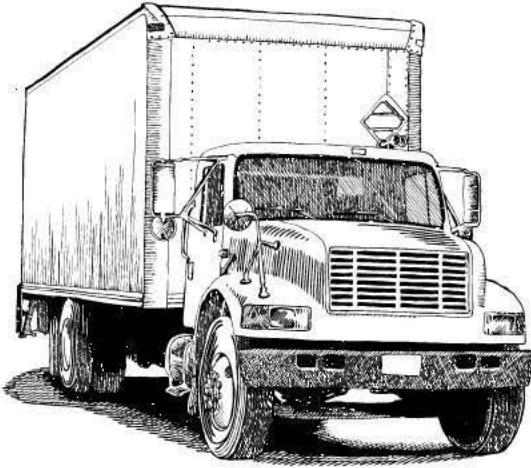
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

## CERTIFICATION OF ELIGIBILITY

ROW CSJ: 0500-03-608

Parcel ID: 308.002 / P00013380

Displacee: [REDACTED]

### **Individuals, Families and Unincorporated Businesses or Farming Operations**

I certify that myself and any other party(ies) with a financial interest in this relocation assistance claim are either:

Citizens or Nationals of the United States

**or**

Aliens lawfully present in the United States

\* If an Alien lawfully present in the United States, supporting documentation will be required.

\_\_\_\_\_  
Claimant Date:

\_\_\_\_\_  
Claimant Date:

### **Incorporated Business, Farm or Nonprofit Organizations**

I certify that I have signature authority for this entity and such entity is lawfully incorporated under the applicable state's laws and authorized to conduct business within the United States.

\_\_\_\_\_  
Claimant Date:



## RELOCATION ADVISORY ASSISTANCE - PARCEL RECORD

Use Separate Form for Each Displaced Family Unit or Business/Farm/Non-Profit (Print or Type All Information)				
Displacee's Name (Include Spouse's Name): [REDACTED]		ROW CSJ: 0500-03-608 Parcel No: 308.002 / P00013380	County: Harris Project No.: NHHIP	
Original Address (Place of Displacement):		New Address:		
Phone No.:	Site or Apt. No.:	Phone No.:	Site or Apt. No.:	
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	ADA Considerations / Special Needs:	Ethnic Code: <input type="checkbox"/> White <input type="checkbox"/> Hispanic <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Black <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Other		
Fee Interest Before Displacement: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant		Fee Interest After Relocation: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant		
Existing Lease		Replacement Lease		
Date signed:		Date signed:		
Duration:		Duration:		
Lease amount: \$		Lease amount: \$		
Utilities included? <input type="checkbox"/> yes <input type="checkbox"/> no		Utilities included? <input type="checkbox"/> yes <input type="checkbox"/> no		
Business, Farm or Nonprofit Organization				
Type of Activity:			<input type="checkbox"/> Continued <input type="checkbox"/> Terminated	
Last two years income: Year 1: \$		Year 2: \$		
Residential Displacements				
Type of Property (Single Detached, Multi-Family, etc.) Apartment		Number of Persons Actually Living in Dwelling:		
Age/Sex/Relationship of Other Household Occupants:				
Total Number of Rooms in Subject:	Number of Bedrooms:	Number of Bathrooms:	Number of Rooms Occupied:	Living Space (Sq. ft.):
Displacee Income:				
1. Occupation (Where & What):		3. Other sources of eligible income:		
2. Gross Last 12 Months \$		4. Welfare (Source & Amounts):		
The information contained within this form is being collected to allow the Agency to provide the best possible advisory services and to help identify all possible relocation benefits the displacee(s) is/are eligible for. By signing below I certify, to the best of my knowledge, that all the foregoing information is current and accurate and that no information has been withheld or omitted.				
Displacee Signature: _____			Date: _____	
Displacee Name (printed): _____			Title: _____	
Relocation Agent Use Only				
Reason displacee verification not included:			Date move plan received/approved:	
Relocation Agent's Signature: _____			Date: _____	
Relocation Agents' Name (printed): _____				
The Texas Department of Transportation maintains the information collected through this form. With few exceptions, you are entitled on request to be informed about the information that we collect about you. Under Sections 552.021 and 552.023 of the Government Code, you also are entitled to receive and review this information. Under Section 559.004 of the Government Code, you are also entitled to have us correct information about you that is incorrect.				

Relocation Agent Use Only (continued)			
Date of Occupancy:	Date Required to Move:	Actual Date of Move:	Distance of Move:
Date Notified of Availability of Relocation Payments and Assistance (Services):			
Date Displacee Offered Assistance in Locating Replacement Housing or Operating Facility:			
Name of Other Agencies Assisting in Relocation:			
Date of 90 day notice:		Method used to verify certificate of eligibility:	
Date of 30 day notice:		Date of initiation of negotiations:	
Method used to verify income:		Translator needed? <input type="checkbox"/> Yes <input type="checkbox"/> No: Language of displacee:	
Date and Substance of Follow-up Contacts (Use extra pages if necessary):			





# RELOCATION ASSISTANCE SERVICES SURVEY

ROWCSJ Number: 0500-03-608

Parcel Number: 308.002 / P00013380

Displacee Name: [REDACTED]

The Texas Department of Transportation is constantly monitoring the effectiveness of its relocation assistance program. Your feedback is an important part of evaluating these services. After you have completed your move please take a few minutes to complete this evaluation and return it to TxDOT.

	Excellent	Good	Average	Below Average	Poor	Not Applicable
How well did your agent explain the relocation process and describe the notices you would receive?	5	4	3	2	1	
Rate the agent at being able to answer your questions?	5	4	3	2	1	
How well did the agent explain claim types available to you?	5	4	3	2	1	
Agents are required to meet with you in-person throughout the entire relocation process. Please rate their performance in this respect?	5	4	3	2	1	
Rate your agent at being courteous and professional?	5	4	3	2	1	
Did the relocation agent inform you about other properties in the area and offer to show them to you?	5	4	3	2	1	
How useful was the printed material provided to you?	5	4	3	2	1	
Overall, please rate the way your relocation was handled?	5	4	3	2	1	

Comments:

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Please return completed surveys to:  
Right of Way Division  
Texas Department of Transportation  
125 E. 11th St.  
Austin, TX 78701-9909

Contact/Help



**INITIAL INTERVIEW – PERSONAL PROPERTY ONLY**

PARCEL NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

**I. GENERAL INFORMATION**

---

Limited English Proficiency:  No  Yes If Yes, Speaking/Written language needed: \_\_\_\_\_ / \_\_\_\_\_

Name \_\_\_\_\_

Property Address \_\_\_\_\_

Mailing Address (if different from above) \_\_\_\_\_

Phone #(s) (Mobile) \_\_\_\_\_ (Business) \_\_\_\_\_ Fax \_\_\_\_\_

Contact Person \_\_\_\_\_ Relationship \_\_\_\_\_

Email \_\_\_\_\_

OCCUPANCY STATUS

- Owns Building
- Owns Land
- Rents Building / Space
- Rents Land

OCCUPANCY TYPE

- Business
- Residence
- Individual(s)

BUSINESS TYPE

- Retail
- Wholesale
- Service
- Rental
- Construction
- Other \_\_\_\_\_

FEI or SS # \_\_\_\_\_

Business Activity \_\_\_\_\_

Date first occupied property \_\_\_\_\_

Current Rent \$ \_\_\_\_\_ Current lease terms \_\_\_\_\_

Lease Requested \_\_\_\_\_ Lease Provided \_\_\_\_\_

Services included in rent (utilities, janitorial, etc.) \_\_\_\_\_

**II. INFORMATION RELATED TO REPLACEMENT SITE**

---

Needs for replacement site:

Location \_\_\_\_\_

Zoning \_\_\_\_\_

Special Site/ Equipment Needs \_\_\_\_\_

Purchase/Rental Price Range \_\_\_\_\_

Other \_\_\_\_\_



**III. MOVING REQUIREMENTS**

---

Special Moving Requirements/Issues (e.g., hazardous material, moving permits) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is there a need to hire someone to?

assist in planning the move \_\_\_\_\_

assist with the actual move \_\_\_\_\_

reinstall machinery or other personal property \_\_\_\_\_

Estimate how long to vacate the property \_\_\_\_\_

Will you require advance moving payments for the move (instead of reimbursement)? \_\_\_\_\_

**IV. NOTICES AND EXPLANATION OF BENEFITS**

---

My agent has discussed with me:

- |   |  |
|---|--|
| <input type="checkbox"/> Certification of Eligibility | <input type="checkbox"/> Actual Cost Move                                  |
| <input type="checkbox"/> 90 Day Notice                | <input type="checkbox"/> Actual Cost Self-Move                             |
| <input type="checkbox"/> 30 Day Notice                | <input type="checkbox"/> Payment Schedule (if applicable)                  |
| <input type="checkbox"/> Right of Appeal              | <input type="checkbox"/> Time for Filing Claims (18 Months from Move Date) |

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
INTERVIEWEE (Printed Name & Signature) Date

\_\_\_\_\_  
ACQUISITION/RELOCATION AGENT Date



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 17, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.004TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 10, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_ Date: \_\_\_\_\_

I acknowledge receipt of this notice: \_\_\_\_\_ Date: \_\_\_\_\_  
(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 17, 2024

Parcel: 308.004TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- \_\_\_\_\_ (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- \_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_(Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

\_\_\_\_\_  
RELOCATION AGENT SIGNATURE

\_\_\_\_\_  
DISPLACEE SIGNATURE

\_\_\_\_\_  
NAVIGATOR SIGNATURE

\_\_\_\_\_  
DISPLACEE NAME



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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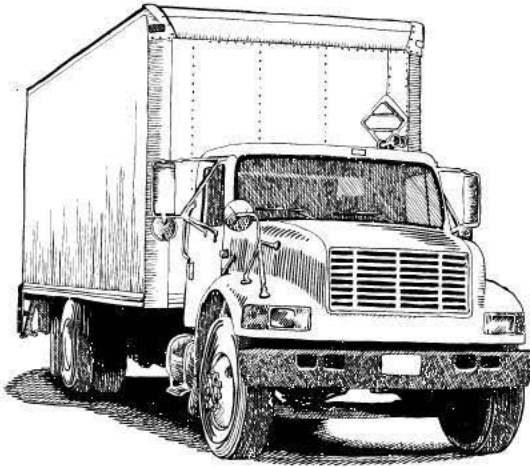
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

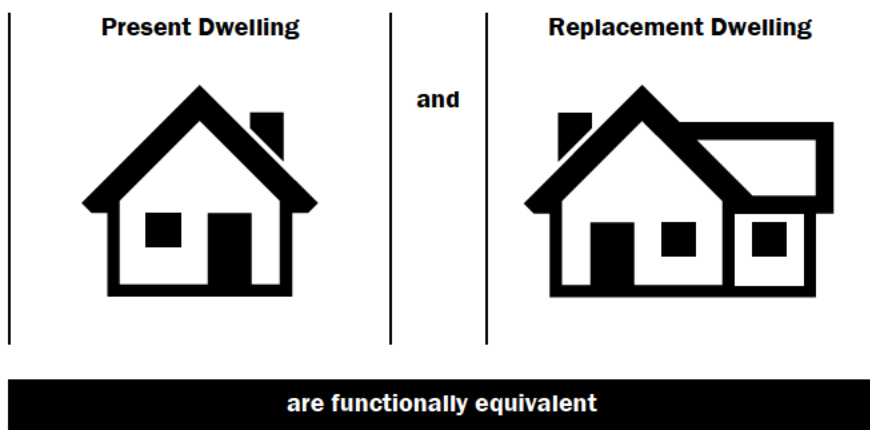
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

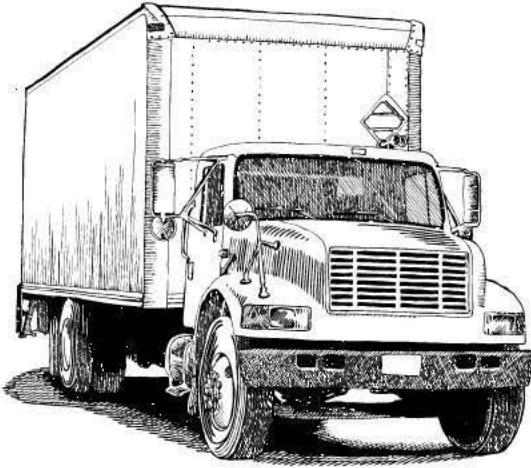
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 24, 2024

Parcel: 308.005TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
3. Qualifications for Relocation Assistance
4. Notice of Eligibility
5. Claim for Payment (if applicable)
6. Relocation Payments are nontaxable
7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
9. Rental Assistance Payment (if applicable)
10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[X] [REDACTED] (Initial) Option 1: Retain Project Based Voucher Assistance by relocating to the new property.

[ ] [REDACTED] (Initial) Option 2: Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
2) Are in good standing with the landlord.
3) Housing Choice Vouchers are available.

[ ] [REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[ ] [REDACTED] (Initial) TxDOT URA Eligibility

[X] [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.005TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 16, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such**

**ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;
- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance **prior** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months.

Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we

suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

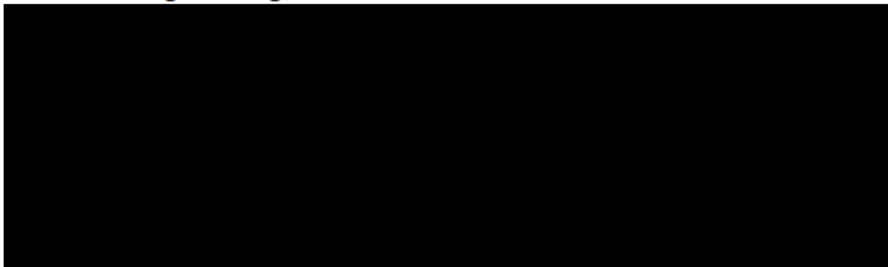
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager

Method of Delivery check all that apply:

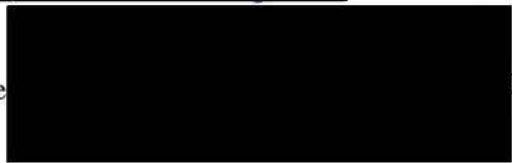
- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/24/2024

I acknowledge receipt of this notice



Date: 1-24-23

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

# Table of Contents

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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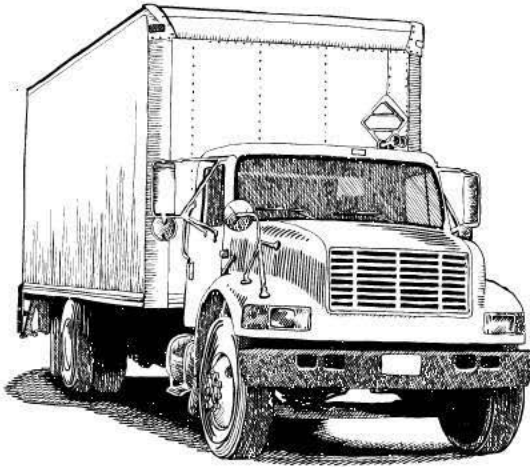
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

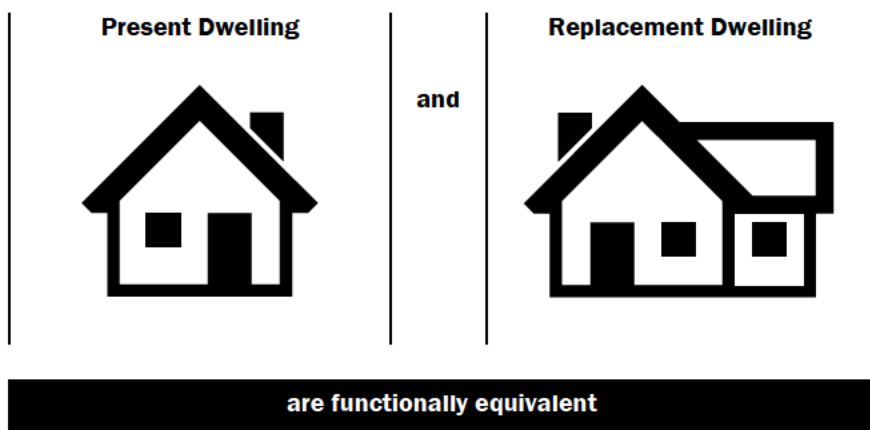
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.



## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

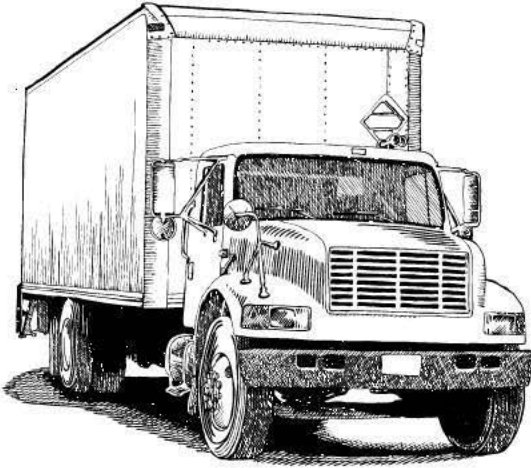
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.



## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships



# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 16, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.006TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is December 11, 2023.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

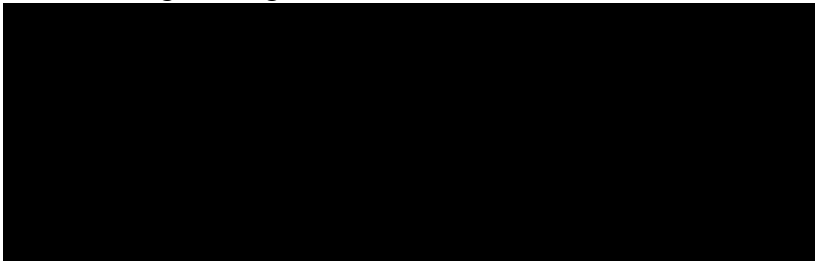
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

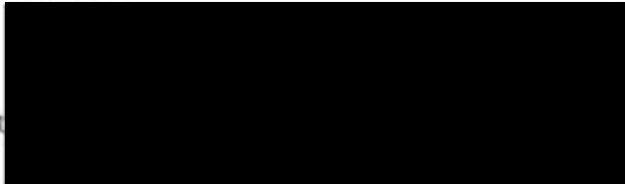
Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent 

Date: 1-23-2024

I acknowledge receipt of this notice: 

: 1-23-2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 16, 2024

Parcel: 308.006TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

### RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

- \_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.
- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- \_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 12 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

DISPLACEE NAME \_\_\_\_\_



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 16, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.007TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is December 12, 2023.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**



qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance prior to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,182.90** (42 x \$742.45), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,189.20** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

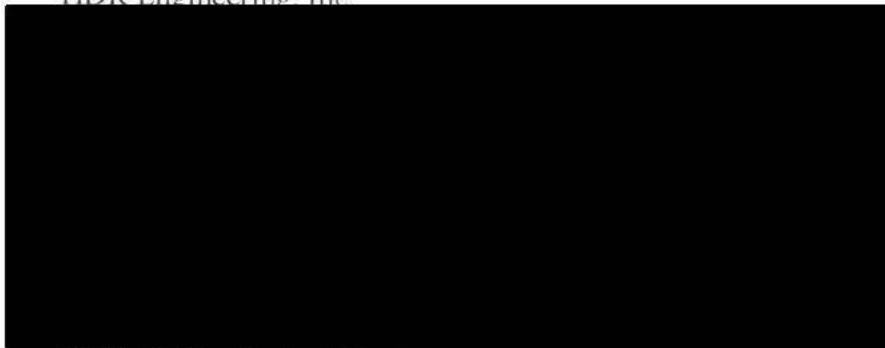
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc



Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/16/2024

I acknowledge receipt of this not



Date: 1-16-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure




# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

Date: January 16, 2024

Parcel: 308.007TR / P00013380

County: Harris

Displacee: 

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

### RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

-  (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
-  (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

\_\_\_\_\_ (Initial) TxDOT URA Eligibility

\_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_(Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

  
/ DISPLACEE SIGNATURE /



# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

Date: January 17, 2024 Parcel:

308.008TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

### RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED]

[REDACTED]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.008TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 4, 2023.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**



**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

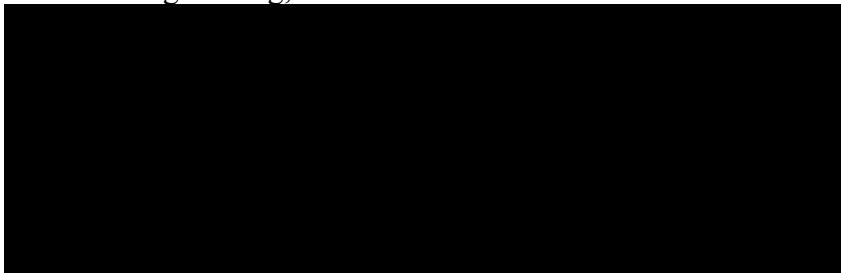
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1-25-2025

I acknowledge receipt of this notice



(Resident Signature)

Date: 1-25-2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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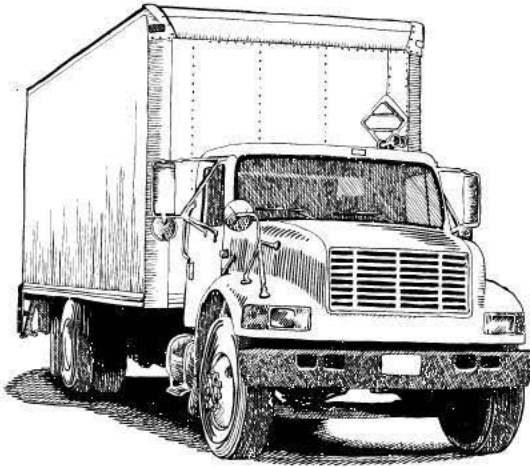
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

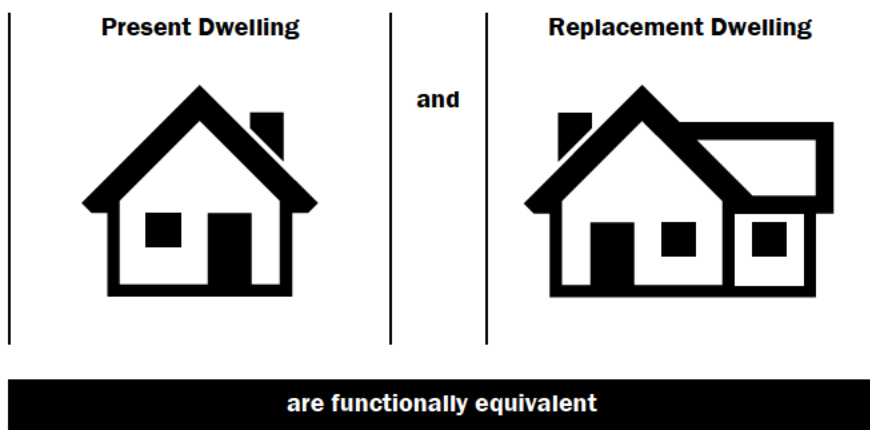
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

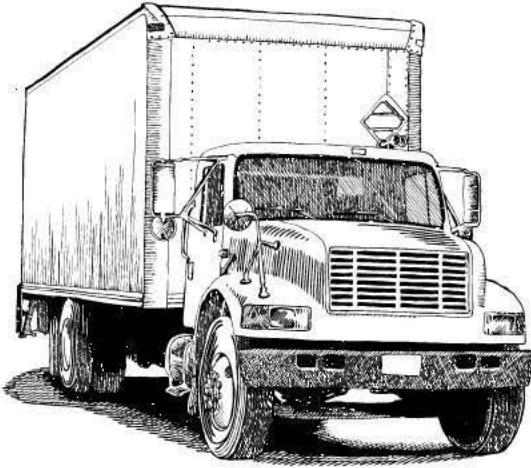
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 24, 2024

Parcel: 308.009TR / P00013380

County: Harris

Displacee [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease;
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.009TR / P00013380

Project Limits: IH 45 to IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 4, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$33,595.80** (42 x \$799.90), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$33,595.80** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

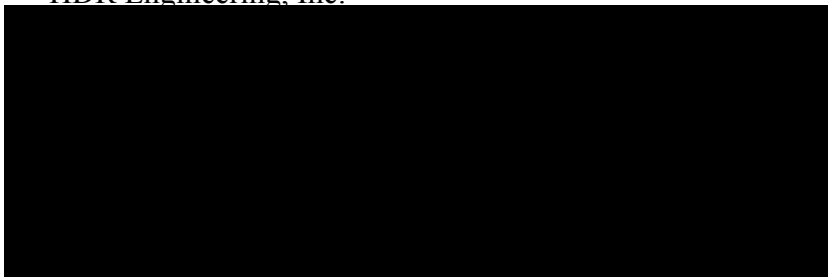
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent

[Redacted]

Date:

*1/24/2024*

I acknowledge

[Redacted]

Date:

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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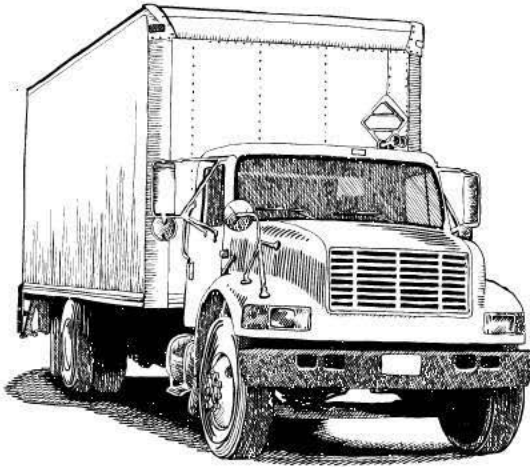
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

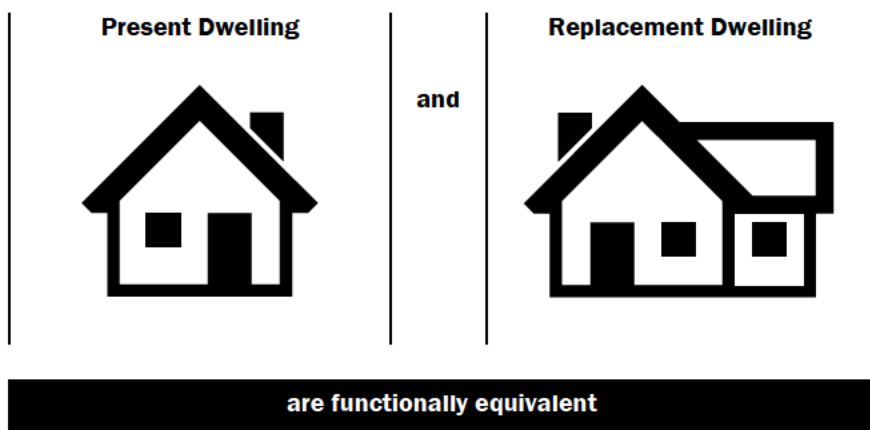
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.



## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

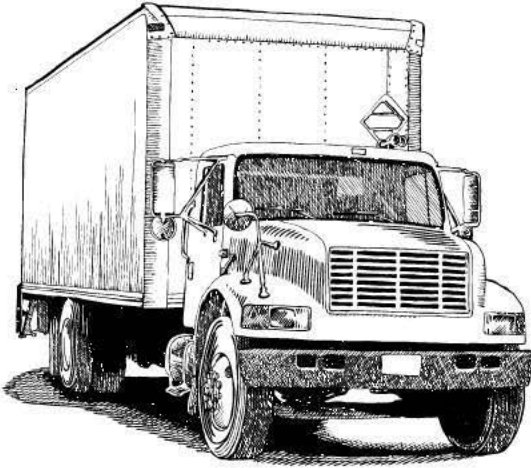
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.



## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships



# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 10, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.010TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 04, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- **Option 1:** You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance *prior* to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/18/24

I acknowledge receipt of this notice



(Resident Signature)

Date: 1-18/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 10, 2024

Parcel: 308.010TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
3. Qualifications for Relocation Assistance
4. Notice of Eligibility
5. Claim for Payment (if applicable)
6. Relocation Payments are nontaxable
7. Appeal Rights

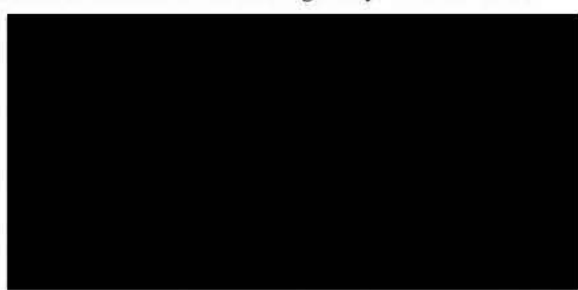
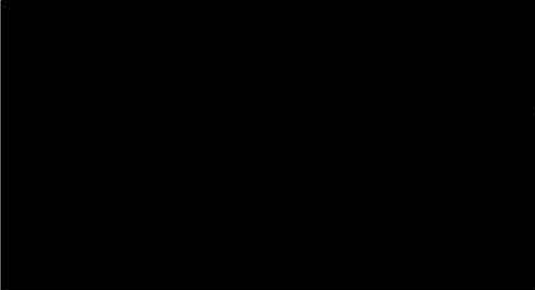
RESIDENTIAL:

- 8. Moving Costs
9. Rental Assistance Payment (if applicable)
10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- Option 1: Retain Project Based Voucher Assistance by relocating to the new property.
Option 2: Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:
1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
2) Are in good standing with the landlord.
3) Housing Choice Vouchers are available.
Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.
TxDOT URA Eligibility
Decline TxDOT URA Eligibility

(Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 17, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.011TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 16, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such**

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11700 Katy Fwy., Suite 250  
Houston, TX 77079

T 713.748.9828  
Texas Registered Engineering Firm E-754



ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the Voucher Program.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;
- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance *prior* to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months.

Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we

suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up

Relocation Agent \_\_\_\_\_

Date: 1/18/24

I acknowledge receipt of this notice: \_\_\_\_\_

Date: 1-18-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 17, 2024

Parcel: 308.011TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED]

[REDACTED]

[REDACTED]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.012TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is **January 19, 2024**.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1-24-2024

I acknowledge receipt of this notice:



Date: 1-24-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 24, 2024

Parcel: 308.012TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED]

[REDACTED]

[REDACTED]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 15, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.013TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 3, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

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11700 Katy Fwy., Suite 250  
Houston, TX 77079  
(817) 333-2800

T 713.748.9828  
Texas Registered Engineering Firm F-754

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- 
- 
- **Option 2:** You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
- 

1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance **prior** to providing notice to terminate the lease.
2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]  
Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent

[Redacted]

Date: 1/23/24

I acknowledge receipt of this notice

[Redacted]  
(Resident Signature)

Date: 1/23/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure

[Redacted]



RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 15, 2024

Parcel: 308.013TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
3. Qualifications for Relocation Assistance
4. Notice of Eligibility
5. Claim for Payment (if applicable)
6. Relocation Payments are nontaxable
7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
9. Rental Assistance Payment (if applicable)
10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- Option 1: Retain Project Based Voucher Assistance by relocating to the new property.
Option 2: Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
2) Are in good standing with the landlord.
3) Housing Choice Vouchers are available.

Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- TxDOT URA Eligibility
Decline TxDOT URA Eligibility

I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

DISPLACEE NAME



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 17, 2024

Parcel: 308.014TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 17, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.014TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 16, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such**

**ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;
- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months.



Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we

suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent

I acknowledge receipt of the

(Resident Signature)

Date:

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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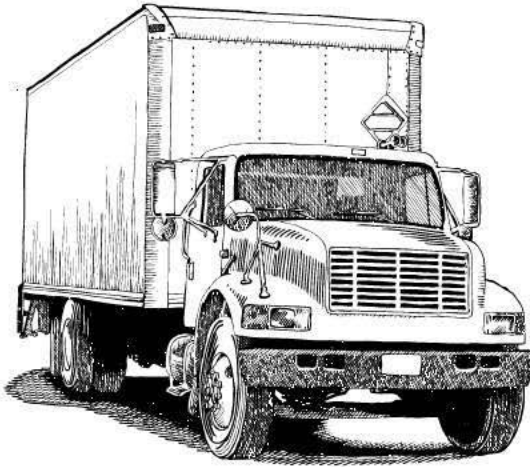
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

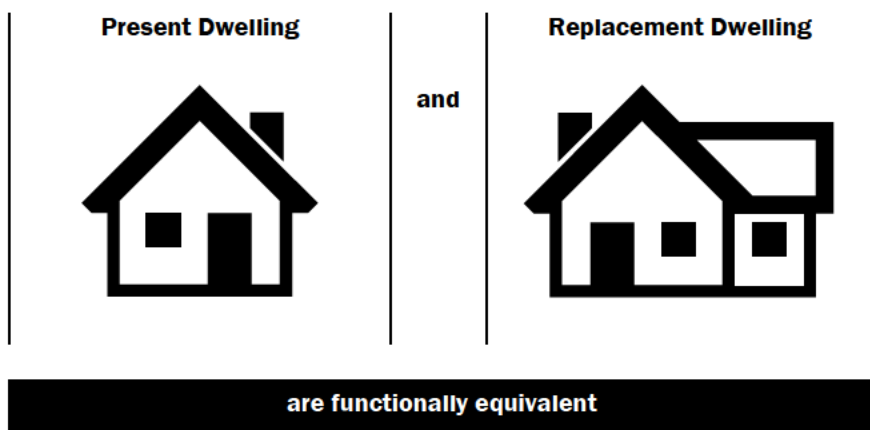
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

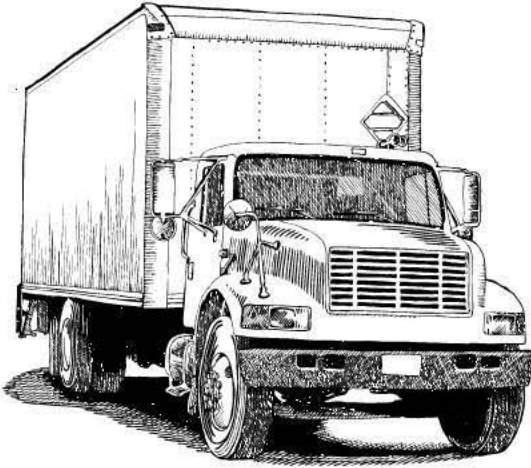
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 17, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.015TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear 

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 16, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance *prior* to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing \$1,030.00 per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than \$1,030.00 per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TxDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up

Relocation Agent



Date:

1/18/24

I acknowledge receipt of this



(Resident Signature)

Date:

01/18/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 17, 2024

Parcel: 308.015TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 22, 2024

Parcel: 308.016TR / P00013380

County: Harris

Displacee [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

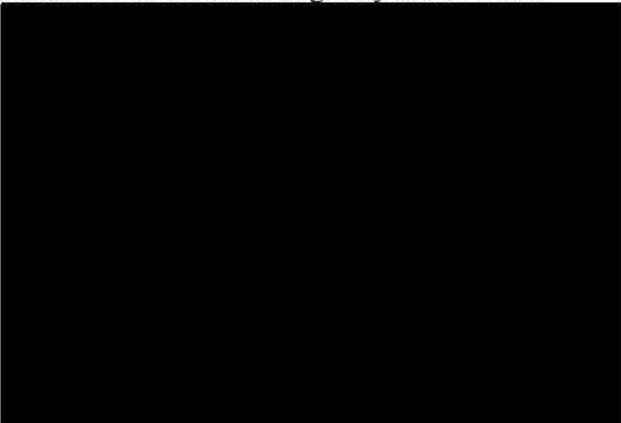
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.016TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 22, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- [Redacted]

Reloca



Date: 1/24/2024

I acknowledge receipt of this notice



Date: 1/24/2024

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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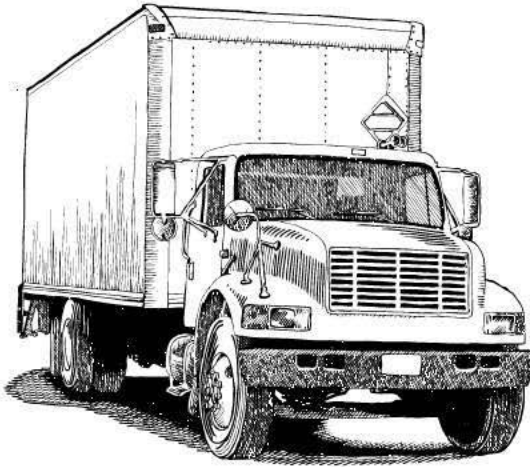
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

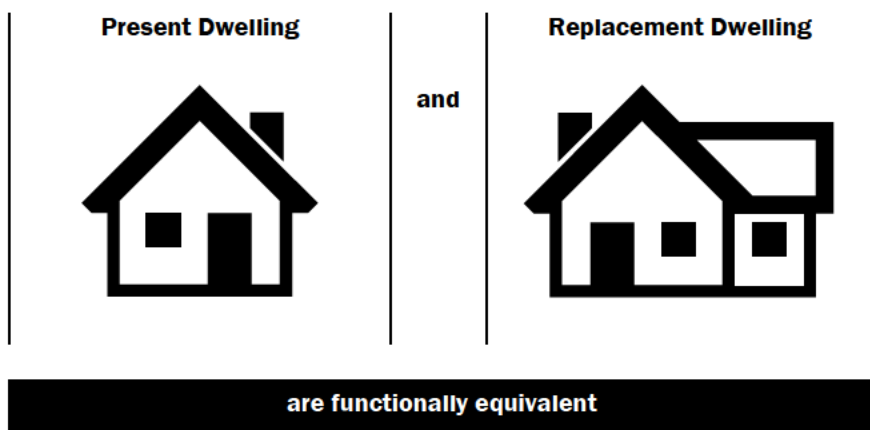
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

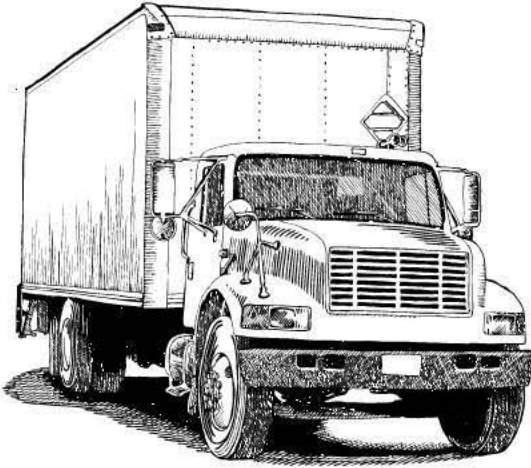
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at  
200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 15, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.017TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear 

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is December 12, 2023.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- **Option 1:** You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### a) **Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

Address	Rent & Utility Costs	Contact Info
[REDACTED]	\$1,030.00 + \$0.00 Utilities = \$1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing \$1,030.00 per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than \$1,030.00 per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement

property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 1/15/24

I acknowledge receipt of this notice \_\_\_\_\_

Date: 1-15-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January 15, 2024

Parcel: 308.017TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling on claims from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 17, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.018TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 4, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$32,663.40** (42 x \$777.70), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$32,663.40** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

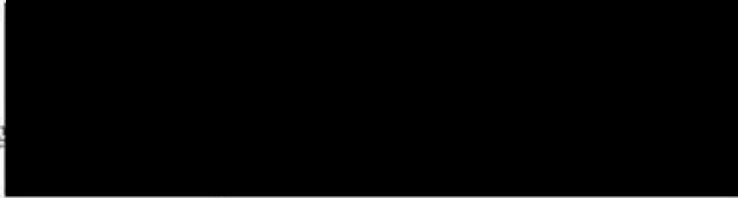
Sincerely,

[REDACTED]

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agreement



Date: 1/23/2024

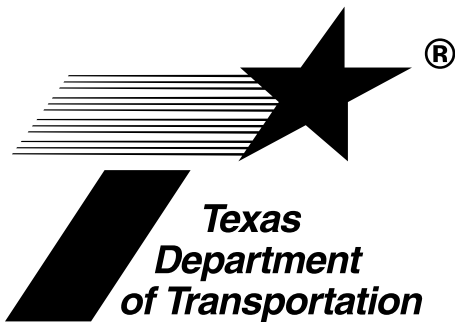
I acknowledge receipt of this notice



Date: 1-23-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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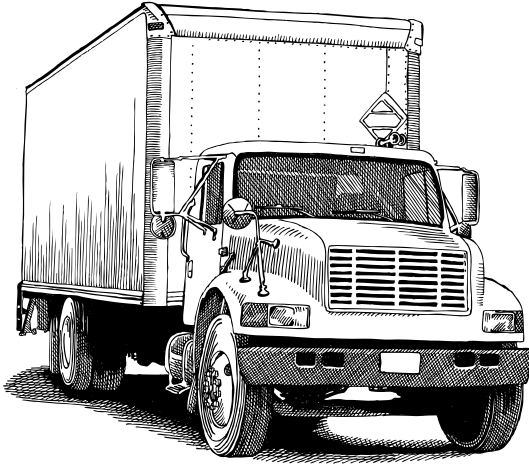
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

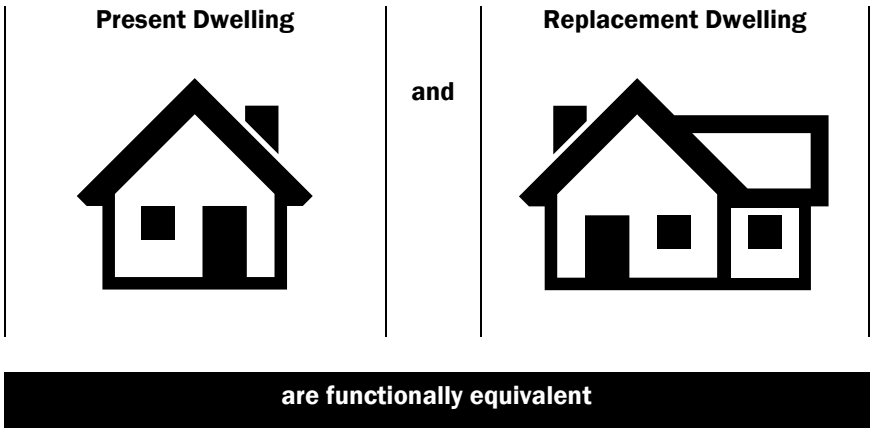
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

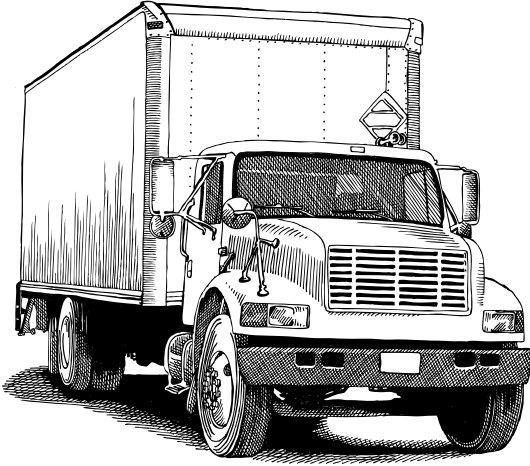
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.019TR / P00013380

County: Harris

Displacee [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

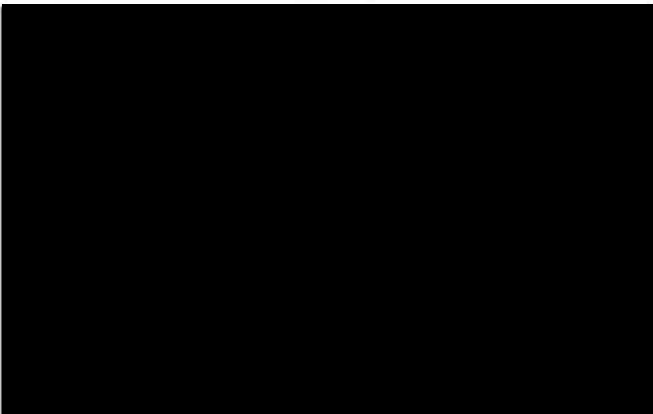
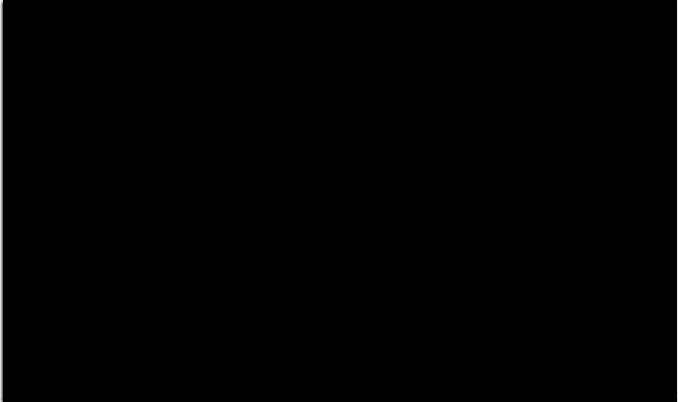
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.019TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$27,551.16** (42 x \$ **655.98**), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$27,551.16** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

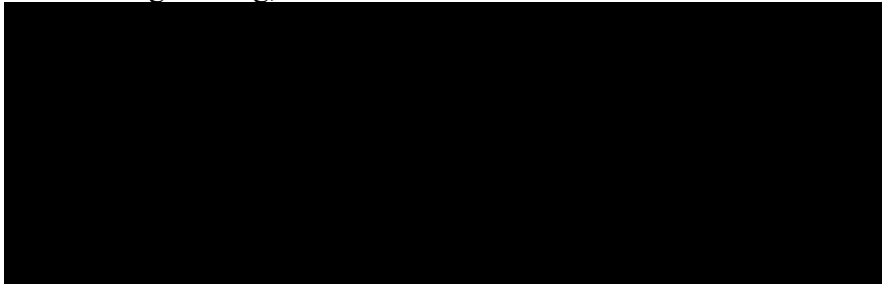
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

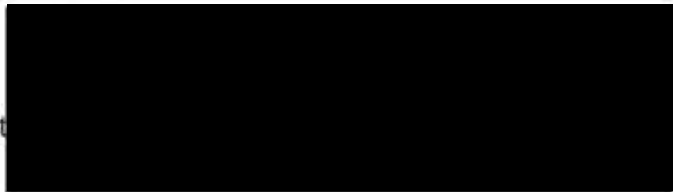
Sincerely,  
HDR Engineering, Inc.



Method of Delivery check all that apply:

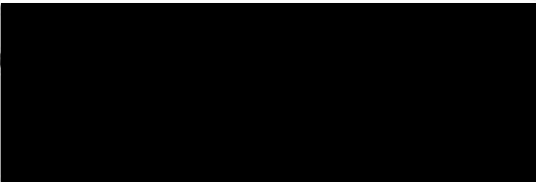
- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/26/2024

I acknowledge receipt of this notice



Date: 1/26/2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 29, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.020TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 29, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

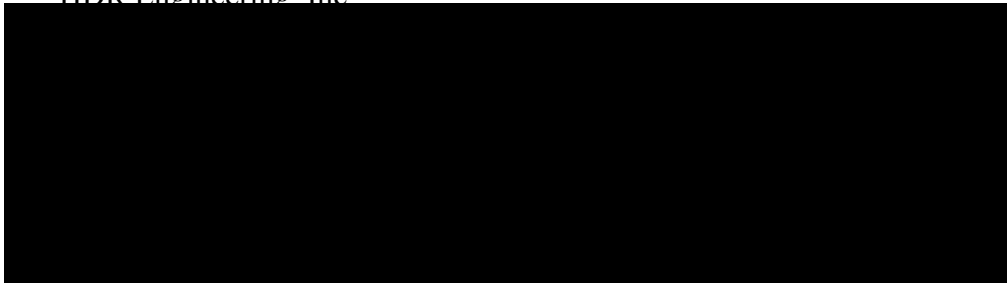
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/29/2024

I acknowledge receipt of this notice:



Date: [Signature]

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

29

Parcel: 308.020TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

\_\_\_\_\_ (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED]

[REDACTED]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 17, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.021TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 16, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.
2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance *prior* to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$26,817.00** (42 x \$638.50), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing \$1,030.00 per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than \$1,030.00 per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$26,817.00** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up

Relocation Agent



Date: 1/19/24

I acknowledge receipt of this notice



(Resident Signature)

Date: 1/19/2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 17, 2024

Parcel: 308.021TR / P00013380

County: Harris

Displacee: Lawrence Koopman

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

- [Redacted] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [Redacted] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular

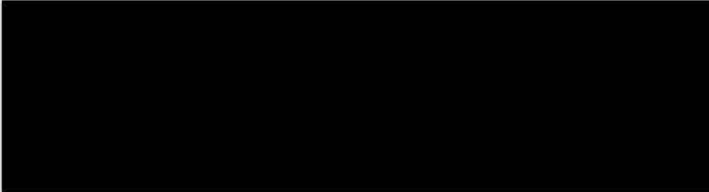
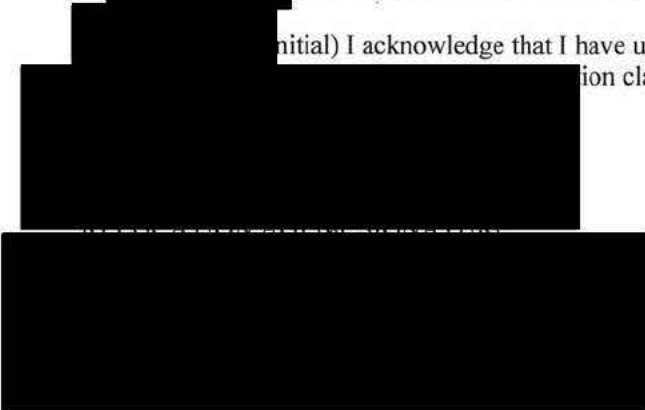
Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[Redacted] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [Redacted] (Initial) TxDOT URA Eligibility
- [Redacted] (Initial) Decline TxDOT URA Eligibility

[Redacted] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and to file relocation claims from the date of the Notice of Eligibility should I elect





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.022TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

- [REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher and elect the TxDOT URA.
- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.022TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$ 755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

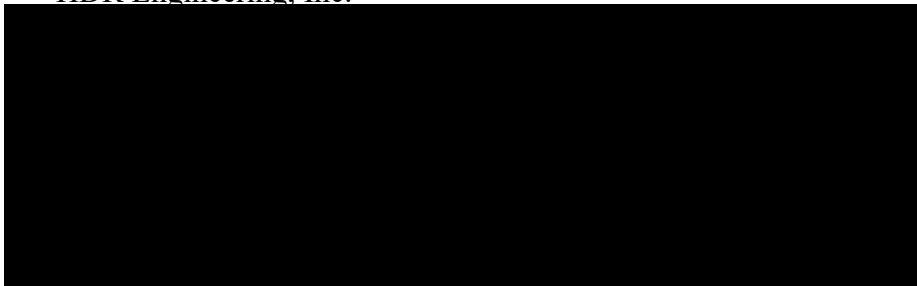
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.





Method of Delivery check all that apply:

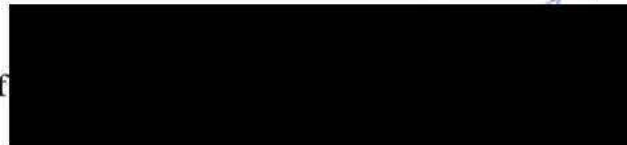
- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/26/2024

I acknowledge receipt of



Date: 1/26/2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 17, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.023TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 3, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

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Current Fixed Moving Payment Schedule for Texas

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<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$36,002.40** (42 x \$857.20), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

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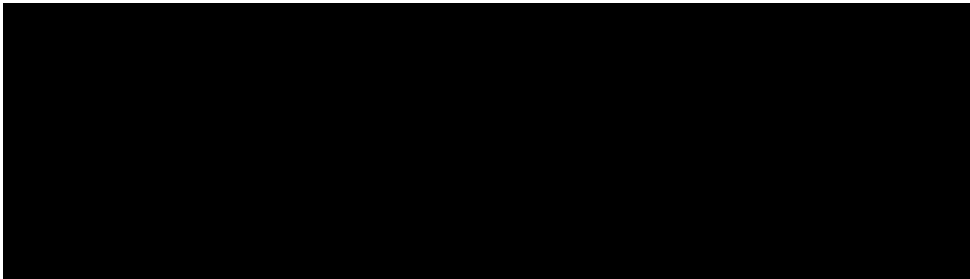
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**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/25/2024

I acknowledge receipt of this notice



1/25/2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 17, 2024

Parcel: 308.023TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

### RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

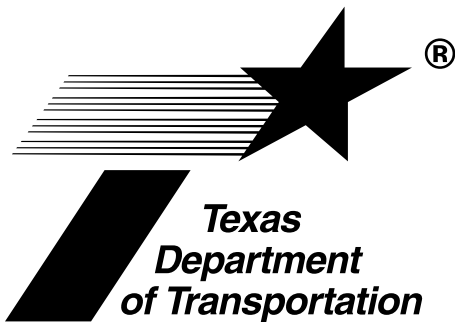
[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED]

[REDACTED]

[REDACTED]





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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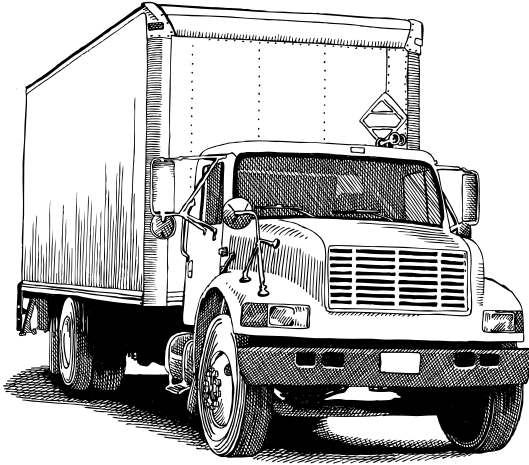
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

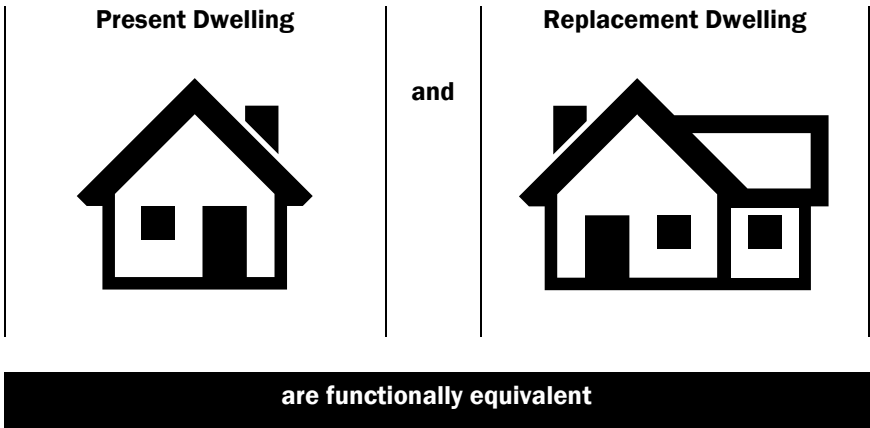
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

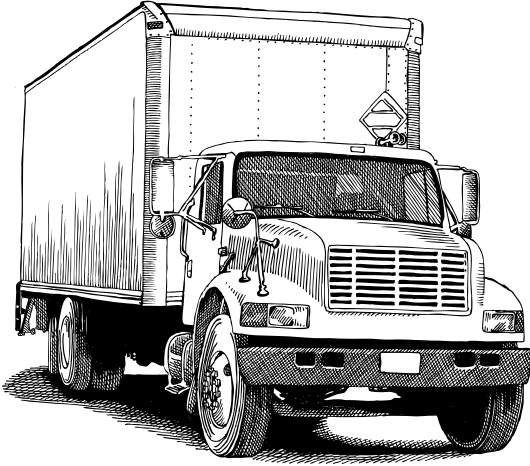
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 29, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.024TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$ 755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

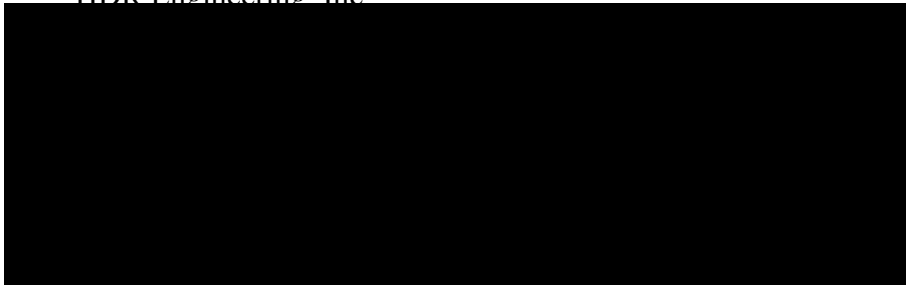
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_



Date: \_\_\_\_\_

*1/29/2024*

I acknowledge receipt of this not \_\_\_\_\_



Date: \_\_\_\_\_

*10*

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.024TR / P00013380

County: Harris

Displacee [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular

Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

DISPLACEE SIGNATURE

[REDACTED NAME]

DISPLACEE NAME



RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 23, 2024

Parcel: 308.026TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

- [REDACTED] (Initial) Option 1: Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) Option 2: Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to file a relocation claim from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 23, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.026TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

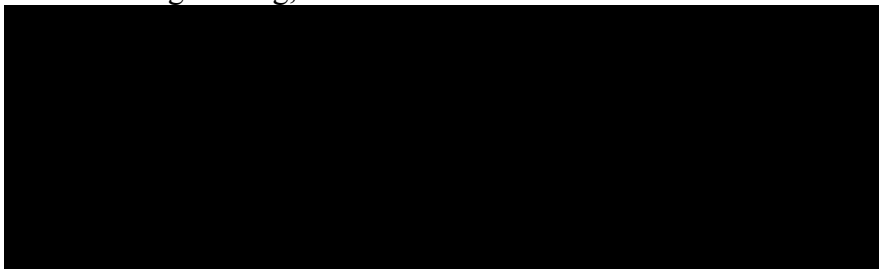
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

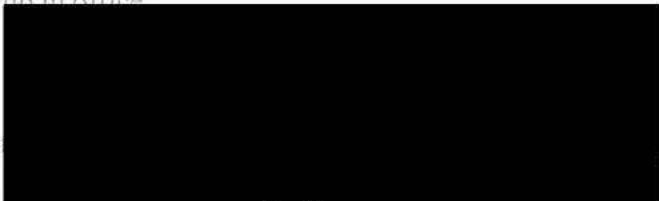


Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/24/24

I acknowledge receipt of this notice



Date: 1/22/24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure







# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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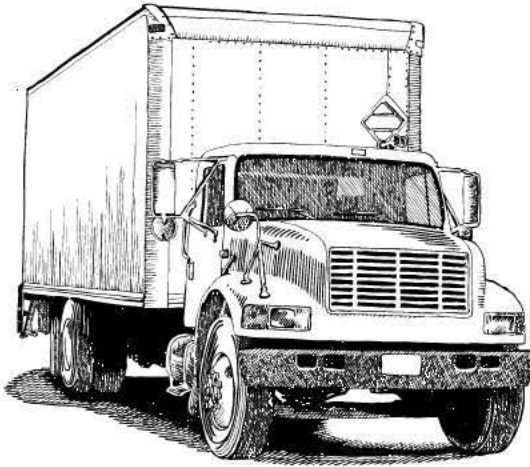
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

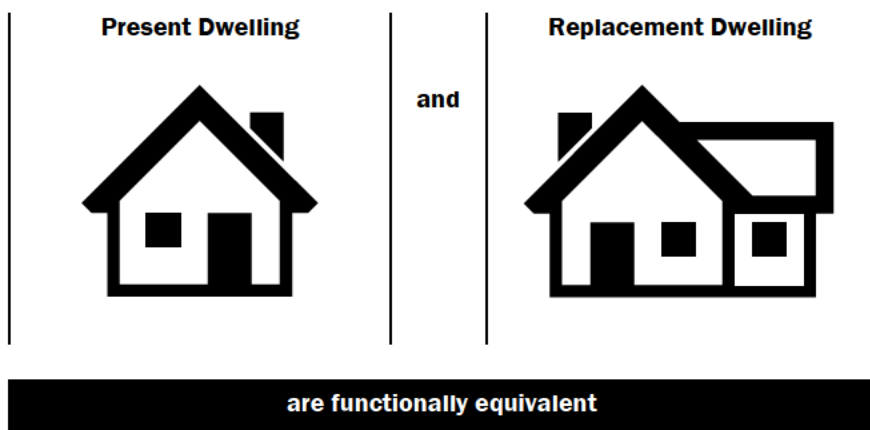
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

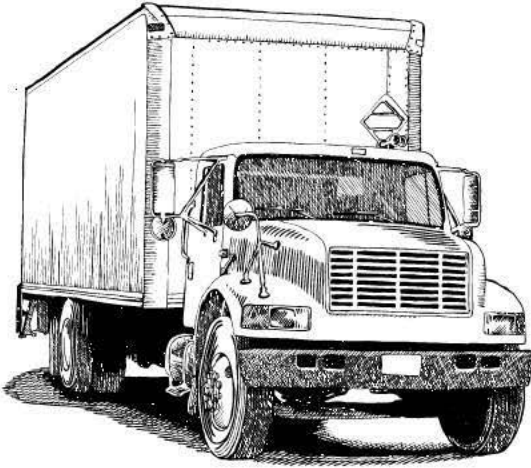
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 17, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.027TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear 

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 16, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

[hdrinc.com](http://hdrinc.com)

11700 Katy Fwy., Suite 250  
Houston, TX 77079

T 713.748.9828  
Texas Registered Engineering Firm F-754

qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.

1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance prior to providing notice to terminate the lease.
2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$30,861.60** (42 x \$734.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$30,861.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TxDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up by carrier

Relocation Agent Signature \_\_\_\_\_

Date: 1/18/24

I acknowledge receipt of this notice \_\_\_\_\_

Date: 1/18/24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure






# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 17, 2024

Parcel: 308.027TR / P00013380

County: Harris

Displacee: 

ROW CSJ: 0500-03-608



Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

### RESIDENTIAL:

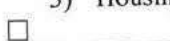
- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)


I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

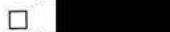
-  (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
-  (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular


### Housing Choice Voucher:

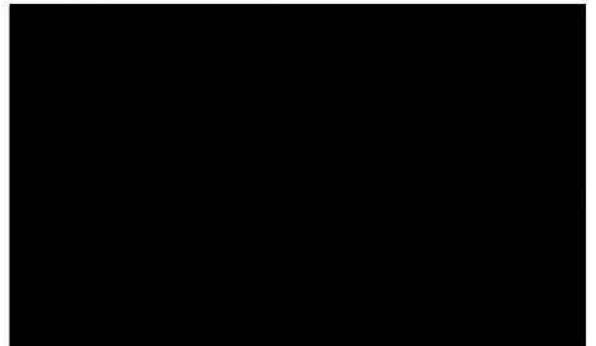
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

 (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

 (Initial) TxDOT URA Eligibility

 (Initial) Decline TxDOT URA Eligibility

 (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 22, 2024

Parcel: 308.028TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

DISPLACEE SIGNATURE

[REDACTED SIGNATURE]

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.028TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

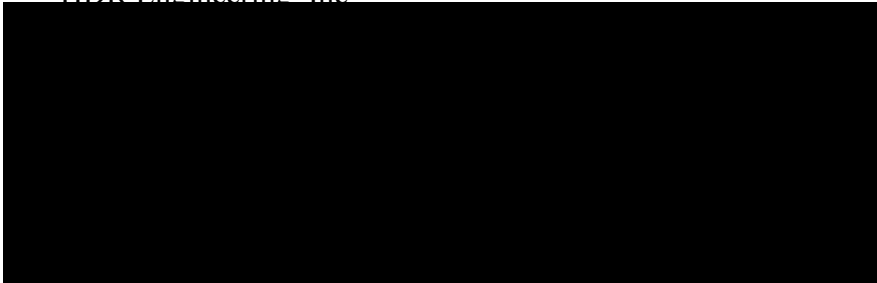
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 1/24/24

I acknowledge receipt of this notice \_\_\_\_\_

Date: 1/24/24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 22, 2024

Parcel: 308.028TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- \_\_\_\_\_ (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- \_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_(Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

\_\_\_\_\_  
RELOCATION AGENT SIGNATURE

\_\_\_\_\_  
DISPLACEE SIGNATURE

\_\_\_\_\_  
NAVIGATOR SIGNATURE

\_\_\_\_\_  
DISPLACEE NAME



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

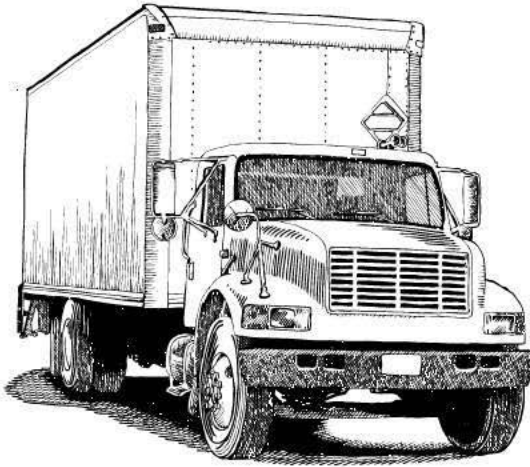
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

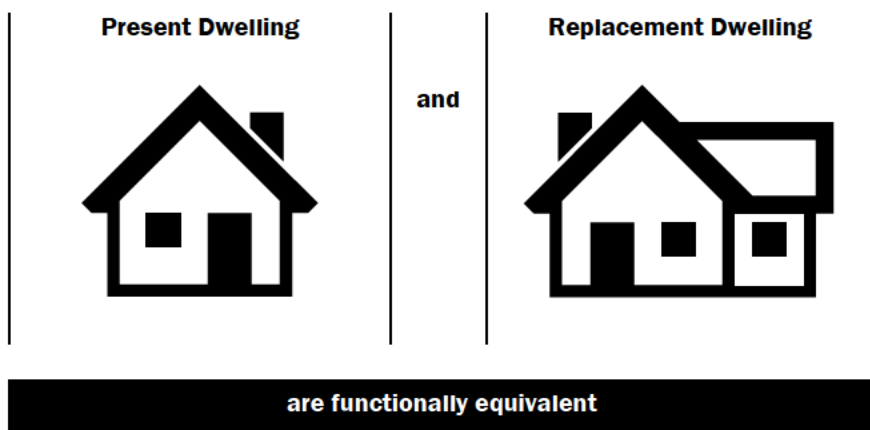
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

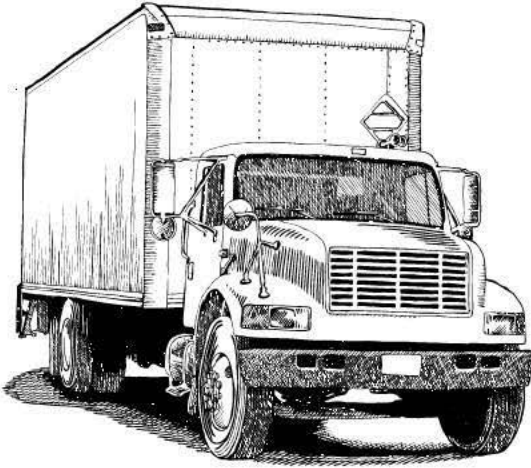
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.029TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is **January 17, 2024**.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely

[REDACTED]

Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/29/2024

I acknowledge receipt of this notice



Date: 1-29/24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure




# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 17, 2024  
29

Parcel: 308.029TR / P00013380

County: Harris

Displacee: 

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- \_\_\_\_\_ (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular

Housing Choice Voucher:

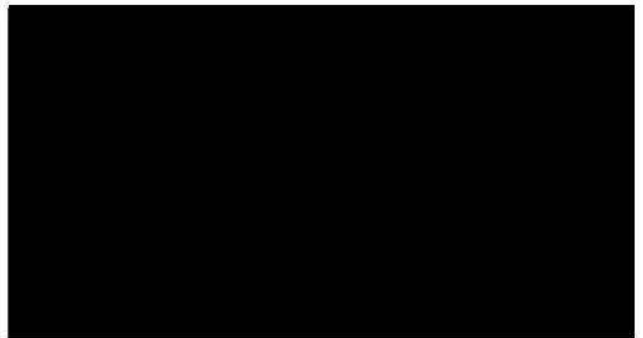
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

\_\_\_\_\_ (Initial) TxDOT URA Eligibility

\_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_ (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.



# Section I: Residential Displacees

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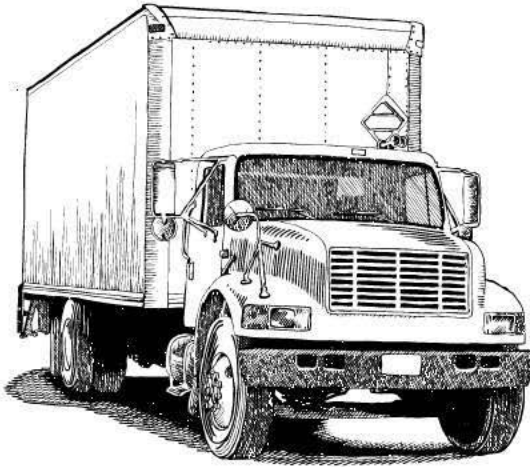
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

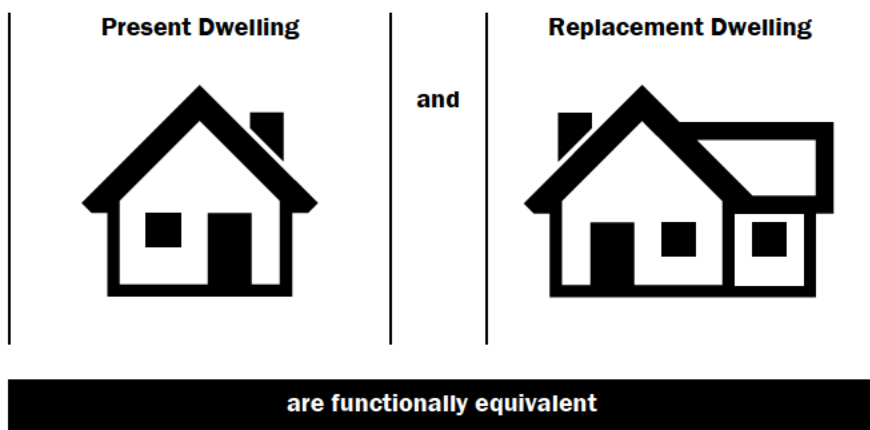
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).



## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

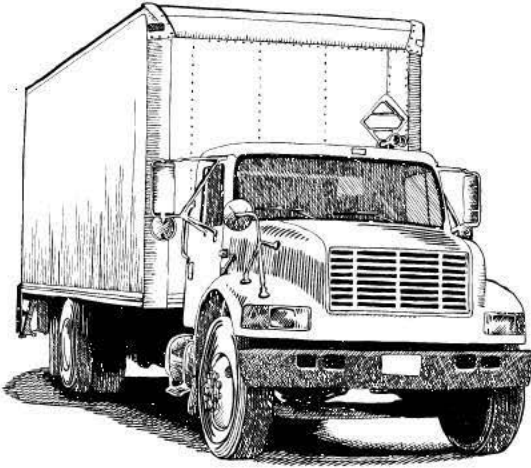
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.



## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.



## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.030TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is **January 19, 2024**.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent

[Redacted]

Date:

1/25/24

I acknowledge receipt of this notice

[Redacted]

Date:

1-25-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 23, 2024

Parcel: 308.030TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

NAVIGATOR SIGNATURE



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January 23, 2024

Parcel: 308.031TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

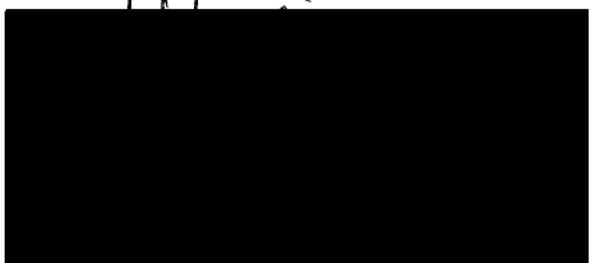
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.031TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 Utilities = \$1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement



property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

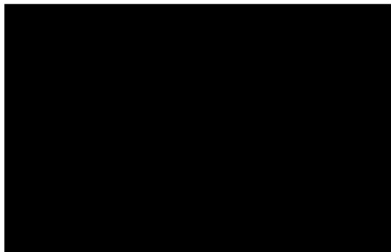
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.




SR/WA, R/W-RAC, R/W-NAC


Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: 

Date: 1/24/24

I acknowledge receipt of this notice 

Date: 1-24-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January 23, 2024

Parcel: 308.031TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- \_\_\_\_\_ (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- \_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_(Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

\_\_\_\_\_  
RELOCATION AGENT SIGNATURE

\_\_\_\_\_  
DISPLACEE SIGNATURE

\_\_\_\_\_  
NAVIGATOR SIGNATURE

\_\_\_\_\_  
DISPLACEE NAME



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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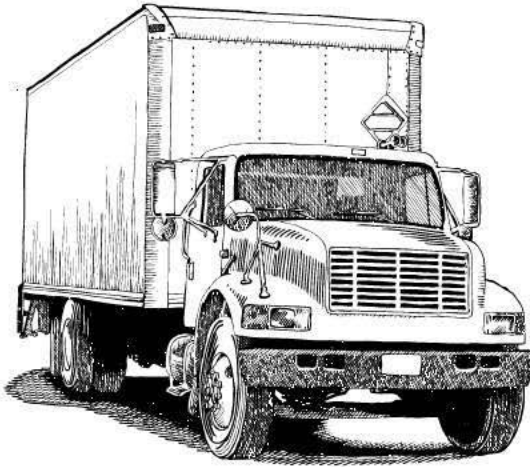
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

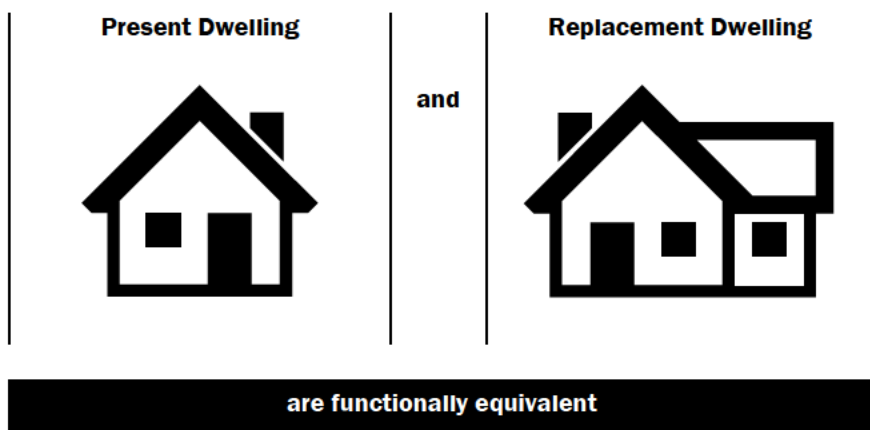
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

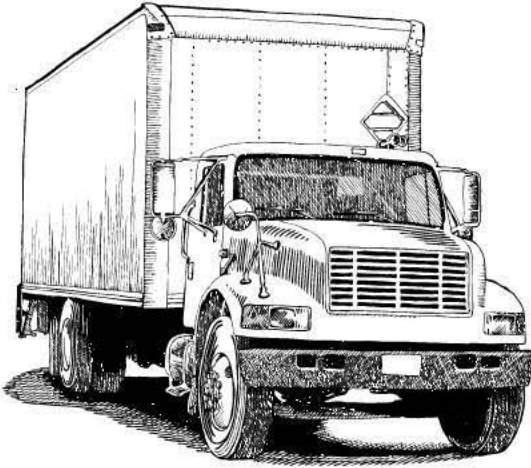
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 25, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.032TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$28,866.60** (42 x \$ 687.30), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$28,866.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

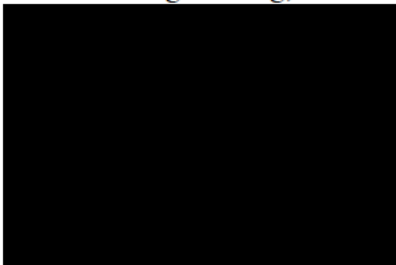
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date:

<sup>30</sup>  
1/30/2024

I acknowledge receipt of this notice:



(Resident Signature)

Date:

01/30/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 25, 2024

30

Parcel: 308.032TR / P00013380

County: Harris

Displacee: [Redacted]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

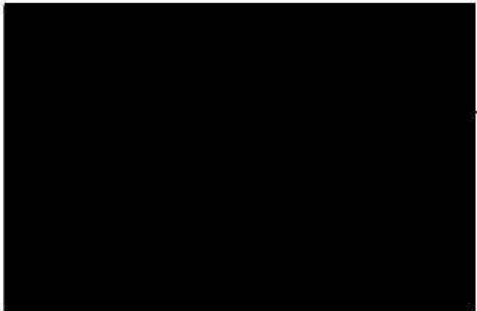
- 1. Delivery of the brochure entitled "Relocation Assistance"
2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
3. Qualifications for Relocation Assistance
4. Notice of Eligibility
5. Claim for Payment (if applicable)
6. Relocation Payments are nontaxable
7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
9. Rental Assistance Payment (if applicable)
10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- Option 1: Retain Project Based Voucher Assistance by relocating to the new property.
Option 2: Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:
1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
2) Are in good standing with the landlord.
3) Housing Choice Vouchers are available.
Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.
TxDOT URA Eligibility
Decline TxDOT URA Eligibility
I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January 23, 2024

Parcel: 308.033TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

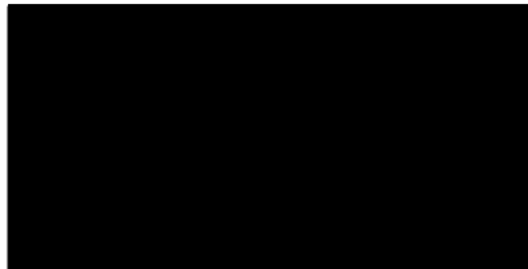
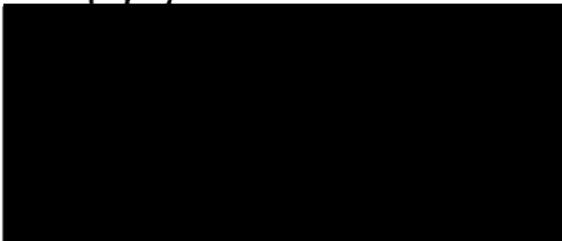
- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.033TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 Utilities = \$1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement

property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

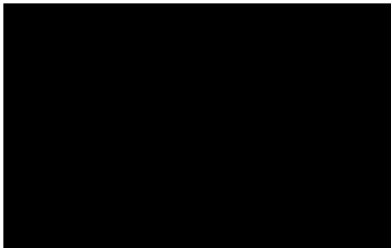
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/24/24

I acknowledge receipt of this noti



Date: 1-24-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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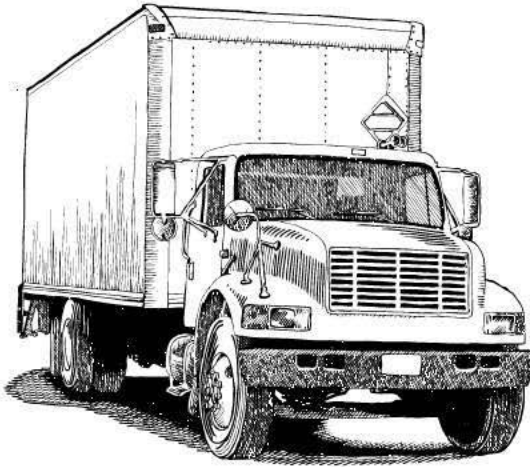
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

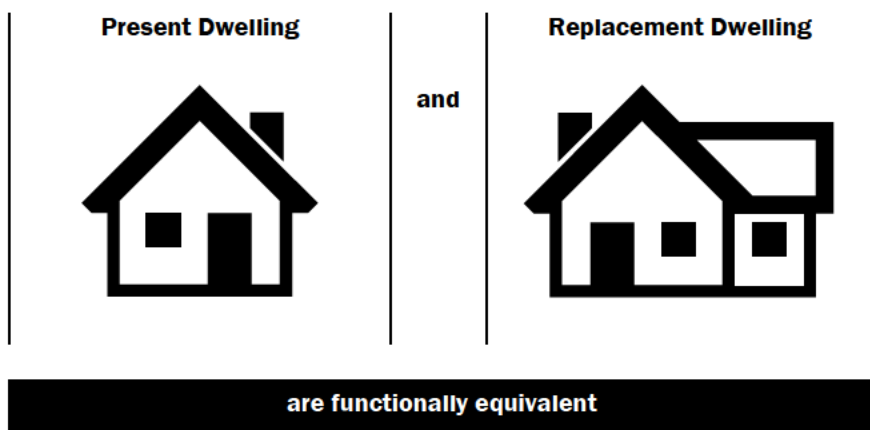
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

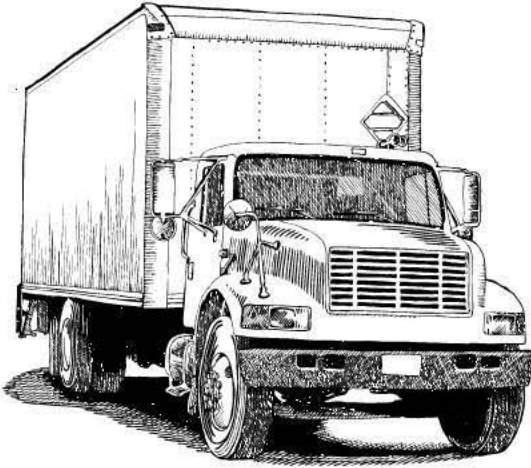
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 22, 2024

Parcel: 308.034TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular

**Housing Choice Voucher:**

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED NAME]

NAVIGATOR SIGNATURE

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.034TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is **January 19, 2024**.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$33,192.60** (42 x \$790.30), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$33,192.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

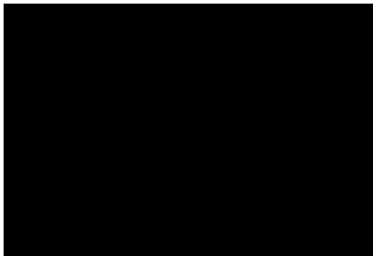
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/24/24

I acknowledge receipt of this



Date: 1-24-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 22, 2024

Parcel: 308.034TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- \_\_\_\_\_ (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- \_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_ (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

\_\_\_\_\_  
RELOCATION AGENT SIGNATURE

\_\_\_\_\_  
DISPLACEE SIGNATURE

\_\_\_\_\_  
NAVIGATOR SIGNATURE

\_\_\_\_\_  
DISPLACEE NAME



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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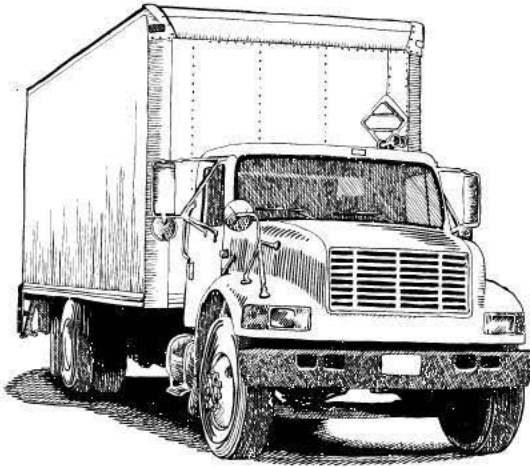
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

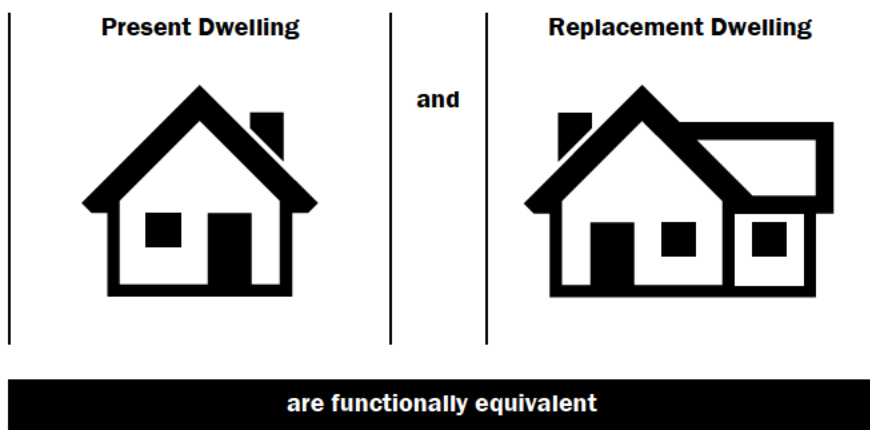
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

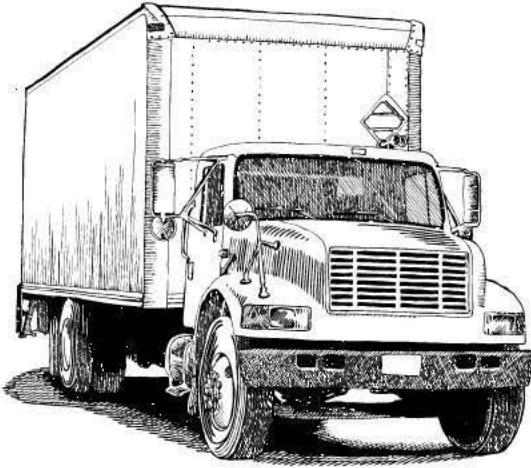
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 23, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.036TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**



**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 Utilities = \$1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement

property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

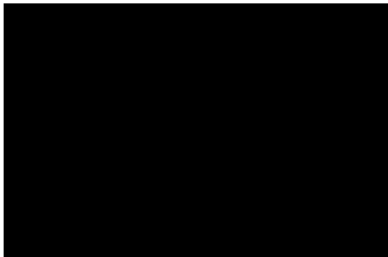
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC


Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent 

Date: 1/24/2024

I acknowledge receipt of this not 

Date: 1-24-2024

Enclosure:

- Relocation Option Acknowledgment
- Relocation Assistance Brochure





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January 23, 2024

Parcel: 308.036TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

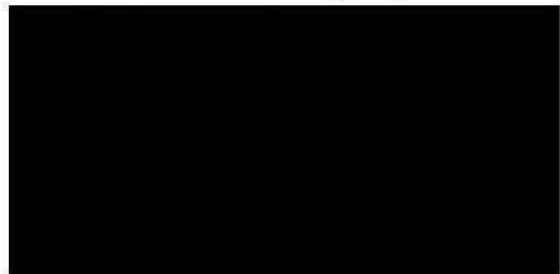
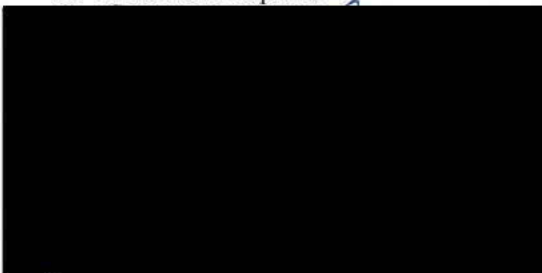
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 23, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.037TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 19, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 Utilities = \$1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement

property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

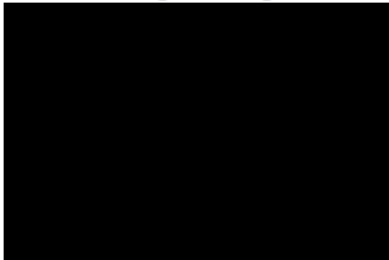
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/24/2024

I acknowledge receipt of this notice:



(Resident Signature)

Date: 1 24 2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January 23, 2024

Parcel: 308.037TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular

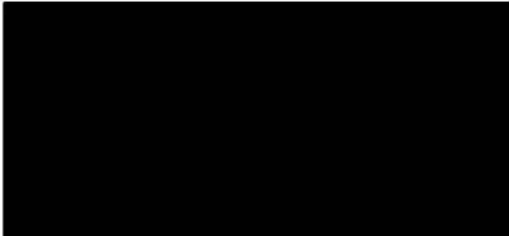
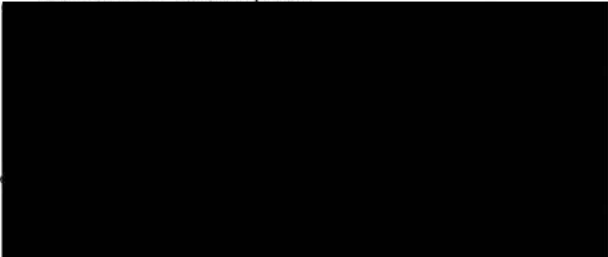
Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 22, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.038TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$29,236.20** (42 x \$696.10), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$29,236.20** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

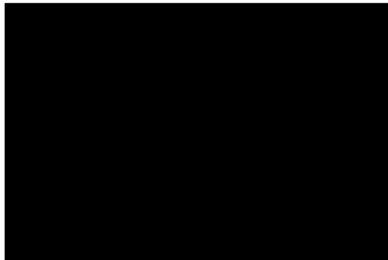
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 1/24/2024

I acknowledge receipt of this notice \_\_\_\_\_

Date: 1/24/2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 22, 2024

Parcel: 308.038TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

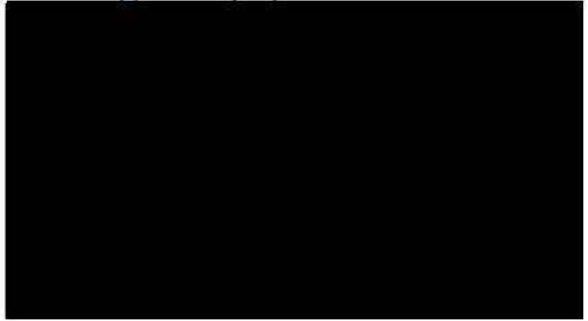
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.041TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is **January 19, 2024**.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

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  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
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  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

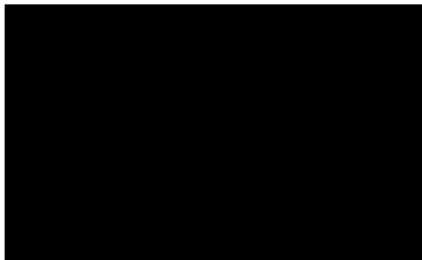
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

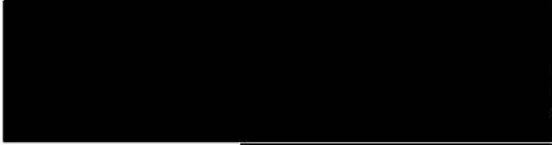


[REDACTED] SR/WA, R/W-RAC, R/W-NAC  
Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date: 1-25-2024

I acknowledge receipt of this notice: \_\_\_\_\_



(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 24, 2024

Parcel: 308.041TR / P00013380

County: Harris

Displacee [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

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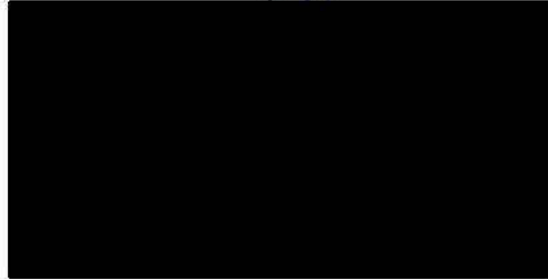
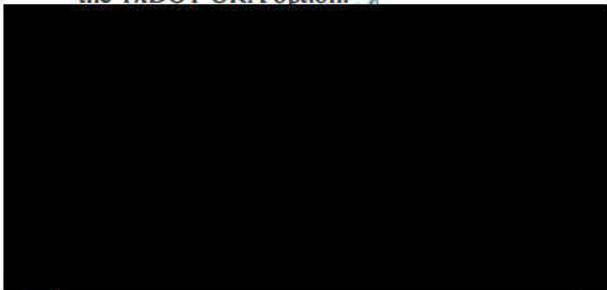
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January

Parcel: 308.042TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

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- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
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- 4. Notice of Eligibility
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**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
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I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

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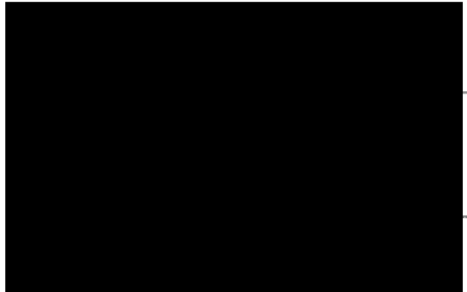
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
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[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

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**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 23, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.042TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

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**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

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2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

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3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

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  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 Utilities = \$1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately \$1,120.14 (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement



property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

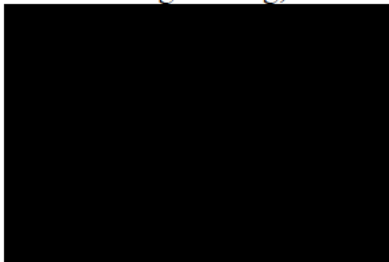
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



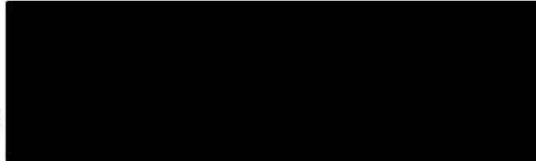
SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date: 1/25/24

I acknowledge receipt of this notice:



Date: 1-25-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January

Parcel: 308.042TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- \_\_\_\_\_ (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- \_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_ (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

\_\_\_\_\_  
RELOCATION AGENT SIGNATURE

\_\_\_\_\_  
DISPLACEE SIGNATURE

\_\_\_\_\_  
NAVIGATOR SIGNATURE

\_\_\_\_\_  
DISPLACEE NAME



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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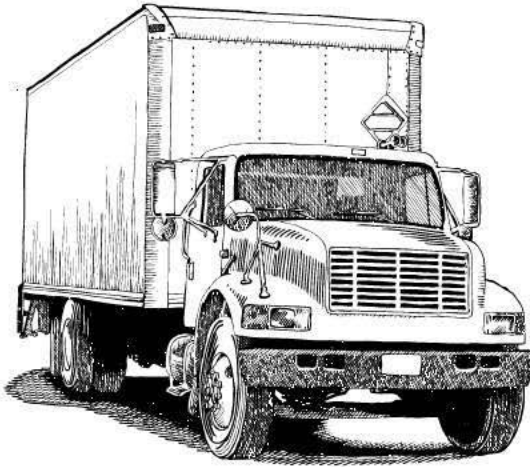
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

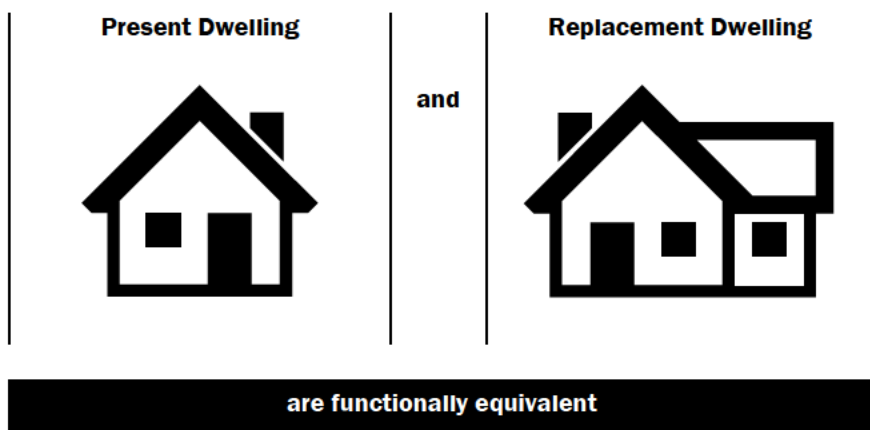
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

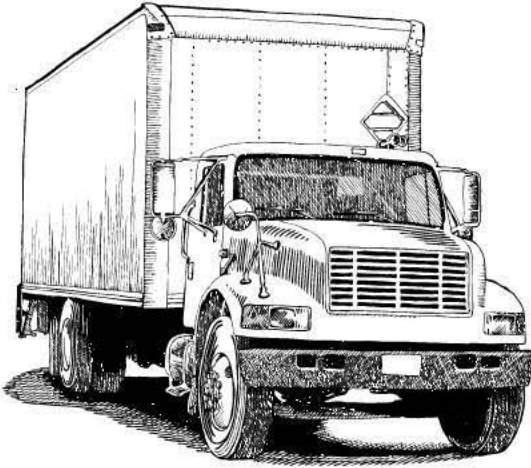
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.043TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

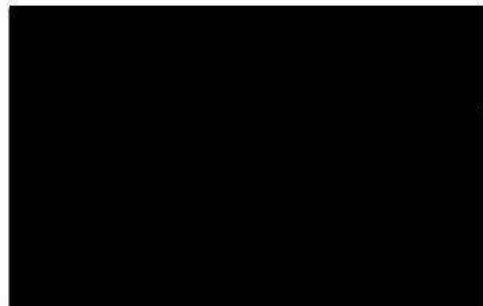
**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:
  - 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
  - 2) Are in good standing with the landlord.
  - 3) Housing Choice Vouchers are available.
- \_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.
- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_ (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.043TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$33,507.60** (42 x \$ 797.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$33,507.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

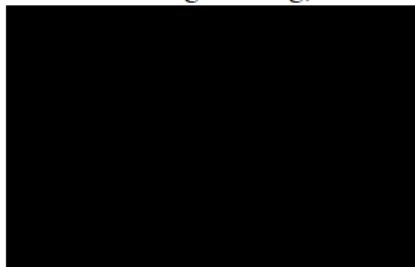
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.




SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation  Date: 1/26/24

I acknowledge receipt of this notice  Date: 1-26-2024  
 (Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
 Relocation Assistance Brochure



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 18, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.044TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 16, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 Utilities = \$1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement



property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

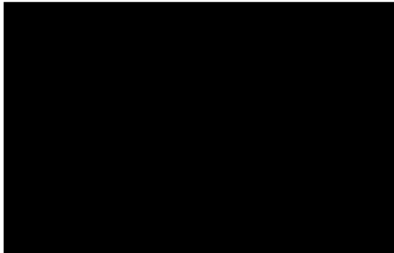
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent **Darla Dunaway** at **(817) 390-9823**. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date: 1/25/2024

I acknowledge receipt of this notice:



Date: 1-25-2024

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

Date: January 18, 2024

Parcel: 308.044TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
3. Qualifications for Relocation Assistance
4. Notice of Eligibility
5. Claim for Payment (if applicable)
6. Relocation Payments are nontaxable
7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
9. Rental Assistance Payment (if applicable)
10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- Option 1: Retain Project Based Voucher Assistance by relocating to the new property.
Option 2: Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

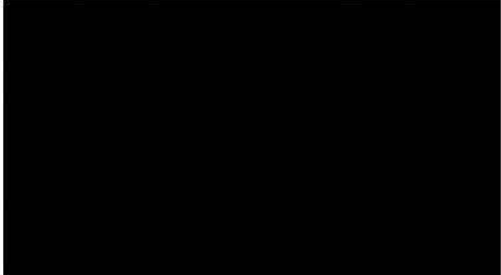
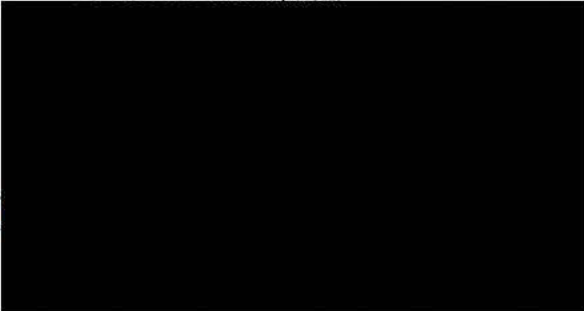
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
2) Are in good standing with the landlord.
3) Housing Choice Vouchers are available.

Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

(Initial) TxDOT URA Eligibility

(Initial) Decline TxDOT URA Eligibility

(Initial) I acknowledged that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.045TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
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- 7. Appeal Rights

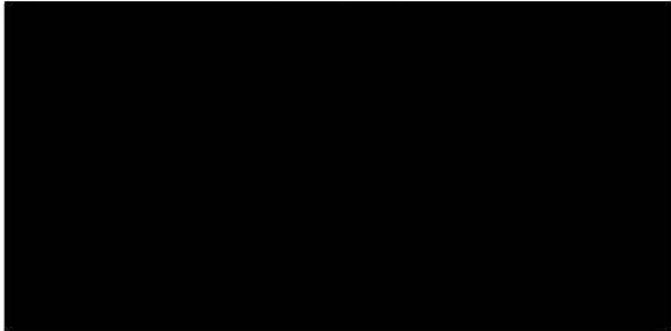
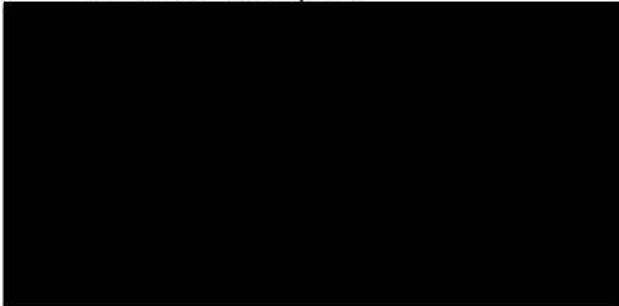
**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:
  - 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
  - 2) Are in good standing with the landlord.
  - 3) Housing Choice Vouchers are available.
- [REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.
- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.045TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.




[REDACTED] SR/WA, R/W-RAC, R/W-NAC  
Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation  Date: 1/26/24

I acknowledge receipt of this notice :

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 24, 2024

Parcel: 308.046TR / P00013380

County: Harris

Displacee: 

ROW CSJ: 0500-03-608


Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

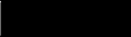
 (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.


\_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

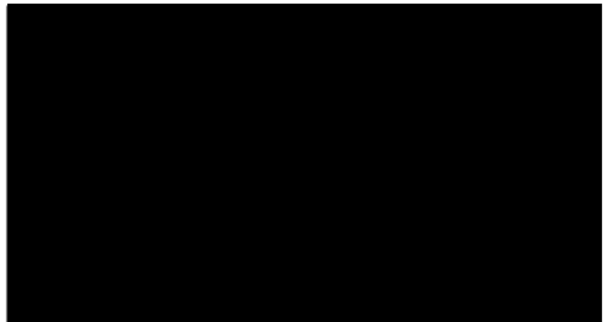
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

\_\_\_\_\_ (Initial) TxDOT URA Eligibility

 (Initial) Decline TxDOT URA Eligibility

 (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.046TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
<div style="background-color: black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100%; height: 15px;"></div>	\$1,030.00 (Utilities included)	<div style="background-color: black; width: 100%; height: 15px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100%; height: 15px;"></div>

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$25,947.60** (42 x \$617.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$25,947.60** for a down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

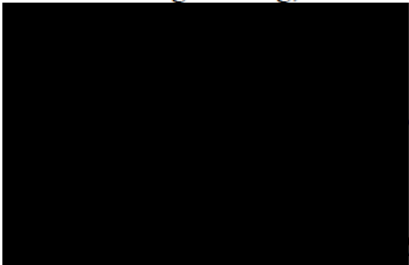
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move, or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.




[REDACTED] SR/WA, R/W-RAC, R/W-NAC  
Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent  Date: 1/24/24

I acknowledge receipt of this notice  Date: 01/24/24  
(Resident Signature)

Enclosure:  
Relocation Option Acknowledgment  
Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

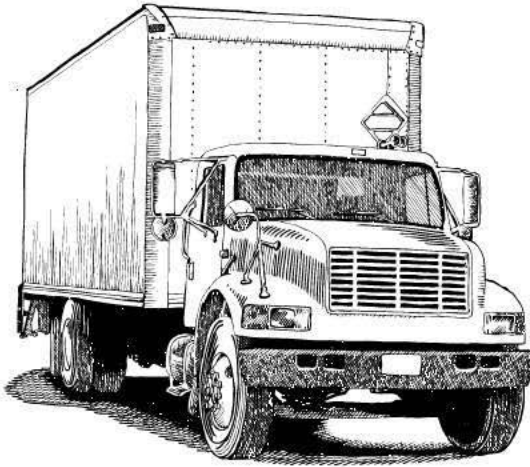
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

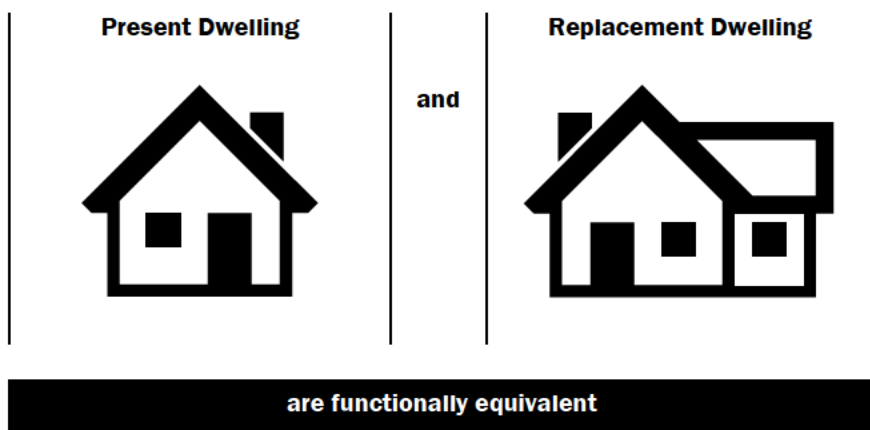
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

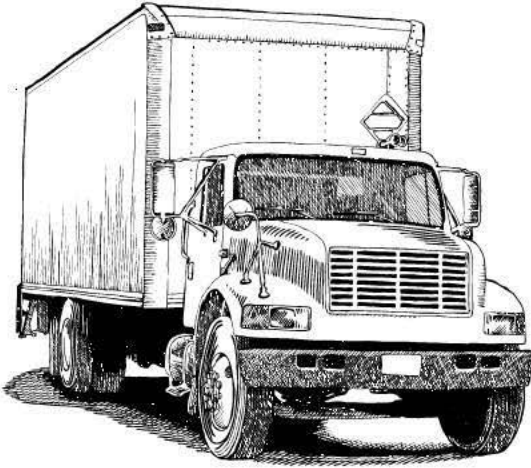
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.047TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing costs are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2, or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for a down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

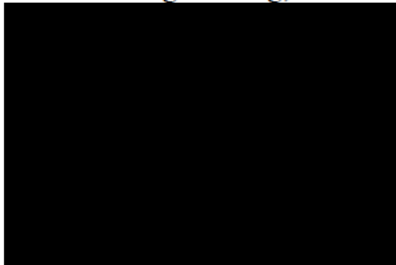
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move, or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 1/25/24

I acknowledge receipt of this notice: \_\_\_\_\_

Date: 1-25-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 24, 2024

Parcel: 308.047TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

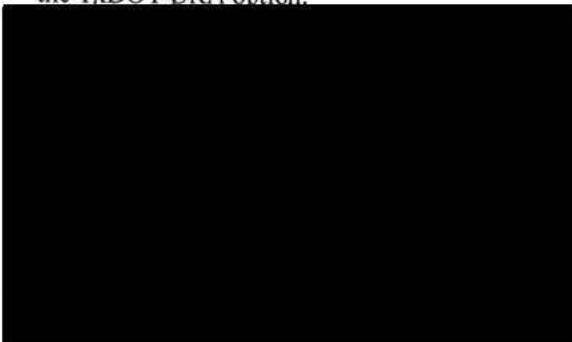
- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024  
*me*

Parcel: 308.048TR / P00013380

County: Harris

Displacee: [Redacted]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[Redacted] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[Redacted] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[Redacted] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[Redacted] (Initial) TxDOT URA Eligibility

[Redacted] (Initial) Decline TxDOT URA Eligibility

[Redacted] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.048TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation A



Date: 1/26/24

I acknowledge receipt of this notice:



Date: 1/26/24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.049TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.
2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request continued tenant-based assistance *prior* to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### a) **Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing costs are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2, or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for a down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

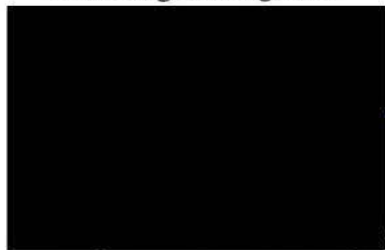
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move, or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/24/24

I acknowledge receipt of this notice



Date: 1-24-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 24, 2024

Parcel: 308.049TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular

Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

DISPLACEE NAME





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

26

Parcel: 308.050TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

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- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
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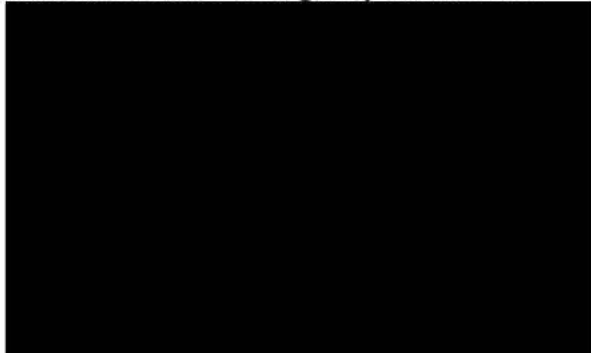
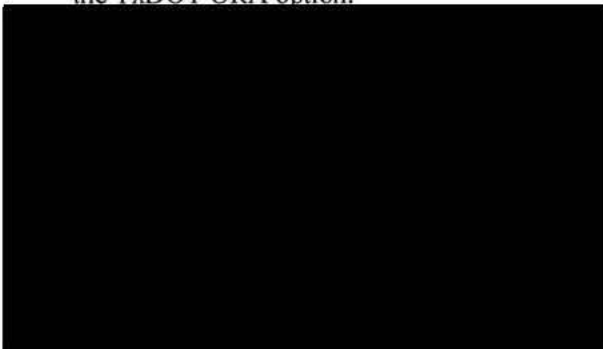
RESIDENTIAL:

- 8. Moving Costs
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**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.050TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

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- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

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**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

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Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,491.60** (42 x \$ 749.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,491.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

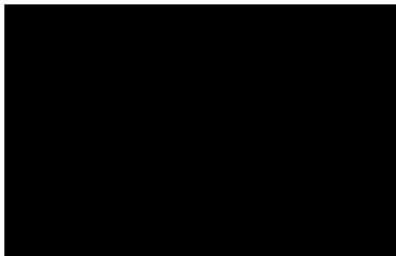
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date: 1/26/2024

I acknowledge receipt of this notice:



Date: 1/26/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 23, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.051TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 19, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**



**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$ 1,030.00 + \$ 0.00 Utilities = \$ 1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately \$ 1,120.14 (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement

property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

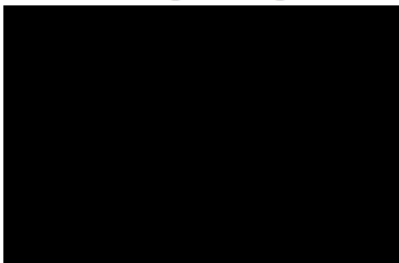
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 1/25/24

I acknowledge receipt of this notice \_\_\_\_\_

Date: 1/25/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January 23, 2024

Parcel: 308.051TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT/URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 18, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.052TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 16, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such**

ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the Voucher Program.



- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;
- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance *prior* to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### a) **Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months.

Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we

suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist in ensuring that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

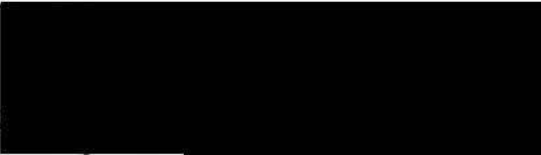


SR/WA, R/W-RAC, R/W-NAC

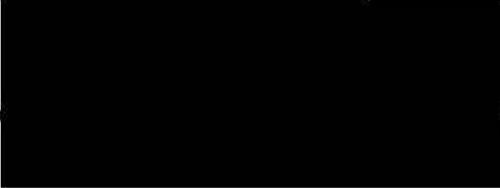
Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: 

Date: 1/18/24

I acknowledge receipt of this notice 

Date: 1/18/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 18, 2024

Parcel: 308.052TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

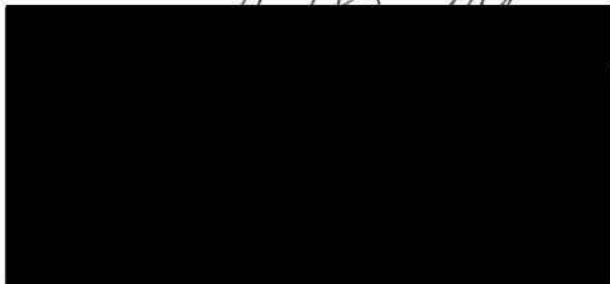
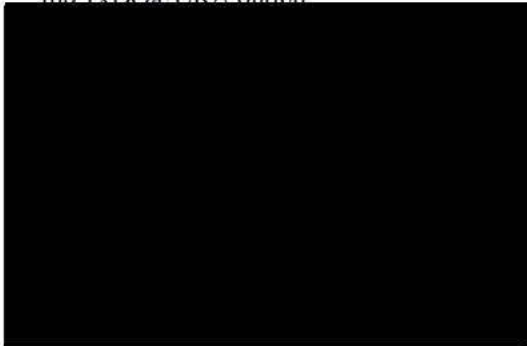
- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.053TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing costs are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2, or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$23,629.20** (42 x \$562.60), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$23,629.20** for a down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

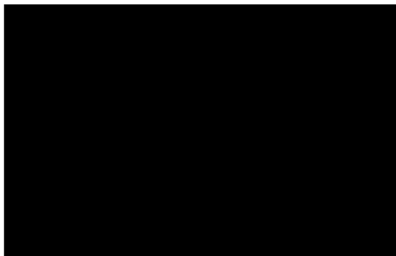
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move, or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date: 1/24/2024

I acknowledge receipt of this notice:



(Resident Signature)

Date: 1-2-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 24, 2024

Parcel: 308.053TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

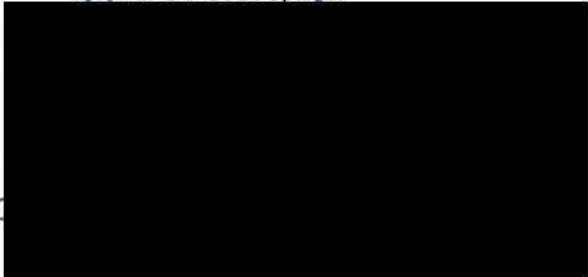
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.054TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

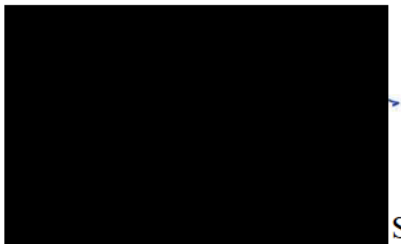
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_



Date: 1/26/2024

I acknowledge receipt of this notice: \_\_\_\_\_



Date: 1-26-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.054TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

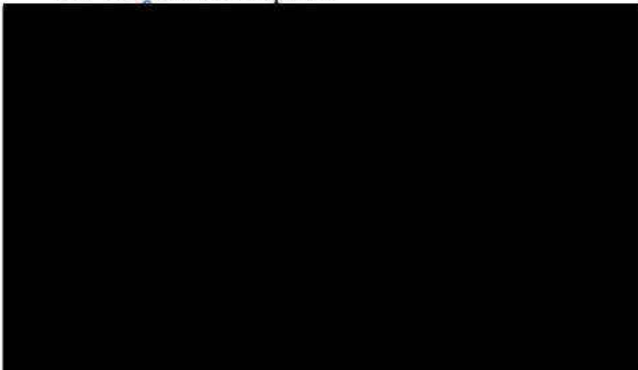
RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:
  - 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
  - 2) Are in good standing with the landlord.
  - 3) Housing Choice Vouchers are available.
- [REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.
- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.055TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- **Option 1:** You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance prior to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$24,649.80** (42 x \$586.90), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$24,649.80** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

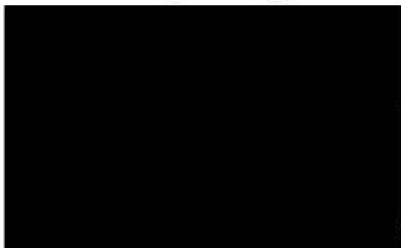
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



[REDACTED] SR/WA, R/W-RAC, R/W-NAC  
Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/25/24

I acknowledge receipt of this notice



Date: 1.25.24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure






**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 23, 2024

Parcel: 308.055TR / P00013380

County: Harris

Displacee: 

ROW CSJ: 0500-03-608

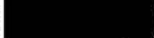

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:


- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)


I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

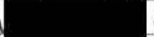
-  (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
-  (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular

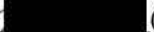
Housing Choice Voucher:

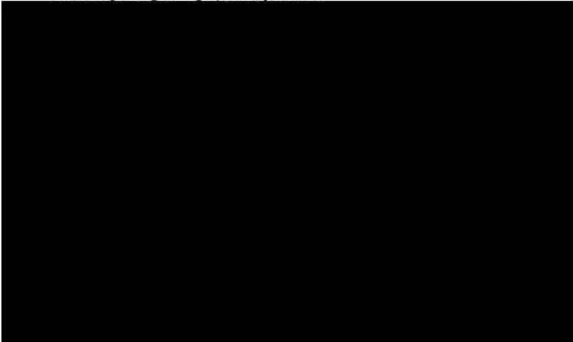
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

 (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

 (Initial) TxDOT URA Eligibility

 (Initial) Decline TxDOT URA Eligibility

 (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 23, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.056TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is **January 19, 2024**.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,392.06** (42 x \$747.43), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,392.06** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

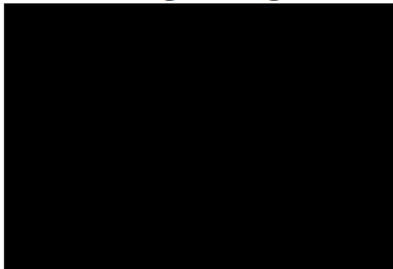
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date:

1/26/24

I acknowledge receipt of this notice:



Date:

1-26-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure







**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 23, 2024

Parcel: 308.056TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

DISPLACEE NAME



RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 22, 2024

Parcel: 308.057TR / P00013380

County: Harris

Displacee: [Redacted]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
3. Qualifications for Relocation Assistance
4. Notice of Eligibility
5. Claim for Payment (if applicable)
6. Relocation Payments are nontaxable
7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
9. Rental Assistance Payment (if applicable)
10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

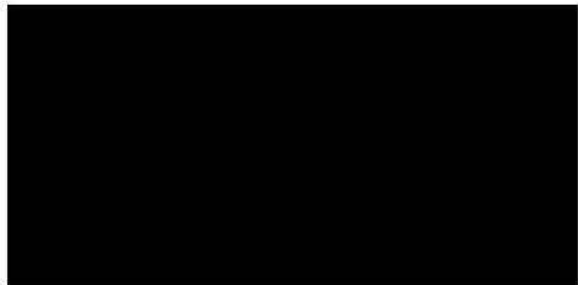
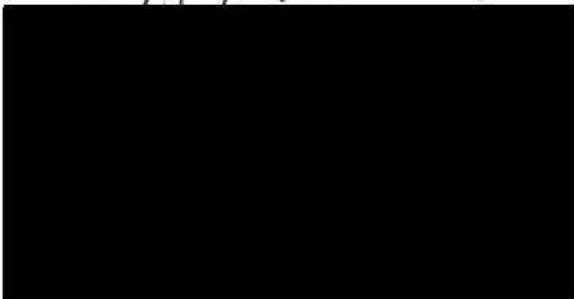
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Option 2: Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
2) Are in good standing with the landlord.
3) Housing Choice Vouchers are available.

Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- TxDOT URA Eligibility
Decline TxDOT URA Eligibility

I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.057TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$27,812.40** (42 x \$662.20), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing \$1,030.00 per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than \$1,030.00 per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$27,812.40** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

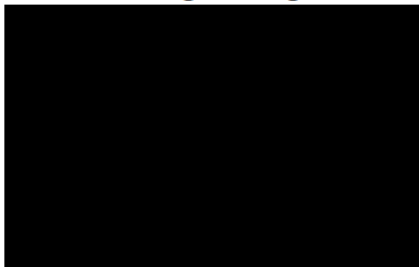
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 1/24/24

I acknowledge receipt of this notice \_\_\_\_\_

Date: 1/24/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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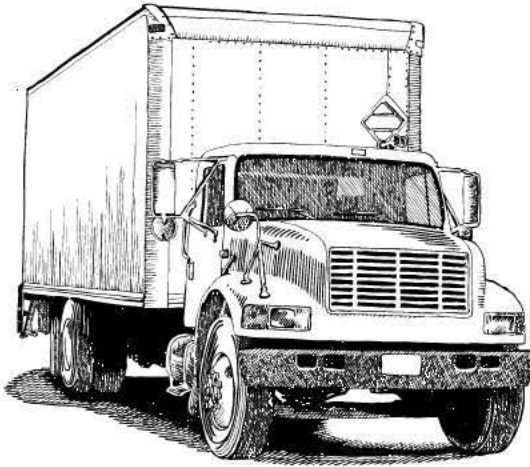
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

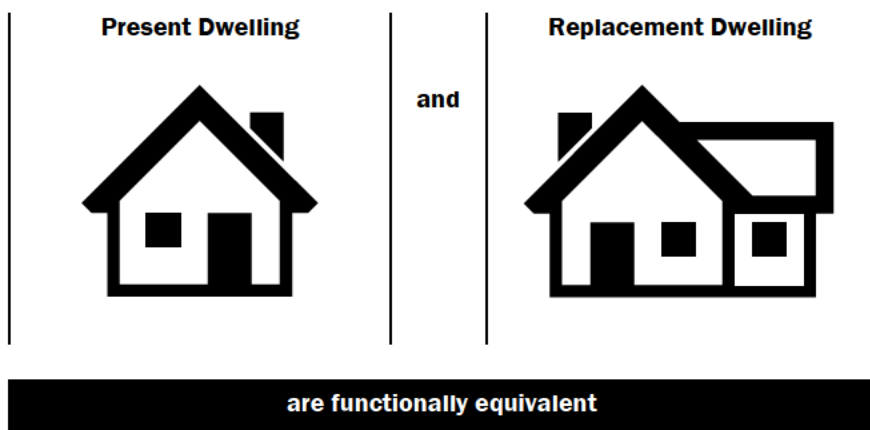
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

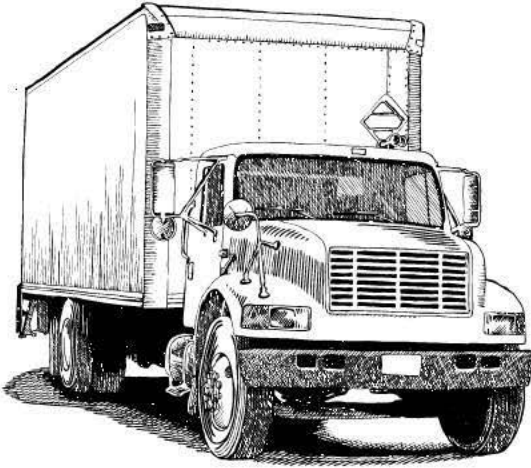
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 23, 2024

Parcel: 308.058TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular

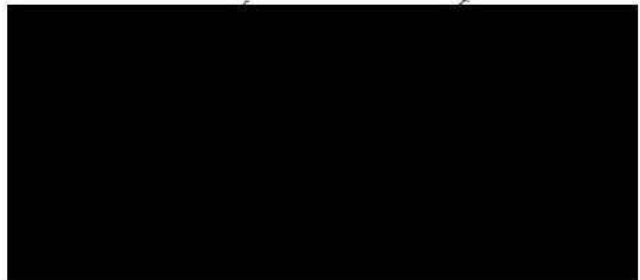
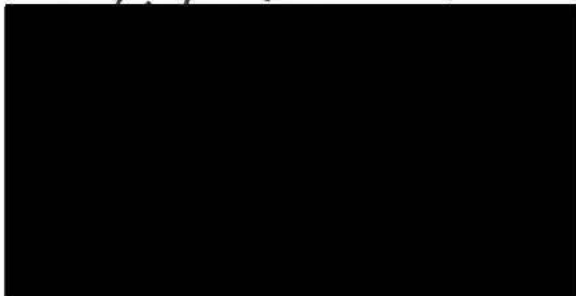
Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 23, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.058TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing \$1,030.00 per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than \$1,030.00 per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

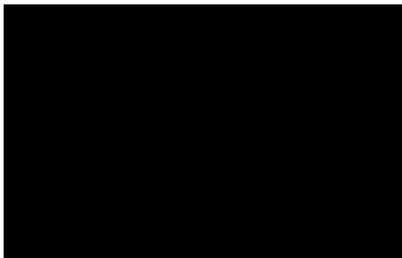
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC  
Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 1/24/24

I acknowledge receipt of this notice \_\_\_\_\_

Date: 1/24/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

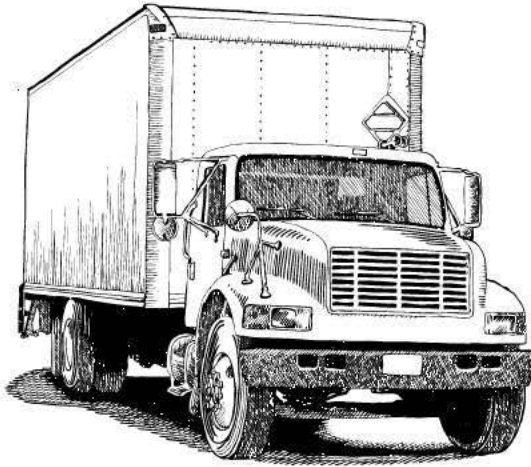
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

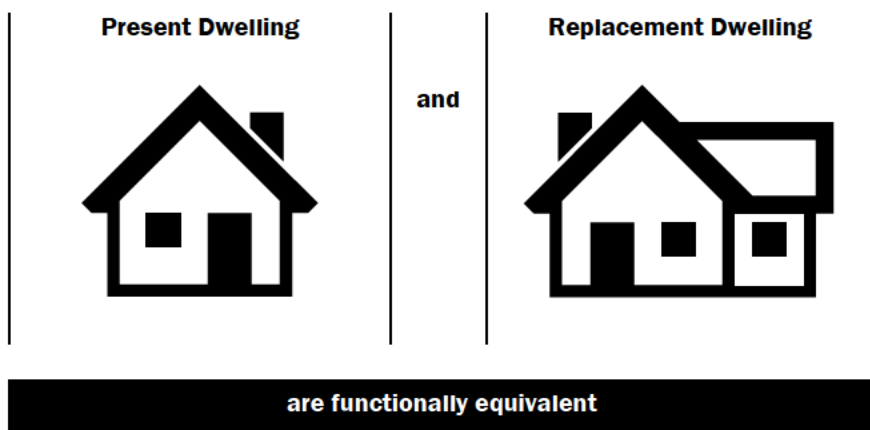
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

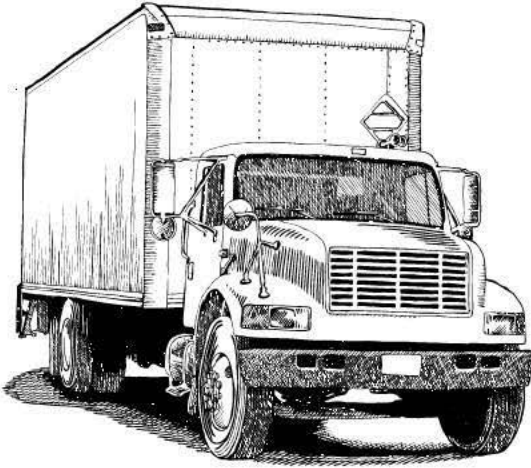
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.059TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

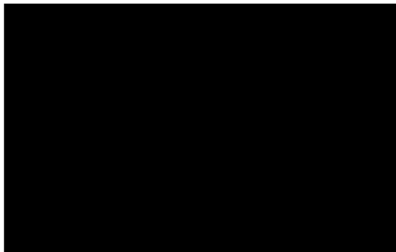
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 1/26/24

I acknowledge receipt of this notice: \_\_\_\_\_

Date: 1-26-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.059TR / P00013380

County: Harris

Displacee: [Redacted]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

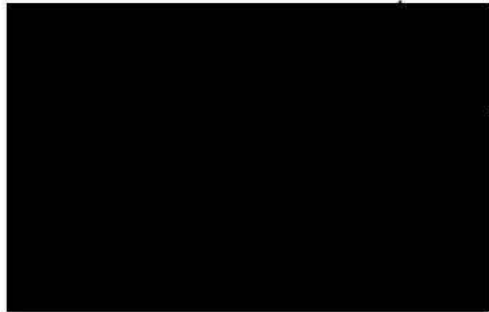
**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [Redacted] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [Redacted] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:
  - 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
  - 2) Are in good standing with the landlord.
  - 3) Housing Choice Vouchers are available.
- [Redacted] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.
- [Redacted] (Initial) TxDOT URA Eligibility
- [Redacted] (Initial) Decline TxDOT URA Eligibility

[Redacted] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 10, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.062TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is December 29, 2023.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

**Current Fixed Moving Payment Schedule for Texas**

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- **Option 1:** You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance *prior* to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### a) **Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,200.00 + \$91.00 (Utilities) = \$1,291.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$19,314.96** (42 x \$459.88), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,291.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,291.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$19,314.96** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

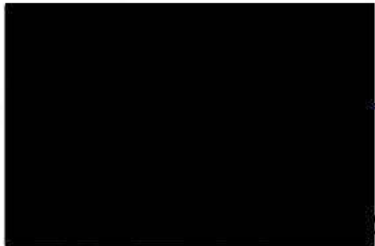
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent \_\_\_\_\_

Date: 11/17/24

I acknowledge receipt of this notice \_\_\_\_\_

Date: 11/17/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 10, 2024

Parcel: 308.062TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
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3. Qualifications for Relocation Assistance
4. Notice of Eligibility
5. Claim for Payment (if applicable)
6. Relocation Payments are nontaxable
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RESIDENTIAL:

- 8. Moving Costs
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I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

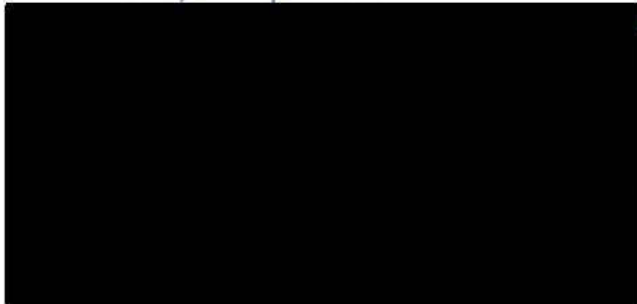
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Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- TxDOT URA Eligibility
Decline TxDOT URA Eligibility

(Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.064TR / P00013380

Project Limits: IH 45 at IH 69(S)

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Current Fixed Moving Payment Schedule for Texas

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No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

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- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$20,120.94** (42 x \$ **479.07**), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$20,120.94** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



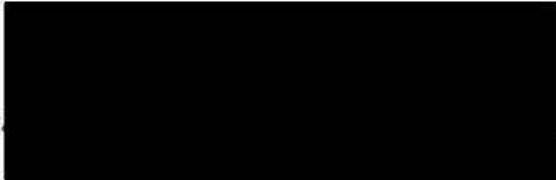
SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_



Date: 1/24/2024

I acknowledge receipt of this notice \_\_\_\_\_



Date: 1-26-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure




## RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 25, 2024

Parcel: 308.064TR / P00013380

County: Harris

Displacee: 

ROW CSJ: 0500-03-608

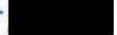

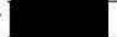
Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

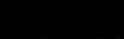
- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

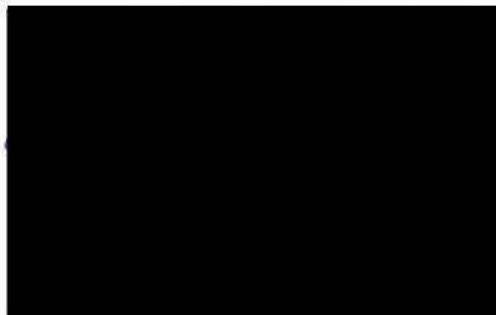
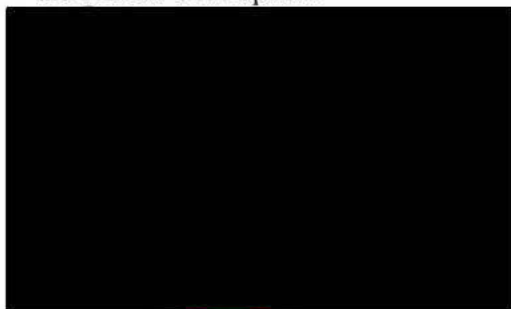
RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

-  (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
-  (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:
  - 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
  - 2) Are in good standing with the landlord.
  - 3) Housing Choice Vouchers are available.
- \_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.
- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
-  (Initial) Decline TxDOT URA Eligibility

 (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.







**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.065TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 19, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.
2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 (Utilities) = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$32,713.80** (42 x \$778.90), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$32,713.80** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_



Date: 1/25/24

I acknowledge receipt of this notice: \_\_\_\_\_



Date: 1-25-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 22, 2024

Parcel: 308.065TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
3. Qualifications for Relocation Assistance
4. Notice of Eligibility
5. Claim for Payment (if applicable)
6. Relocation Payments are nontaxable
7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
9. Rental Assistance Payment (if applicable)
10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- Option 1: Retain Project Based Voucher Assistance by relocating to the new property.
Option 2: Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
2) Are in good standing with the landlord.
3) Housing Choice Vouchers are available.

Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- TxDOT URA Eligibility
Decline TxDOT URA Eligibility

I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 23, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.066TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 19, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**



**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0.00 Utilities = \$1,030.00 (Utilities included in rent)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$37,426.20** (42 x \$891.10), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$37,426.20** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement

property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

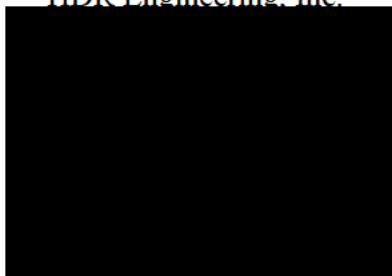
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:  Date: 1-24-2024

I acknowledge receipt of this notice  Date: 1-24-24  
(Resident Signature)

Enclosure:

- Relocation Option Acknowledgment
- Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

Date: January 23, 2024

Parcel: 308.066TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED NAME]

NAVIGATOR SIGNATURE

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 29, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.067TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 29, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
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3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

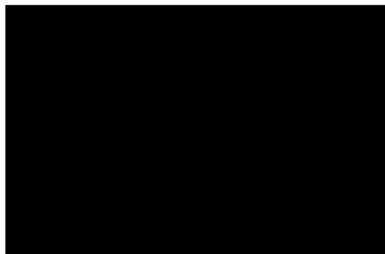
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

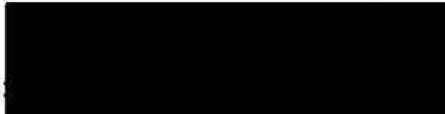
- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date: 1/29/2024

I acknowledge receipt of this notice



(Resident Signature)

Date: 1/29/2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.067TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

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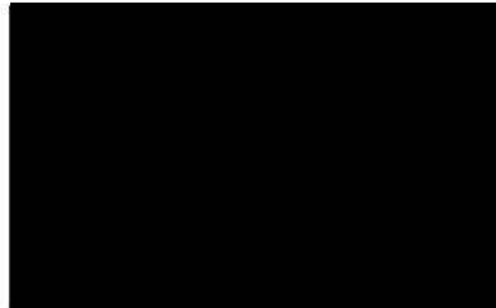
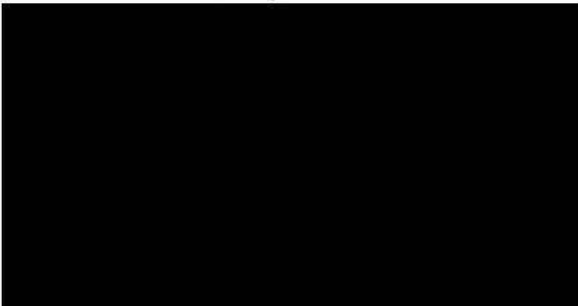
- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.068TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

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- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

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1. a licensed and bonded commercial mover of your choice
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Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

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Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

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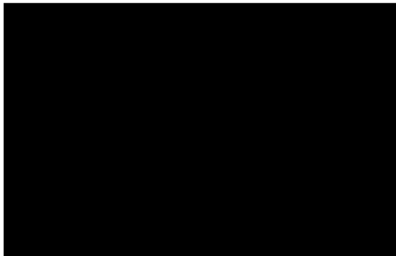
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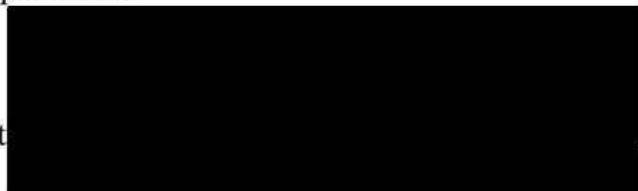
SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/26/2024

I acknowledge receipt of this notice:



(Resident Signature)

Date: 1/26/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.068TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

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[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 29, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.069TR / P00013380

Project Limits: IH 45 at IH 69(S)

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##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$ 755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date: 1/29/2024

I acknowledge receipt of this notice



Date: 1/29/2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 25, 2024

Parcel: 308.069TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

### RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.070TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$ 755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

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**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

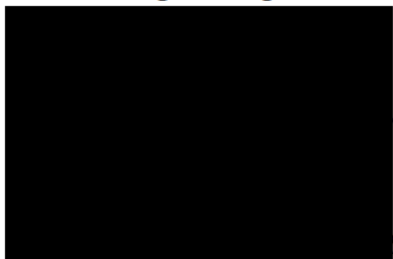
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.




SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager




Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: 

Date: 1/26/2024

I acknowledge receipt of this notice 

(Resident Signature)

Date: 1/26/2024

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January <sup>26</sup> 25, 2024

Parcel: 308.070TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

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\_\_\_\_\_ (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED]  
RELOCATION AGENT SIGNATURE

[REDACTED]  
DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.071TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

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**The relocation assistance to which you are entitled includes:**

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1. a licensed and bonded commercial mover of your choice
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Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

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<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,491.60** (42 x \$ 749.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

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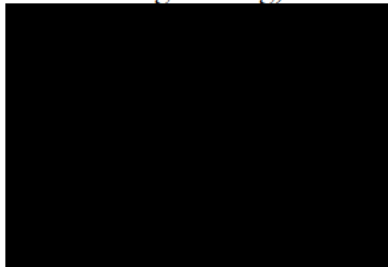
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**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:

[Redacted Signature]

Date: 1/26/20

I acknowledge receipt of this notice

[Redacted Signature]

Date: 1-26-20

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.071TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

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**RESIDENTIAL:**

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[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

NAVIGATOR SIGNATURE

[REDACTED NAME]

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.072TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

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It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

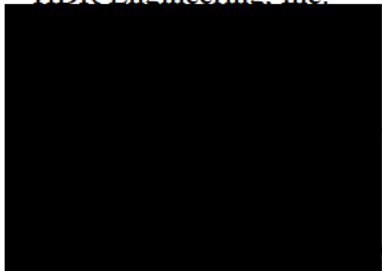
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_



Date: 1/26/24

I acknowledge receipt of this notice: \_\_\_\_\_



Date: 1-26-24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.072TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]

DISPLACEE SIGNATURE

[REDACTED SIGNATURE]

NAVIGATOR SIGNATURE

[REDACTED NAME]

DISPLACEE NAME





**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.074TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

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1. a licensed and bonded commercial mover of your choice
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3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

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<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$ 755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

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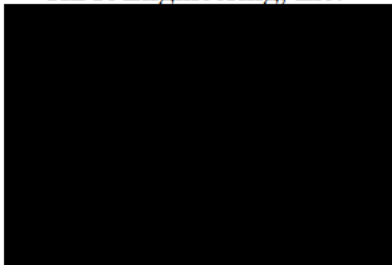
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If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.




SR/WA, R/W-RAC, R/W-NAC


Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: 

Date: 1/26/24

I acknowledge receipt of this notice 

Date: 1-26-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.074TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

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[REDACTED] (Initial) Decline TxDOT URA Eligibility

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[REDACTED SIGNATURE]

RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]

DISPLACEE SIGNATURE

[REDACTED SIGNATURE]

NAVIGATOR SIGNATURE

[REDACTED NAME]

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.075TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

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[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

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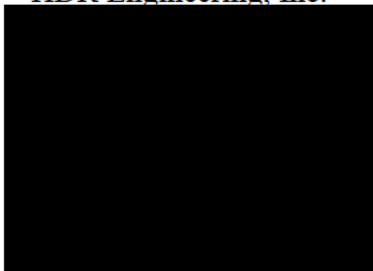
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.




SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:  Date: 1/26/2024

I acknowledge receipt of this notice:  Date: 1-26-24  
(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.075TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]

DISPLACEE SIGNATURE

[REDACTED SIGNATURE]

NAVIGATOR SIGNATURE

[REDACTED NAME]

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.076TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



[REDACTED] SR/WA, R/W-RAC, R/W-NAC  
Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_



Date: 1/26/24

I acknowledge receipt of this notice: \_\_\_\_\_



(Resident Signature)

Date: 1-26-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.076TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]

DISPLACEE SIGNATURE

[REDACTED SIGNATURE]

NAVIGATOR SIGNATURE

[REDACTED NAME]

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.077TR / P00013380

Project Limits: IH 45 to IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 19, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

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  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

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We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

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**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

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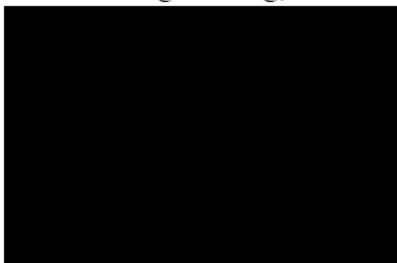
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**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.


Sincerely,  
HDR Engineering, Inc.



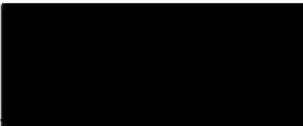
[REDACTED] SR/WA, R/W-RAC, R/W-NAC  
Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: 

Date: 1/24/2024

I acknowledge receipt of this notice: 

(Resident Signature)

Date: 1-24-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 24, 2024

Parcel: 308.077TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

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- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
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- 8. Moving Costs
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[REDACTED] (Initial) Decline TxDOT URA Eligibility

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[REDACTED SIGNATURE]

RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]

DISPLACEE SIGNATURE

[REDACTED SIGNATURE]

NAVIGATOR SIGNATURE

[REDACTED NAME]

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 25, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.078TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

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qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)

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Current Fixed Moving Payment Schedule for Texas

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Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

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- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance prior to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$ 1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:

[Redacted]

Date:

1/25/24

I acknowledge receipt of this notice:

[Redacted]  
(Resident Signature)

Date:

1-25-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 25, 2024

Parcel: 308.078TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]  
RELOCATION AGENT SIGNATURE

[REDACTED SIGNATURE]  
DISPLACEE SIGNATURE

[REDACTED SIGNATURE]  
NAVIGATOR SIGNATURE

[REDACTED NAME]  
DISPLACEE NAME



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 24, 2024

Parcel: 308.080TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

**RESIDENTIAL:**

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- [REDACTED] (Initial) TxDOT URA Eligibility
- [REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

DISPLACEE SIGNATURE

[REDACTED NAME]

[REDACTED NAME]

DISPLACEE NAME



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 24, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.080TR / P00013380

Project Limits: IH 45 at IH 69 (S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 18, 2024.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

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##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing costs are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2, or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 (Utilities included)	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for a down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

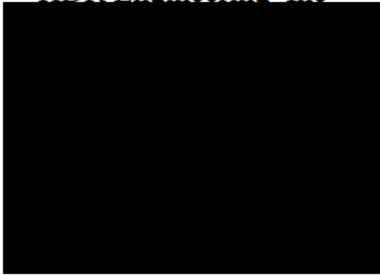
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move, or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 01/24/24

I acknowledge receipt of this notice:



Date: 01/24/24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.



# Section I: Residential Displacees

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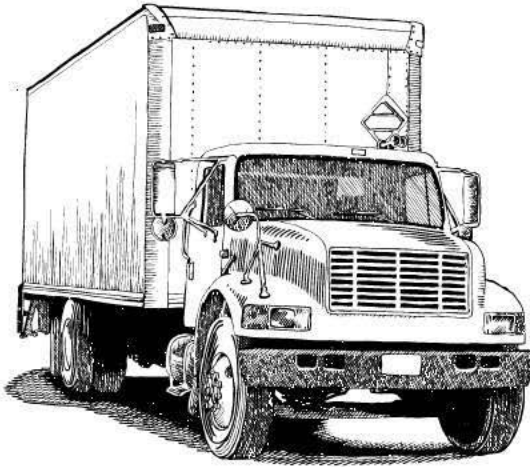
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

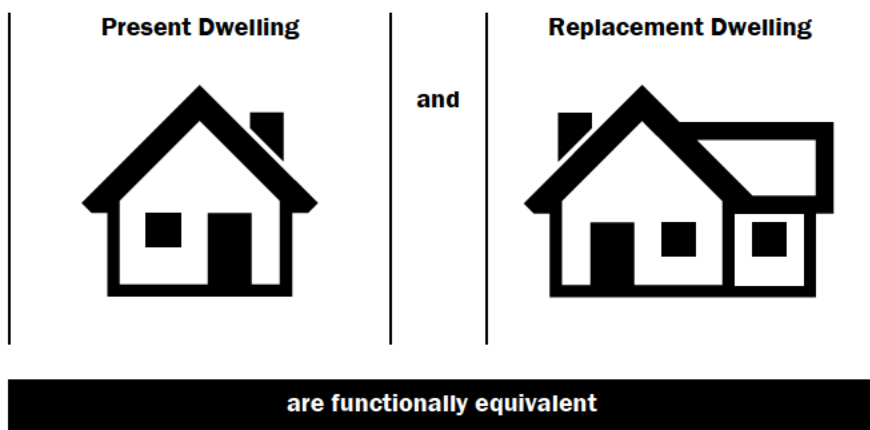
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).



## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

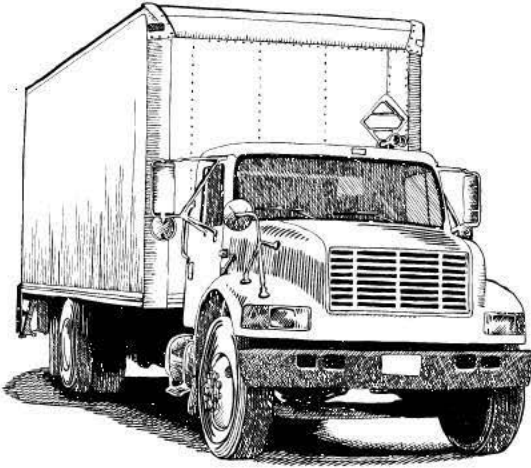
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.



## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.



## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 29, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.082TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 29, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$1,120.14** (42 x \$ 26.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$1,120.14** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.



If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

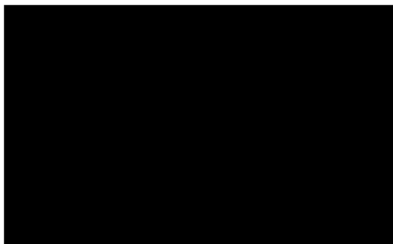
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



SR/WA, R/W-RAC, R/W-NAC

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent:



Date:

*1/29/2024*

I acknowledge receipt of this notice:



Date:

*1-29-24*

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 29, 2024

Parcel: 308.082TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- [REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- [REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

[REDACTED]  
RELOCATION AGENT SIGNATURE

[REDACTED]  
DISPLACEE SIGNATURE

[REDACTED]  
RELOCATION AGENT SIGNATURE

[REDACTED]  
DISPLACEE NAME



December 17, 2019

County: Harris  
ROW CSJ: 0500-03-608  
Parcel: 314AAQ / 315AAQ  
Project Limits: At IH 69 South

Federal Project No.: N/A  
Hwy. No.: IH 45

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED NO. 9414 7116 9900 0139 9097 29



Dear [REDACTED]:

An offer was made by the Texas Department of Transportation on November 19, 2019 to purchase the above-designated property, on which you are located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a relocation assistance payment for moving costs and related expenses as explained in our brochure. This payment, however, is limited to the cost of relocating your displaced personal property and will not include any costs for moving real property. Such payment may include:
  - a. Actual reasonable costs and related expenses in moving and reinstalling your personal property from the real property acquired by the State for highway right of way.
  - b. Actual reasonable and necessary costs involved in reestablishing your business.
  - c. Actual direct losses of tangible personal property in moving or discontinuing an activity.
  - d. Actual reasonable expenses in searching for a replacement location.
  - e. In lieu of the actual moving expenses described in the foregoing statements, you may be eligible for a fixed moving payment based on your annual net earnings.
3. To be eligible for the moving payment, you must provide the Department reasonable advance notice of the approximate date of the start of your move and a list of the items to be moved. Also, you must permit our staff personnel to make reasonable, timely inspections of your personal property at both the displacement and the replacement sites and to monitor your move.

4. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
5. Application for moving payments shall be made in writing on standard forms provided by this Department and the application must be filed with this Department no later than eighteen (18) months after the date you actually move from the State-acquired real property.
6. Any person or entity who is 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.
7. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

Real Estate Services Project Manager  
HDR Engineering, Inc.

Enclosure

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED NO. 9414 7116 9900 0134 0149 16

[REDACTED]



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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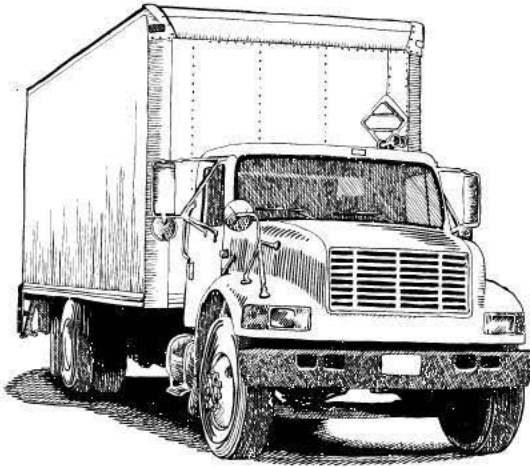
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

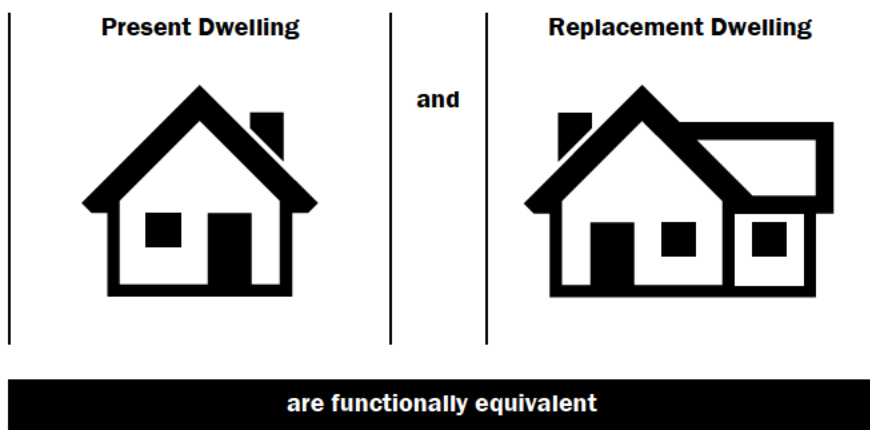
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

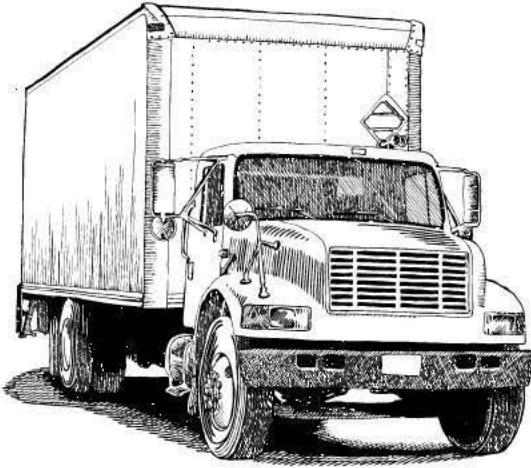
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT  
Clayton Homes**

January 16, 2024

**VIA EMAIL AND CERTIFIED MAIL** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

**RE:** [REDACTED]

Dear [REDACTED]:

On February 16, 2019, the Texas Department of Transportation's (TxDOT) made a written offer to acquire Clayton Homes from the Houston Housing Authority (HHA), as part of the North Houston Highway Improvement Project (NHHIP). It is our understanding you have since moved away from Clayton Homes. This letter is being provided to notify you of another relocation option through TxDOT.

To ensure that you are informed of and provided your rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). TxDOT has hired Trinity Consulting (Trinity) a relocation firm who will work with you to provide advisory services on the relocation options available, as well as additional relocation services which you may be entitled should you elect to utilize the URA eligibility option. These services include identifying a replacement home planning and coordinating your move and completing claim forms.

- This is your Notice of Eligibility for relocation assistance
- The effective date of your eligibility is February 16, 2019.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled, "TXDOT Relocation Assistance". Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do to receive payments.

**The relocation assistance to which you are entitled includes:**







Based upon the income information you provided, rent and utilities at Clayton Homes, you may be eligible for a maximum replacement housing payment of \$58,464.00 (42 x \$1,392.00), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$2,081.00 per month or more, including utilities, **within one year of receipt of this notice**. If your replacement dwelling rents for less than \$2,081.00 per month, the supplement may be reduced reflecting the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation agent before making any kind of commitment to rent a unit.**

We will not base your rental assistance payment on any dwelling that is not comparable, and decent, safe, and sanitary.

4. Down-Payment Assistance

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed \$58,464.00 for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a decent, safe, and sanitary replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling **within one year from receipt of this notice**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass, decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with the determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by TxDOT's Relocation Assistance Review Committee as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by Trinity. Completed claim forms must be submitted **no later than eighteen (18) months after the date you are in receipt of this notice**.

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your Relocation Agent, [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation



payments to which you may be entitled. Also let your Relocation Agent know if you need auxiliary aides, written translation, oral interpretation, or other assistance to fully participate in the relocation process.

This letter is important to you and should be retained.

Sincerely,

[Redacted signature]

Trinity Consulting

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail or email
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_ [Redacted]

Date: 1/17/2024

(Relocation Agent Name Signature)

[Redacted]

(Relocation Agent Print

[Redacted]

I acknowledge receipt of this notice: \_\_\_\_\_

Date: 1/17/2024

(Resident Name Signature)

[Redacted]

(Resident Printed Name)



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT  
Clayton Homes**

January 3, 2024

***VIA EMAIL AND CERTIFIED MAIL #*** [REDACTED]

**RE:** [REDACTED]

Dear [REDACTED]:

On February 16, 2019, the Texas Department of Transportation's (TxDOT) made a written offer to acquire Clayton Homes from the Houston Housing Authority (HHA), as part of the North Houston Highway Improvement Project (NHHIP). We were advised by HHA that your voucher was terminated. We are aware that you are currently utilizing a voucher under the Harris County Housing Authority Choice Voucher Program (HCHA). As a previous occupant of Clayton Homes, this letter is being provided to notify you of another relocation option available to you through TxDOT.

To ensure that you are informed of and provided your rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). TxDOT has hired Trinity Consulting (Trinity), a relocation firm who will work with you to provide advisory services on the relocation options available, as well as additional relocation services which you may be entitled should you elect to utilize the URA eligibility option. These services include identifying a replacement home, planning, and coordinating your move and completing claim forms.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is February 16, 2019.

**(NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled, "TXDOT Relocation Assistance". Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do to receive the payments.



**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services. Including relocation benefits, which includes financial and advisory benefits.
2. Payment for Moving Expenses to move from your current home to another home using this relocation benefit option through TxDOT.

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment schedule for Texas

<b>A. UNFURNISHED UNITS - Occupant owns furniture.</b>					
No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	-
Amount	\$1,600	\$1,750	\$1,900	\$150	-
<b>B. FURNISHED UNITS - Occupant does not own furniture.</b>					
First Room			Each Additional Room		
\$400			\$50		

3. Rental Assistance Payment.

If you qualify and elect to claim your relocation benefits utilizing the TxDOT relocation assistance program in compliance with the URA, the relocation payment will be based one of these factors: (1) the monthly rent and cost of utility services at Clayton Homes, (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR) or (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between the factors 1, 2 or 3 above, as applicable, and the replacement housing costs for a one-month period. You may be eligible for the difference for a period of three and a half years (42 months). Please note that URA assistance is not adjusted to reflect future rent increases.

Listed below is the comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.



<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,400.00 + \$402.00 = \$1,802.00	[REDACTED]

Based upon the information you provided, rent and utilities at Clayton Homes, you may be eligible for a maximum replacement housing payment of \$33,608.40 (42 x \$800.20), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$1,802.00 per month or more, including utilities, **within one year from receipt of this notice**. If your replacement dwelling rents for less than \$1,802.00 per month, the supplement may be reduced reflecting the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation agent before making any kind of commitment to rent a unit other than the unit you may be currently occupying with the Tenant Protection Voucher that was issued by HCHA.**

We will not base your rental assistance payment on any dwelling that is not comparable, decent, safe, and sanitary.

4. Down-Payment Assistance

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed \$33,608.40 for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a decent, safe, and sanitary replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within **one year from receipt of this notice**.

**Please note** that if you accept this relocation benefit option through TxDOT, you would be relinquishing the Tenant Protection Voucher that was issued to you by HCHA.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass, decent, safe, and sanitary inspection by TXDOT.

If you are not satisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by TxDOT's Relocation Assistance Review Committee as explained in the brochure.



Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by Trinity. Completed claim forms must be submitted **no later than eighteen (18) months from the date you are in receipt of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also let your Relocation Agent know if you need auxiliary aides, written translation, oral interpretation, or other assistance to fully participate in the relocation process.

This letter is important to you and should be retained.

Sincerely,

[REDACTED]  
Trinity Consulting

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: [REDACTED]  
\_\_\_\_\_  
(Relocation Agent Name Signature)

Date: 01/03/2024

[REDACTED]  
\_\_\_\_\_  
(Relocation Agent Printed Name)

I acknowledge receipt of this notice: \_\_\_\_\_  
(Resident Name Signature)

Date: 01/03/2024

[REDACTED]  
\_\_\_\_\_  
(Resident Printed Name)



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT  
Clayton Homes**

January 24, 2024

**VIA EMAIL AND CERTIFIED MAIL** [REDACTED]

[REDACTED]

**RE:** [REDACTED]

Dear [REDACTED]:

On February 16, 2019, the Texas Department of Transportation's (TxDOT) made a written offer to acquire Clayton Homes from the Houston Housing Authority (HHA), as part of the North Houston Highway Improvement Project (NHHIP). It is our understanding that you have since moved away from Clayton Homes. This letter is being provided to notify you of another relocation option through TxDOT.

To ensure that you are informed of and provided your rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). TxDOT has hired Trinity Consulting (Trinity) a relocation firm who will work with you to provide advisory services on the relocation options available, as well as additional relocation services which you may be entitled should you elect to utilize the URA eligibility option. These services include identifying a replacement home planning and coordinating your move and completing claim forms.

- This is your Notice of Eligibility for relocation assistance
- The effective date of your eligibility is February 16, 2019.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled, "TXDOT Relocation Assistance". Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do to receive payments.





**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including relocation benefits, which includes financial and advisory benefits.
2. Payment for Moving Expenses

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment schedule for Texas

<b>A. UNFURNISHED UNITS - Occupant owns furniture.</b>					
No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	-
Amount	\$1,600	\$1,750	\$1,900	\$150	-
<b>B. FURNISHED UNITS - Occupant does not own furniture.</b>					
First Room			Each Additional Room		
\$400			\$50		

3. Rental Assistance Payment.

If you qualify and elect to claim your relocation benefits utilizing the TxDOT relocation assistance program in compliance with the URA, the relocation payment will be based one of these factors: (1) the monthly rent and cost of utility services at Clayton Homes, 2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR) or (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between the factors 1, 2 or 3 above, as applicable, and the replacement housing costs for a one-month period. You may be eligible for the difference for a period of three and a half years (42 months). Please note that URA assistance is not adjusted to reflect future rent increases.

Listed below is the comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.



<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,659.00 + \$223.00 (Utilities) = \$1,882.00	[REDACTED]

Based upon the income information you provided, rent and utilities at Clayton Homes, you may be eligible for a maximum replacement housing payment of \$39,157.02 (42 x \$932.31), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$1,882.00 per month or more, including utilities, **within one year of receipt of this notice**. If your replacement dwelling rents for less than \$1,882.00 per month, the supplement may be reduced reflecting the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation agent before making any kind of commitment to rent a unit.**

We will not base your rental assistance payment on any dwelling that is not comparable, and decent, safe, and sanitary.

#### 4. Down-Payment Assistance

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed \$39,157.02 for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a decent, safe, and sanitary replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling **within one year from receipt of this notice**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass, decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with the determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by TxDOT's Relocation Assistance Review Committee as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by Trinity. Completed claim forms must be submitted no later than eighteen (18) months after the date you are in receipt of this notice.



If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your Relocation Agent, [REDACTED]. The relocation team will assist in ensuring that you preserve your eligibility for all relocation payments to which you may be entitled. Also let your Relocation Agent know if you need auxiliary aides, written translation, oral interpretation, or other assistance to fully participate in the relocation process.

This letter is important to you and should be retained.

Sincerely,

[REDACTED]

Trinity Consulting

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail or email
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_  
(Relocation Agent Name Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Relocation Agent Printed Name)

I acknowledge receipt of this notice: \_\_\_\_\_  
(Resident Name Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Resident Printed Name)



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT  
Clayton Homes**

December 29, 2023

***VIA EMAIL AND CERTIFIED MAIL # [REDACTED]***

[REDACTED]  
[REDACTED]  
[REDACTED]

**RE: [REDACTED]**

Dear [REDACTED]:

On February 16, 2019, the Texas Department of Transportation's (TxDOT) made a written offer to acquire Clayton Homes from the Houston Housing Authority (HHA), as part of the North Houston Highway Improvement Project (NHHIP). We were advised by HHA that your voucher was terminated. We are aware that you are currently utilizing a voucher under the Harris County Housing Authority Choice Voucher Program (HCHA). As a previous occupant of Clayton Homes, this letter is being provided to notify you of another relocation option available to you through TxDOT.

To ensure that you are informed of and provided your rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). TxDOT has hired Trinity Consulting (Trinity), a relocation firm who will work with you to provide advisory services on the relocation options available, as well as additional relocation services which you may be entitled should you elect to utilize the URA eligibility option. These services include identifying a replacement home, planning, and coordinating your move and completing claim forms.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is February 16, 2019.

**(NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.)**

Enclosed is a brochure entitled, "TXDOT Relocation Assistance". Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do to receive the payments.



**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services. Including relocation benefits, which includes financial and advisory benefits.
2. Payment for Moving Expenses to move from your current home to another home using this relocation benefit option through TxDOT.

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment schedule for Texas

<b>A. UNFURNISHED UNITS - Occupant owns furniture.</b>					
No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	-
Amount	\$1,600	\$1,750	\$1,900	\$150	-
<b>B. FURNISHED UNITS - Occupant does not own furniture.</b>					
First Room			Each Additional Room		
\$400			\$50		

3. Rental Assistance Payment.

If you qualify and elect to claim your relocation benefits utilizing the TxDOT relocation assistance program in compliance with the URA, the relocation payment will be based one of these factors: (1) the monthly rent and cost of utility services at Clayton Homes, (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR) or (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between the factors 1, 2 or 3 above, as applicable, and the replacement housing costs for a one-month period. You may be eligible for the difference for a period of three and a half years (42 months). Please note that URA assistance is not adjusted to reflect future rent increases.

Listed below is the comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.



Address

[Redacted Address]

Rent & Utility Costs

\$2,000.00 (Includes utilities) = \$2,000.00

Contact Info

[Redacted Contact Info]

Based upon the information you provided, rent and utilities at Clayton Homes, you may be eligible for a maximum replacement housing payment of \$72,609.00 (42 x \$1,728.79), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$2,000.00 per month or more, including utilities, **within one year from receipt of this notice**. If your replacement dwelling rents for less than \$2,000.00 per month, the supplement may be reduced reflecting the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation agent before making any kind of commitment to rent a unit other than the unit you may be currently occupying with the Tenant Protection Voucher that was issued by HCHA.**

We will not base your rental assistance payment on any dwelling that is not comparable, decent, safe, and sanitary.

4. Down-Payment Assistance

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed \$72,609.00 for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a decent, safe, and sanitary replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within **one year from receipt of this notice**.

**Please note** that if you accept this relocation benefit option through TxDOT, you would be relinquishing the Tenant Protection Voucher that was issued to you by HCHA.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass, decent, safe, and sanitary inspection by TXDOT.

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If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also let your Relocation Agent know if you need auxiliary aides, written translation, oral interpretation, or other assistance to fully participate in the relocation process.

This letter is important to you and should be retained.

Sincerely,

[REDACTED]

Trinity Consulting

Method of Delivery check all that apply:

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- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_  
(Relocation Agent Name Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Relocation Agent Print Name)

I acknowledge receipt of this notice: \_\_\_\_\_

Date: 12/29/2023

(Resident Name Signature)

(Resident Printed Name)



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT  
Clayton Homes**

January 24, 2024

***VIA EMAIL AND CERTIFIED MAIL #*** [REDACTED]

[REDACTED]

**RE:** [REDACTED]

Dear [REDACTED]:

On February 16, 2019, the Texas Department of Transportation's (TxDOT) made a written offer to acquire Clayton Homes from the Houston Housing Authority (HHA), as part of the North Houston Highway Improvement Project (NHHIP). As an occupant of Clayton Homes, you were offered a Tenant Protection Voucher by HHA, and you have utilized that voucher to move from Clayton Homes to another place of residence. This letter is being provided to notify you of another relocation option available to you through TxDOT.

To ensure that you are informed of and provided your rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). TxDOT has hired Trinity Consulting (Trinity), a relocation firm who will work with you to provide advisory services on the relocation options available, as well as additional relocation services which you may be entitled should you elect to utilize the URA eligibility option. These services include identifying a replacement home, planning and coordinating your move and completing claim forms.

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4. or a combination of the above

Current Fixed Moving Payment schedule for Texas

<b>A. UNFURNISHED UNITS - Occupant owns furniture.</b>					
No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	-
Amount	\$1,600	\$1,750	\$1,900	\$150	-
<b>B. FURNISHED UNITS - Occupant does not own furniture.</b>					
First Room			Each Additional Room		
\$400			\$50		

3. Rental Assistance Payment.

If you qualify and elect to claim your relocation benefits utilizing the TxDOT relocation assistance program in compliance with the URA, the relocation payment will be based one of these factors: (1) the monthly rent and cost of utility services at Clayton Homes, (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR) or (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between the factors 1, 2 or 3 above, as applicable, and the replacement housing costs for a one-month period. You may be eligible for the difference for a period of three and a half years (42 months). Please note that URA assistance is not adjusted to reflect future rent increases.

Listed below is the comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.



Address

[REDACTED]

Rent & Utility Costs

\$2,200.00 + \$446.00  
(Utilities) = \$2,646.00

Contact Info

[REDACTED]

Based upon the information you provided, rent and utilities at Clayton Homes, you may be eligible for a maximum replacement housing payment of \$34,888.14 (42 x \$830.67), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$2,646.00 per month or more, including utilities, **within one year from receipt of this notice**. If your replacement dwelling rents for less than \$2,646.00 per month, the supplement may be reduced reflecting the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation agent before making any kind of commitment to rent a unit other than the unit you may be currently occupying with the Tenant Protection Voucher that was issued by HHA.**

We will not base your rental assistance payment on any dwelling that is not comparable, decent, safe and sanitary.

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**Please note** that all replacement housing must be inspected to ensure it is decent, safe and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass, decent, safe and sanitary inspection by TxDOT.

If you are not satisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by TxDOT's Relocation Assistance Review Committee as explained in the brochure.



Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by Trinity. Completed claim forms must be submitted **no later than eighteen (18) months from the date you are in receipt of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact Relocation agent, [REDACTED]. The relocation team will assist in ensuring that you preserve your eligibility for all relocation payments to which you may be entitled. Also let your Relocation Agent know if you need auxiliary aides, written translation, oral interpretation, or other assistance to fully participate in the relocation process.

This letter is important to you and should be retained.

Sincerely,

[REDACTED]

Trinity Consulting

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_  
(Relocation Agent Name Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Relocation Agent Printed Name)

I acknowledge receipt of this notice: \_\_\_\_\_  
(Resident Name Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Resident Printed Name)



Member of the SNC-Lavalin Group



**CONSULTANT TO THE TEXAS DEPARTMENT OF TRANSPORTATION**

Date: June 6, 2023

County: Harris

ROW CSJ: 0500-08-002

Parcel ID / No.: P00013837 / 606

Project Limits: At IH 69 North and IH 10 East, From Meadow St. to Waco St.

Federal Project No.: N/A

Hwy. No.: NHHIP IH 45

**VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED:**



Dear Property Owner:

An offer was made by the Texas Department of Transportation on June 1, 2023 to purchase the above-designated property, on which your personal property is located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
3. Application for relocation assistance payments must be made in writing on standard forms provided by this Department and must be filed with this Department no later than eighteen (18) months after the date you actually move from this parcel.
4. Any person or entity who is 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.

5. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or at [REDACTED]

Sincerely,

[REDACTED]

\_\_\_\_\_

[REDACTED]

Enclosure

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
		10.20 Total

Total Postage & F

Sent To

Street, Apt. No.;  
or PO Box No.  
City, State, ZIP+4

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



2. Article Number (Transfer from service label)



**COMPLETE THIS SECTION ON DELIVERY**



D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery



# **RELOCATION ASSISTANCE**

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Right of Way Division





July 18, 2023

County: Harris  
ROW CSJ: 0500-08-002  
Parcel: 607.001 / P00013838  
Project Limits: IH 69 (N) to IH 10 (E)

Federal Project No.: N/A  
Hwy. No.: IH 45

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO.: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO.: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear Property Owner:

An offer was made by the Texas Department of Transportation on July 17, 2023 to purchase the above-designated property, on which your personal property is located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a relocation assistance payment for moving costs and related expenses as explained in our brochure. This payment, however, is limited to the cost of relocating your displaced personal property and will not include any costs for moving real property. Such payment may include:
  - a. Actual reasonable costs and related expenses in moving and reinstalling your personal property from the real property acquired by the State for highway right of way.
  - b. Actual reasonable and necessary costs involved in reestablishing your business.
  - c. Actual direct losses of tangible personal property in moving or discontinuing an activity.
  - d. Actual reasonable expenses in searching for a replacement location.
  - e. In lieu of the actual moving expenses described in the foregoing statements, you may be eligible for a fixed moving payment based on your annual net earnings.
3. To be eligible for the moving payment, you must provide the Department reasonable advance notice of the approximate date of the start of your move and a list of the items to be moved. Also, you must permit our

staff personnel to make reasonable, timely inspections of your personal property at both the displacement and the replacement sites and to monitor your move.

4. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
5. Application for moving payments shall be made in writing on standard forms provided by this Department and the application must be filed with this Department no later than eighteen (18) months after the date you actually move from the State-acquired real property.
6. Any person or entity who is 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.
7. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely

[REDACTED]  
Right of Way Project Manager

Enclosure(s):

Acknowledgment of Preferred Language  
TxDOT Relocation Assistance Brochure  
Certification of Eligibility  
Relocation Advisory Assistance – Parcel Record  
Displacee Move Plan  
Relocation Survey with Return Envelope HDR Initial  
Interview –Personal Property Only

**ACKNOWLEDGMENT OF PREFERRED LANGUAGE**

County: Harris

District: Houston

Federal Project No.: N/A

Parcel ID: 607.001 / P00013838

ROW CSJ No.: 0500-08-002

Highway: IH 45

My preferred language for speaking is: \_\_\_\_\_.

My preferred language for written communication is: \_\_\_\_\_.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_



# **RELOCATION ASSISTANCE**

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Right of Way Division

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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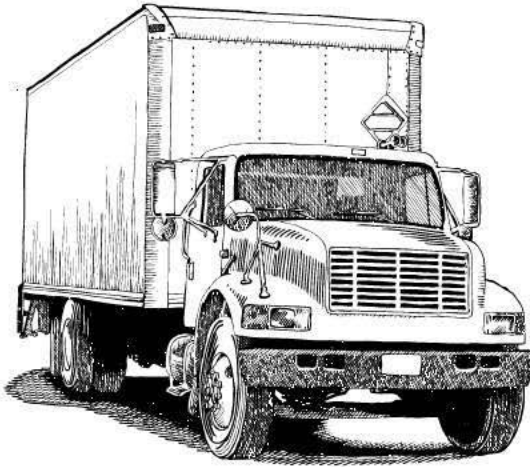
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

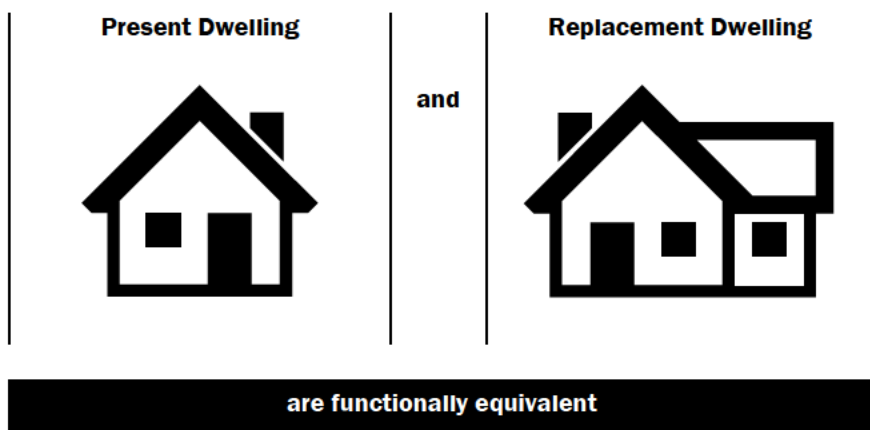
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

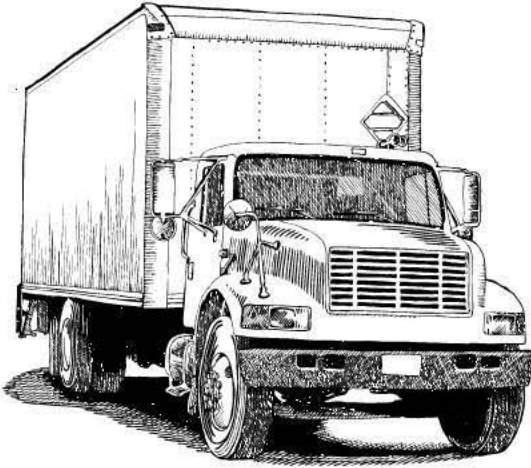
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at  
200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

## CERTIFICATION OF ELIGIBILITY

ROW CSJ: 0500-08-002

Parcel ID: 607.001 / P00013838

Displacee: XXXXXXXXXX

### **Individuals, Families and Unincorporated Businesses or Farming Operations**

I certify that myself and any other party(ies) with a financial interest in this relocation assistance claim are either:

Citizens or Nationals of the United States

**or**

Aliens lawfully present in the United States

\* If an Alien lawfully present in the United States, supporting documentation will be required.

\_\_\_\_\_  
Claimant Date:

\_\_\_\_\_  
Claimant Date:

### **Incorporated Business, Farm or Nonprofit Organizations**

I certify that I have signature authority for this entity and such entity is lawfully incorporated under the applicable state's laws and authorized to conduct business within the United States.

\_\_\_\_\_  
Claimant Date:



Relocation Agent Use Only (continued)			
Date of Occupancy:	Date Required to Move:	Actual Date of Move:	Distance of Move:
Date Notified of Availability of Relocation Payments and Assistance (Services):			
Date Displacee Offered Assistance in Locating Replacement Housing or Operating Facility:			
Name of Other Agencies Assisting in Relocation:			
Date of 90 day notice:		Method used to verify certificate of eligibility:	
Date of 30 day notice:		Date of initiation of negotiations:	
Method used to verify income:		Translator needed? <input type="checkbox"/> Yes <input type="checkbox"/> No: Language of displacee:	
Date and Substance of Follow-up Contacts (Use extra pages if necessary):			



## Displacee Move Plan

Displacee's Name: <span style="background-color: black; color: black;">[REDACTED]</span>	ROW CSJ: 0500-08-002	Parcel No: 607.001 / P00013838
Displacement Address:	<input type="checkbox"/> Own                      Square Footage: <input type="checkbox"/> Rent                        Lease Amount: \$	
Replacement Address:	Special moving equipment needed: <input type="checkbox"/> Pallet Jack <input type="checkbox"/> Crane <input type="checkbox"/> Forklift <input type="checkbox"/> Other <input type="checkbox"/> Flatbed	
Distance of move:	Date move to begin:	
Time needed for move:	Storage required:	
Special utility requirements for replacement site:	Hazardous or Regulated materials to be moved:	
Zoning considerations:	Regulatory issues:	
Permits needed:	Contractors needed: <input type="checkbox"/> Electrician <input type="checkbox"/> Plumber <input type="checkbox"/> Equipment Technician <input type="checkbox"/> Security System Technician <input type="checkbox"/> Other	
Date of personal property inventory (attached):	Date of merchandise for resale inventory (attached):	
Other special requirements (attach additional sheets if necessary):		
Displacee's Signature: _____ Displacee's Name (printed): _____ Displacee's Title/Position: _____ Relocation Agent's Signature: _____		

The Texas Department of Transportation maintains the information collected through this form. With few exceptions, you are entitled on request to be informed about the information that we collect about you. Under Sections 552.021 and 552.023 of the Government Code, you also are entitled to receive and review this information. Under Section 559.004 of the Government Code, you are also entitled to have us correct information about you that is incorrect.



RELOCATION ASSISTANCE SERVICES SURVEY

ROWCSJNumber: 0500-08-002

Parcel Number: 607.001 / P00013838

Displacee Name: [REDACTED]

The Texas Department of Transportation is constantly monitoring the effectiveness of its relocation assistance program. Your feedback is an important part of evaluating these services. After you have completed your move please take a few minutes to complete this evaluation and return it to TxDOT.

Table with 7 columns: Question, Excellent, Good, Average, Below Average, Poor, Not Applicable. Contains 8 rows of survey questions and ratings.

Comments:

Four horizontal lines for entering comments.

Please return completed surveys to: Right of Way Division Texas Department of Transportation 125 E. 11th St. Austin, TX 78701-9909

Contact/Help



INITIAL INTERVIEW – PERSONAL PROPERTY ONLY

PARCEL NUMBER \_\_\_\_\_

DATE \_\_\_\_\_

I. GENERAL INFORMATION

Name \_\_\_\_\_

Property Address \_\_\_\_\_

Mailing Address (if different from above) \_\_\_\_\_

Phone #(s) (Mobile) \_\_\_\_\_ (Business) \_\_\_\_\_ Fax \_\_\_\_\_

Contact Person \_\_\_\_\_ Relationship \_\_\_\_\_

Email \_\_\_\_\_

OCCUPANCY STATUS

OCCUPANCY TYPE

BUSINESS TYPE

↑

Owns Building

↑  Business

Retail

↑  Owns Land

Residence

Wholesale

↑  Rents Building / Space

Individual(s)

Service

↑  Rents Land

↑

↑

Rental

↑

↑

Construction

↑

Other \_\_\_\_\_

FEI or SS # \_\_\_\_\_

Business Activity \_\_\_\_\_

Date first occupied property \_\_\_\_\_

Current Rent \$ \_\_\_\_\_ Current lease terms \_\_\_\_\_

Lease Requested \_\_\_\_\_ Lease Provided \_\_\_\_\_

Services included in rent (utilities, janitorial, etc.) \_\_\_\_\_

II. INFORMATION RELATED TO REPLACEMENT SITE

Needs for replacement site:

Location \_\_\_\_\_

Zoning \_\_\_\_\_

Special Site/ Equipment Needs \_\_\_\_\_

Purchase/Rental Price Range \_\_\_\_\_

Other \_\_\_\_\_



**III. MOVING REQUIREMENTS**

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Special Moving Requirements/Issues (e.g., hazardous material, moving permits) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is there a need to hire someone to?

↑ assist in planning the move \_\_\_\_\_

↑ assist with the actual move \_\_\_\_\_

↑ reinstall machinery or other personal property \_\_\_\_\_

Estimate how long to vacate the property \_\_\_\_\_

Will you require advance moving payments for the move (instead of reimbursement)? \_\_\_\_\_

**IV. NOTICES AND EXPLANATION OF BENEFITS**

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My agent has discussed with me:

↑  Certification of Eligibility

90 Day Notice

↑  30 Day Notice

Right of Appeal

Actual Cost Move

Actual Cost Self-Move

↑  Payment Schedule (if applicable)

Time for Filing Claims (18 Months from Move Date)

↑  
Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
INTERVIEWEE (Printed Name & Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
ACQUISITION/RELOCATION AGENT

\_\_\_\_\_  
Date



October 24, 2023

County: Harris  
ROW CSJ: 0500-08-002  
Parcel ID: 607.002TR / P00013838  
Project Limits: IH 45 at IH 69 (S)

Federal Project: NHHIP  
Hwy. No.: IH 45

BY CERTIFIED MAIL RETURN RECEIPT REQUESTED NO.: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on July 17, 2023, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$34,776.00** to rent a replacement home that costs **\$1,948.00** per month or more including utilities. This supplement has been based on the cost to rent a 7-room, 4-bedroom, 2-bathroom replacement single family home located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,948.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,948.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED].
4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$34,776.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of



benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.

5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or by email at [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between 8 a.m. and 5 p.m. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]  
Right of Way Project Manager

Enclosure:  
Acknowledgment of Preferred Language  
Acknowledgment of Explanation of Entitlement  
Relocation Assistance Brochure



Member of the SNC-Lavalin Group



**CONSULTANT TO THE TEXAS DEPARTMENT OF TRANSPORTATION**

June 8, 2023

County: Harris  
ROW CSJ: 0500-08-002  
Parcel ID / No.: P00013850 / 619  
Project Limits: At IH 69 North and IH 10 East, From Meadow St. to Waco St.

Federal Project No.: N/A  
Hwy. No.: NHHIP IH 45

**VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED:**



Dear [Redacted]:

An offer was made by the Texas Department of Transportation on June 8, 2023 to purchase the above-designated property, on which you are located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a relocation assistance payment for moving costs and related expenses as explained in our brochure. This payment, however, is limited to the cost of relocating your displaced personal property and will not include any costs for moving real property. Such payment may include:
  - a. Actual reasonable costs and related expenses in moving and reinstalling your personal property from the real property acquired by the State for highway right of way.
  - b. Actual reasonable and necessary costs involved in reestablishing your business.
  - c. Actual direct losses of tangible personal property in moving or discontinuing an activity.
  - d. Actual reasonable expenses in searching for a replacement location.
  - e. In lieu of the actual moving expenses described in the foregoing statements, you may be eligible for a fixed moving payment based on your annual net earnings.

3. To be eligible for the moving payment, you must provide the Department reasonable advance notice of the approximate date of the start of your move and a list of the items to be moved. Also, you must permit our staff personnel to make reasonable, timely inspections of your personal property at both the displacement and the replacement sites and to monitor your move.
4. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
5. Application for moving payments shall be made in writing on standard forms provided by this Department and the application must be filed with this Department no later than eighteen (18) months after the date you actually move from the State-acquired real property.
6. Any person or entity who is 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.
7. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or at [REDACTED].

Sincerely,

[REDACTED]

[REDACTED]

Enclosure





# **RELOCATION ASSISTANCE**

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Right of Way Division

IH 45 NHHIP  
 0500-08-002  
 P00013850  
 Parcel 619  
 IOL & 90 Day Letter

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
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Tampa, FL 33610

**OFFICIAL USE**

Postage	\$12.00
Certified Fee	\$3.00
Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
<b>Total Postage &amp; Fees</b>	<b>\$15.00</b>

Postmark Here: JUN 08 2023

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: [Redacted]		B. Received by (Printed Name) [Redacted]	
2. Article Number (Transfer from service label) [Redacted]		C. Date of Delivery 6-7-11	
3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Mail <input type="checkbox"/> Mail Restricted Delivery		<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No			

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

IH 45 NHHIP: 0500-08-002

PARCEL# 619-2

LETTER: 90 Day Ltr.

DATE: 8/24/23

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

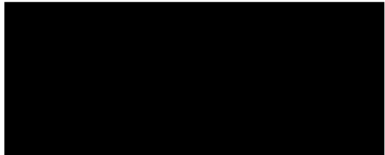
**OFFICIAL USE**

Certified Mail Fee	\$	
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	
<input checked="" type="checkbox"/> Return Receipt (electronic)	\$	10.69
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$	
Total Postage and Fees	\$	
Sent To	[Redacted]	
Street and Apt. No., or PO Box	[Redacted]	
City, State, ZIP+4®	[Redacted]	

PS Form 3800, April 2015 See Reverse for Instructions



Member of the SNC-Lavalin Group




**CONSULTANT TO THE TEXAS DEPARTMENT OF TRANSPORTATION**

Date: August 24, 2023

County: Harris  
ROW CSJ: 0500-08-002  
Parcel ID: P00013850 (619)  
Project Limits: From IH 69 North To IH 10 East

Federal Project No.: NHHIP  
Hwy. No.: IH-45


VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED: 



Dear :

An offer was made by the Texas Department of Transportation on June 8, 2023, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$17,262.00** to rent a replacement home that costs **\$1,611.00 per month** or more, including utilities in the cost of the rent. This supplement has been based on the cost to rent a 4-room, 2-bedroom replacement home located at . You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$1,611.00 per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than \$1,611.00 per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed \$17,262.00 for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid any possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. In order to be eligible for a supplemental housing payment, you must continue to reside on this property until the Department has acquired the property. The Department will notify you when this has occurred.
6. Additionally, for you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
7. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or [REDACTED].

Sincerely,

[REDACTED]

[REDACTED]

Enclosure



Member of the SNC-Lavalin Group



**CONSULTANT TO THE TEXAS DEPARTMENT OF TRANSPORTATION**

Date: September 18, 2023

County: Harris  
ROW CSJ: 0500-08-002  
Parcel ID: P00013852 / Parcel 621-1  
Project Limits: From IH 69 North To IH 10 East

Federal Project No.: NHHIP  
Hwy. No.: IH 45



VIA: HAND DELIVERY



Dear

An offer was made by the Texas Department of Transportation on June 29, 2023 to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "Relocation Assistance." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of \$64,713.60 to rent a replacement home that costs \$1,821.00 per month or more including utilities. This supplement has been based on the cost to rent a five-room, three bedroom replacement located at . You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$1,821.00 per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than \$1,821.00 per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty

hour. Two such dwellings are presently available for rent at [REDACTED]  
[REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed \$64,713.60 for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To ensure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact

Sincerely,

[REDACTED]

[REDACTED]

Enclosure: Relocation Brochure



Member of the SNC-Lavalin Group

**CONSULTANT TO THE TEXAS DEPARTMENT OF TRANSPORTATION**

September 12, 2023

County: Harris  
ROW CSJ: 0500-08-002  
Parcel ID: P00013852 / Parcel 621-2  
Project Limits: From IH 69 North To IH 10 East

Federal Project No.: NHHIP  
Hwy. No.: IH-45

VIA HAND DELIVERED TO:

Dear

An offer was made by the Texas Department of Transportation on June 29, 2023, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of \$53,589.06 to rent a replacement home that costs \$1,821.00 per month or more including utilities. This supplement has been based on the cost to rent a five-room, three bedroom replacement located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$1,821.00 per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than \$1,821.00 per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty



\_\_\_\_\_  
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hour. Two such dwellings are presently available for rent at \_\_\_\_\_  
\_\_\_\_\_ in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed \$53,589.06 for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To ensure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact \_\_\_\_\_

Sincerely,

\_\_\_\_\_  
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\_\_\_\_\_

Enclosure: Relocation Brochure

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\_\_\_\_\_  
\_\_\_\_\_

**SENDER: COMPLETE THIS SECTION**

**COMPLETE THIS SECTION ON DELIVERY**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

[Redacted]

Date of Delivery

10/6/23

1. Article Addressed to:

[Redacted]

2. Is delivery address different from item 1?  
If YES, enter delivery address below:

- Yes
- No

[Redacted]

3. Service Type

Certified Mail®

[Redacted]

U.S. Postal Service  
Certified Mail Receipt

[Redacted]

ARTICLE ADDRESS TO:

[Redacted]

**FEEES**

Postage per piece	\$1.830
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$9.730</b>



Postmark  
Here

1H-45 (Ap+) 1103-010B-90 Day Letter

CERTIFIED MAIL

CERTIFIED MAIL

062S0014950440



\$9.730  
US POSTAGE  
FIRST-CLASS  
FROM 75703  
09/28/2023  
stamps  
endicia

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below.

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

3. Service Type

Certified Mail

Domestic Return Receipt

PS Form 3811 Facsimile, July 2015 (SDC 3830)

CERTIFIED MAIL

stamps.com

\* 1-UP Laser Form \*  
\*\* USA CMF - 134 02/22 \*

Stateside  
Right of Way Services



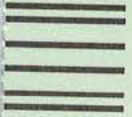
PEEL

TAPE SLOWLY — PRESS  
GIVE FIRMLY AGAINST ANY  
SMOOTH DRY CLEAN SURFACE.

USPS TRACKING #

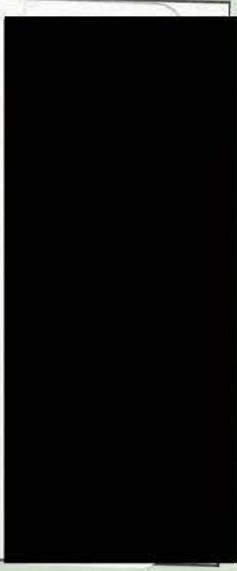


First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



UNITED STATES  
POSTAL SERVICE

111-45 (Apartment)  
1103.0103  
90 Day  
mailed



PS Form 3811 Facsimile, July 2015 (SBC 2320)



September 28, 2023

[REDACTED]

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 / 1103.01OB  
Project Limits: From IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

Houston Portfolio 180, LLC, a Texas limited liability company  
Attn: [REDACTED]

[REDACTED]

**BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. [REDACTED]**

**Re: Property Located at [REDACTED]**

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on September 12, 2023, to purchase the above-designated property, on which you are located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a relocation assistance payment for moving costs and related expenses as explained in our brochure. This payment, however, is limited to the cost of relocating your displaced personal property and will not include any costs for moving real property. Such payment may include:
  - a. Actual reasonable costs and related expenses in moving and reinstalling your personal property from the real property acquired by the State for highway right of way.
  - b. Actual reasonable and necessary costs involved in reestablishing your business.
  - c. Actual direct losses of tangible personal property in moving or discontinuing an activity.
  - d. Actual reasonable expenses in searching for a replacement location.
  - e. In lieu of the actual moving expenses described in the foregoing statements, you may be eligible for a fixed moving payment based on your annual net earnings.

3. To be eligible for the moving payment, you must provide the Department reasonable advance notice of the approximate date of the start of your move and a list of the items to be moved. Also, you must permit our staff personnel to make reasonable, timely inspections of your personal property at both the displacement and the replacement sites and to monitor your move.
4. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
5. Application for moving payments shall be made in writing on standard forms provided by this Department and the application must be filed with this Department no later than eighteen (18) months after the date you actually move from the State-acquired real property.
6. Any person or entity who is 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.
7. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between **8 a.m.** and **8 p.m.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

Enclosures:  
TxDOT Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division



# Table of Contents

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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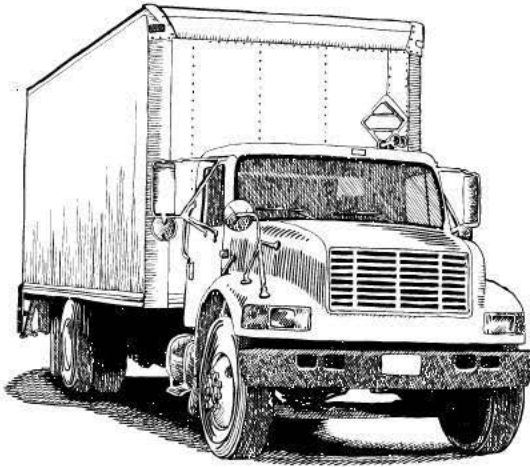
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

## **Replacement Housing Payments**

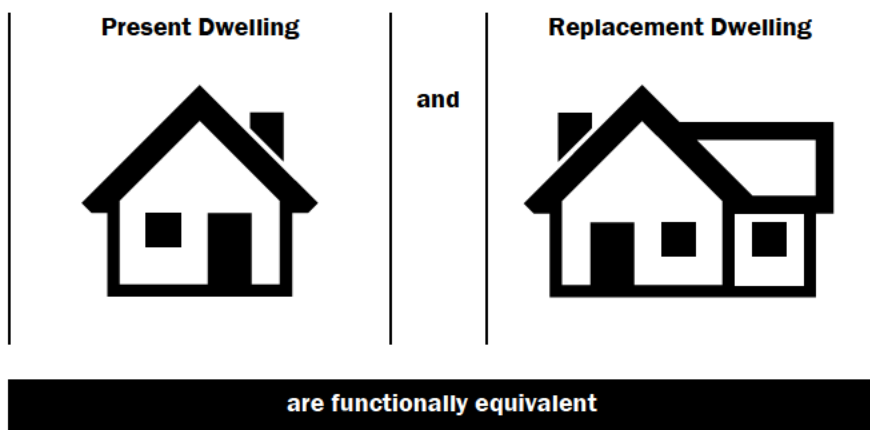
Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.



## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

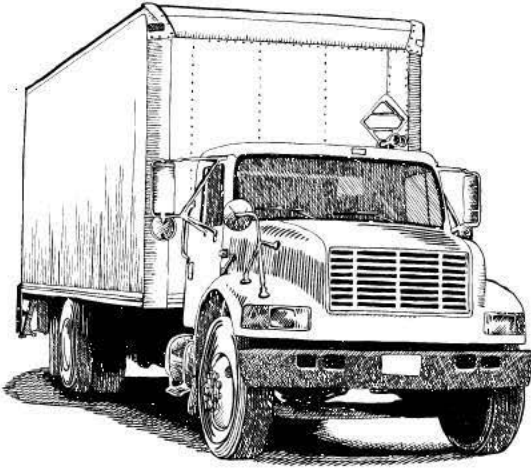
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**



## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.



## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





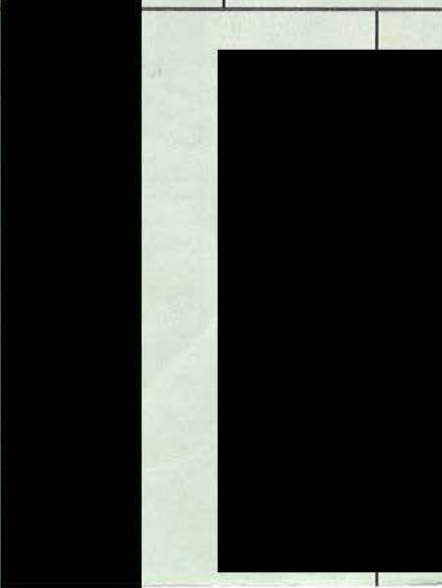
## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

**SENDER: COMPLETE THIS SECTION**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  
If YES, enter delivery address below:  Yes  No

3. Service Type

Certified Mail®

U.S. Postal Service  
Certified Mail Receipt



**FEEES**

Postage per piece	\$1.830
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$9.730</b>

ARTICLE ADDRESS TO:

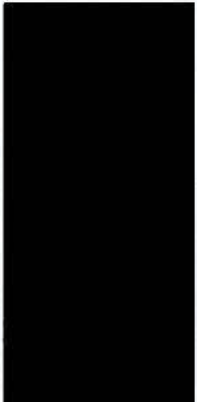


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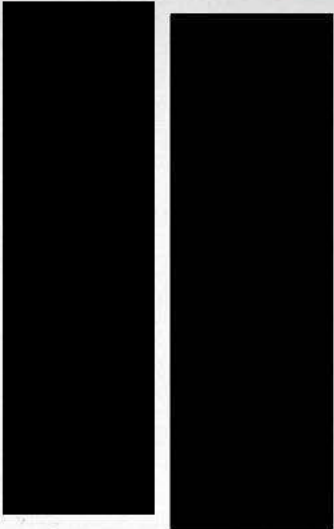
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CERTIFIED MAIL



CERTIFIED MAIL

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**SENDER: COMPLETE THIS SECTION**

■ Ensure items 1, 2, and 3 are completed.  
■ Attach this card to the back of the mailpiece, or on the front if space permits.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )  
**X**

B. Received By: (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail®

Domestic Return Receipt

CERTIFIED MAIL

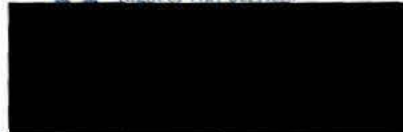
stamps.com

★ 1-UP Laser Form ★  
★ USA CMF - 134 08/22 ★

PS Form 3811 Facsimile, July 2015 (SDC 3950)



**Stateside**  
Right of Way Services

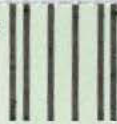


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TAPE SLOWLY — PRESS  
TENSIVE FIRMLY AGAINST ANY  
SMOOTH DRY CLEAN SURFACE.

USPS TRACKING #

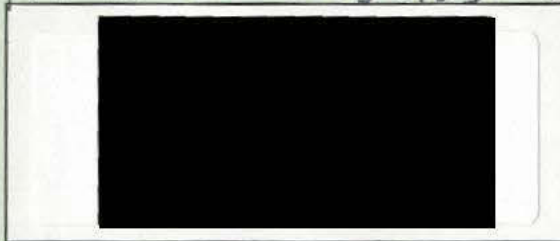


First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No.G-10

UNITED STATES  
POSTAL SERVICE

PS Form 3811 Facsimile, July 2015 (SDC 3930) 002

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NOE





# Stateside

Right of Way Services



Date: December 12, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.03TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re: Property Located at** [REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance.*" We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$31,386.60** to rent a replacement home that costs **\$1,672.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,672.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,672.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED], in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$31,386.60** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]  
Project Manager/Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

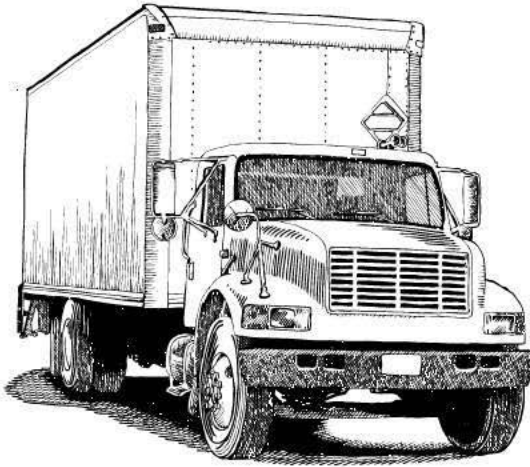
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

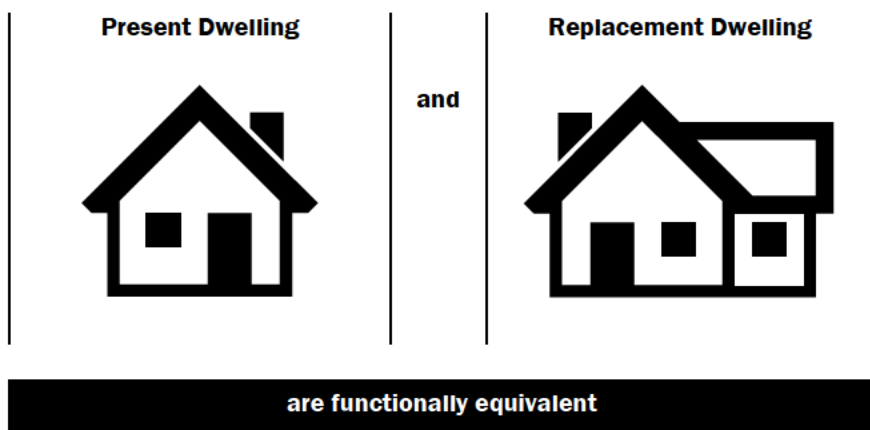
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

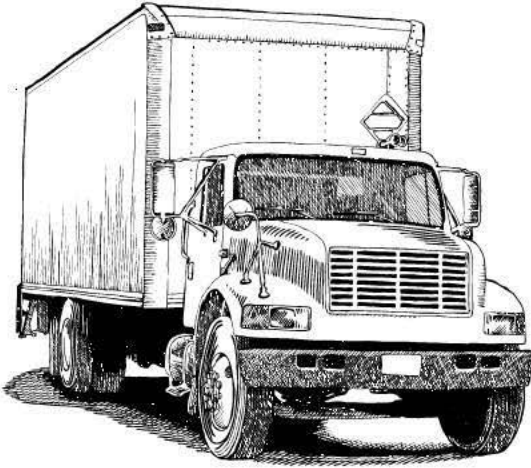
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

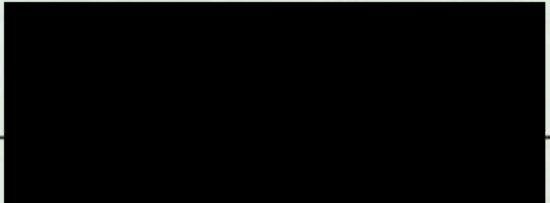
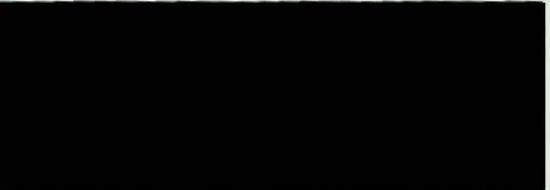
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**CERTIFIED MAIL**

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- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**



**COMPLETE THIS SECTION ON DELIVERY**

**A. Signature:** (  Addressee or  Agent )

X

**B. Received By:** (Printed Name)

**C. Date of Delivery**

**D. Is delivery address different from item 1?**  Yes  
If YES, enter delivery address below:  No

**3. Service Type**

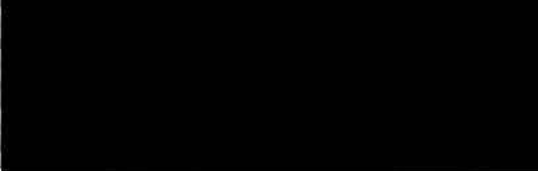
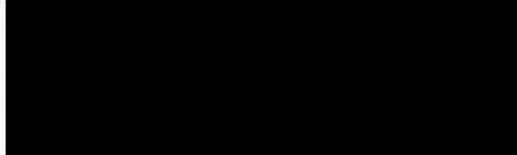
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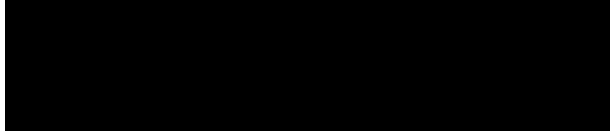
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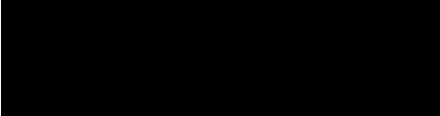
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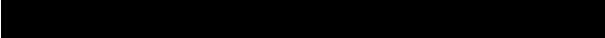
Date: January 22, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.04TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45






**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.** 

**Re: Property Located at** 

Dear 

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$27,636.00** to rent a replacement home that costs **\$1,633.00** per month or more including utilities. This supplement has been based on the cost to rent a six-room, three-bedroom replacement multi-family unit located at   
. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,633.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,633.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at   
in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$27,636.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] at [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

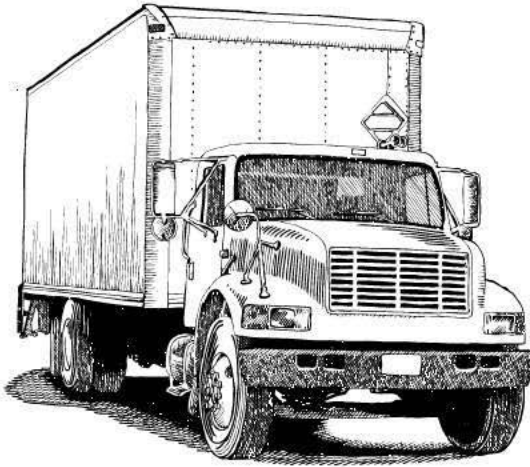
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

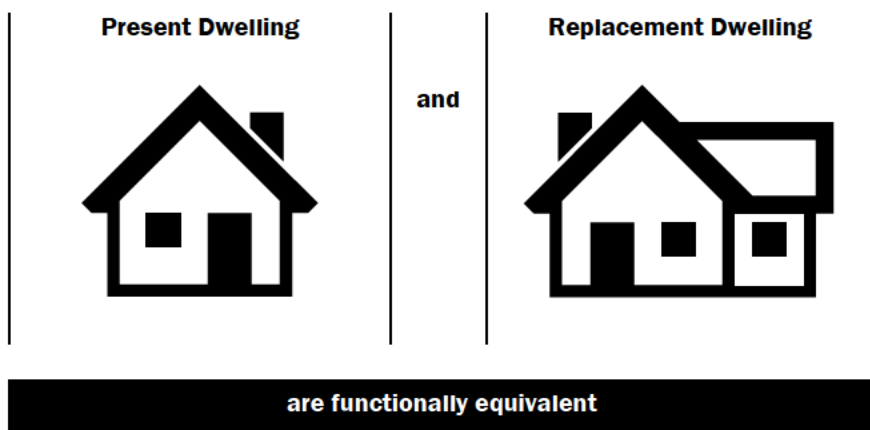
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

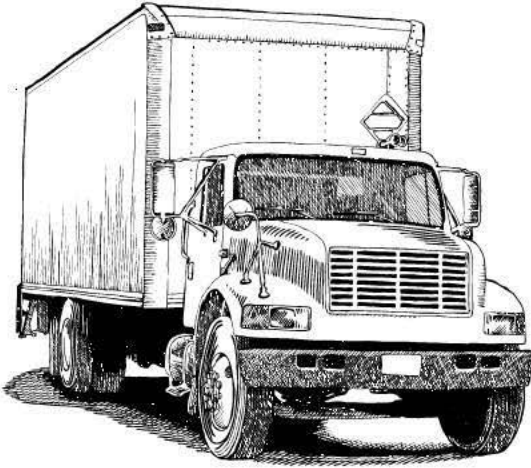
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



FEEES

Postage per piece	\$2.550
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
Total Postage & Fees:	\$10.450

ARTICLE ADDRESS TO:



Postmark  
Here



1H-45 (Beatn2) 1103.06 TR-NDE Mailed

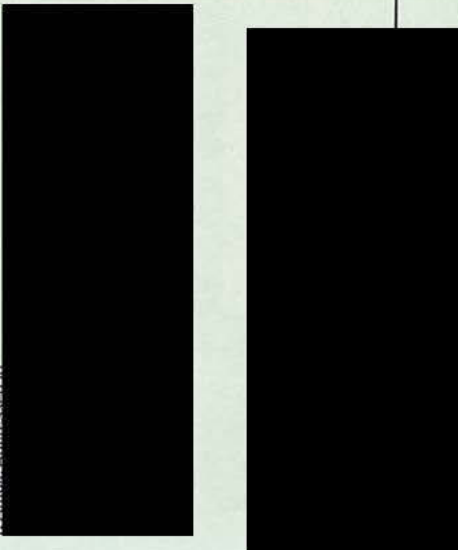
CERTIFIED MAIL

CERTIFIED MAIL

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type

Certified Mail®

PS Form 3811 Facsimile, July 2015 (SDC 3530)

Domestic Return Receipt

082S0001443206

**\$10.450**

US POSTAGE  
FIRST-CLASS  
FROM 75234  
01/04/2024

stamps  
endicia

CERTIFIED MAIL

stamps.com

★ 1-UP Laser Form ★  
★ USA CMF - 134 08/22 ★

08/22/2015

Stateside

CERT

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



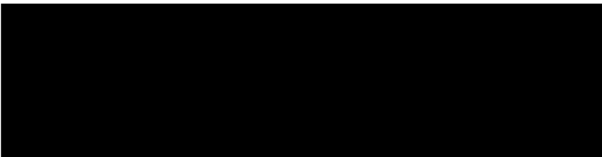
UNITED STATES  
POSTAL SERVICE

1H-45 (Beatriz) 1103.06 TR - NOE  
Marked



PEEL

TAPE SLOWLY — PRESS  
GIVE FIRMLY AGAINST ANY  
TH DRY CLEAN SURFACE.



Date: January 04, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.06TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO. [REDACTED]**

**Re: Property Located at [REDACTED]**

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$37,449.72** to rent a replacement home that costs **\$1,672.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, two-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,672.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,672.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.



4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$37,449.72** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager/Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.



# Section I: Residential Displacees

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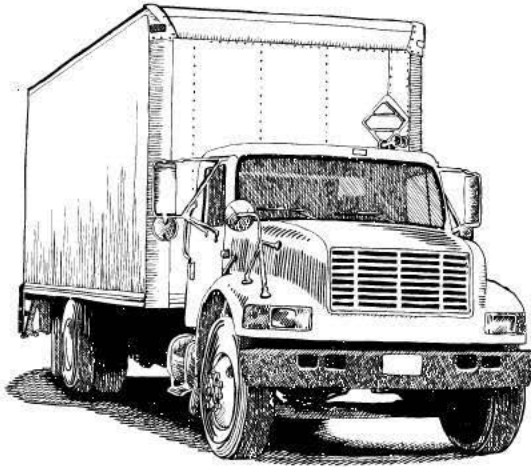
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

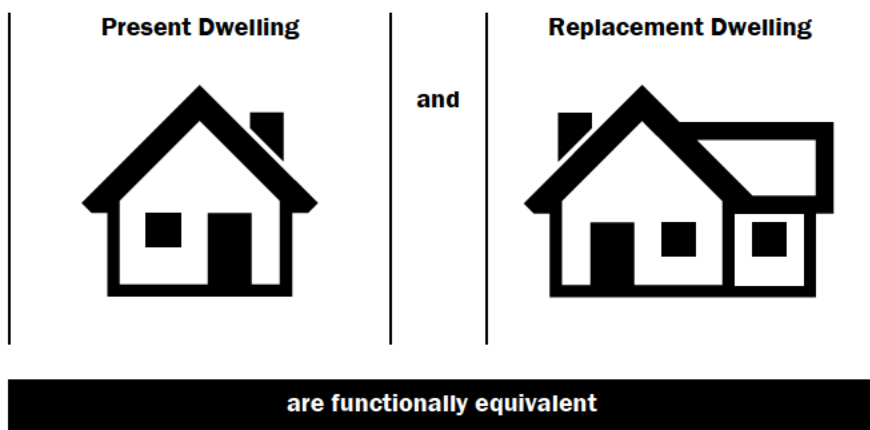
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).



## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

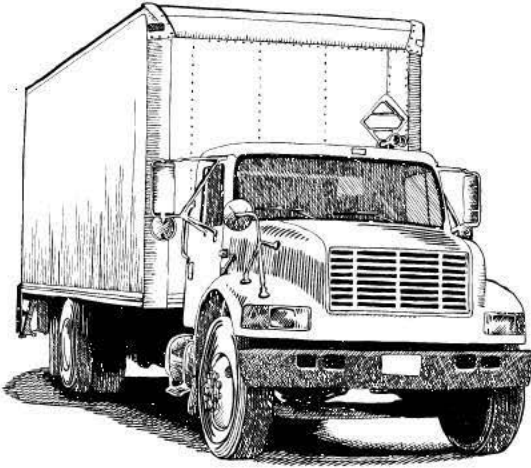
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.



## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.



## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt

[Redacted]

ARTICLE ADDRESS TO:

[Redacted]

**FEEES**  
Postage per piece \$2.790  
Certified Fee \$4.350  
Return Receipt Fee \$3.550  
Total Postage & Fees: \$10.690



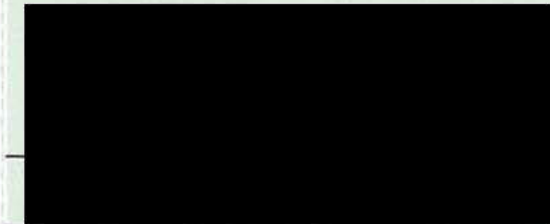
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**CERTIFIED MAIL**

**SENDER: COMPLETE THIS SECTION**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: ( Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

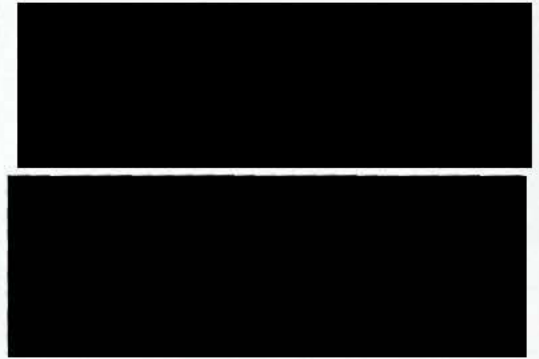
Certified Mail®

**CERTIFIED MAIL**

**\$10.690**  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
01/10/2024  
stamps  
endicia



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First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



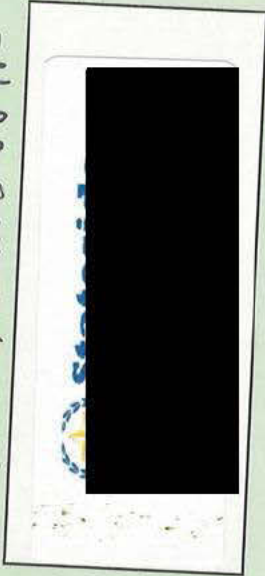
USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

PS Form 3811 Facsimile, July 2015 (SDC 3930) 022

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PEEL

PEEL TAPE SLOWLY — PRESS  
ADHESIVE FIRMLY AGAINST ANY  
SMOOTH DRY CLEAN SURFACE.





# Stateside

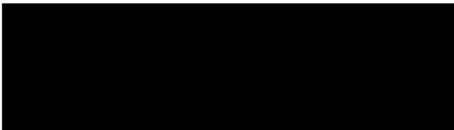
Right of Way Services



Date: January 10, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.08TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re: Property Located at** [REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$49,509.60** to rent a replacement home that costs **\$1,633.00** per month or more including utilities. This supplement has been based on the cost to rent a six-room, three-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,633.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,633.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$49,509.60** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]

Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



# Table of Contents

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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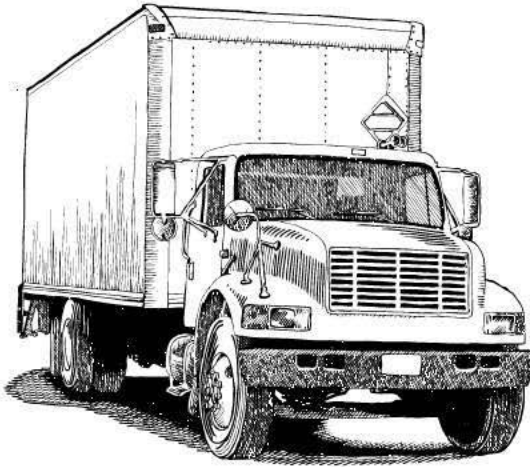
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

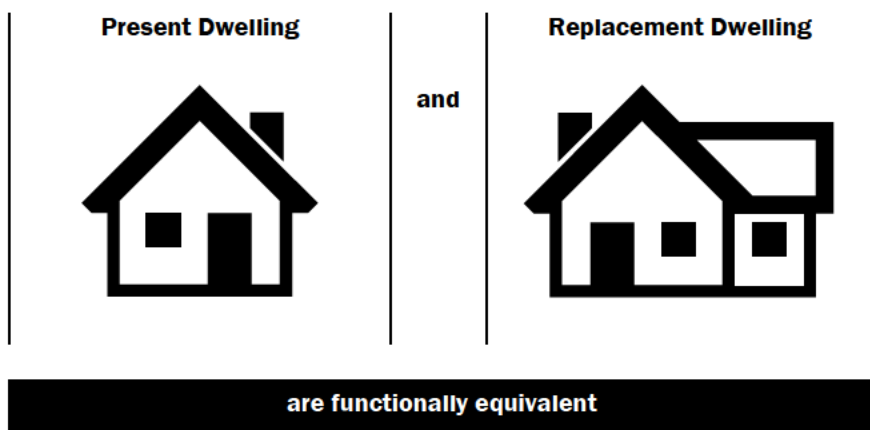
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

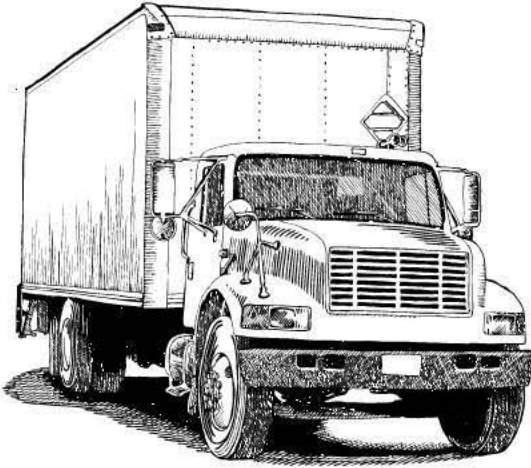
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

**SENDER: COMPLETE THIS SECTION**

**COMPLETE THIS SECTION ON DELIVERY**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

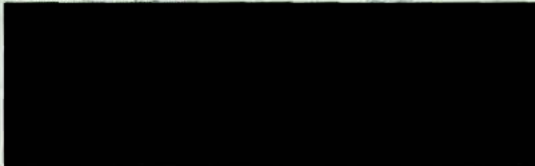
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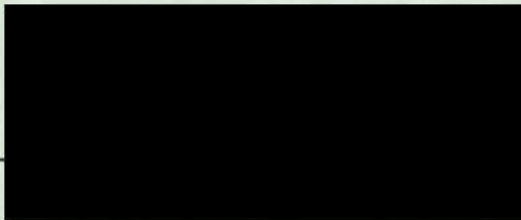
B. Received By: (Printed Name)

C. Date of Delivery

1. Article Addressed to:



D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No



3. Service Type

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U.S. Postal Service  
Certified Mail Receipt



ARTICLE ADDRESS TO:



1H-45 (Beatmz.) 1103-11TR-NOE

FEEES

Postage per piece	\$2.550
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
Total Postage & Fees:	\$10.450







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1. Article Addressed to:



COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below.

3. Service Type

Certified Mail®

PS Form 3811 Facsimile, July 2015 (SDC 3939)

Domestic Return Receipt

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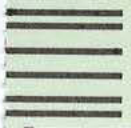
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\* 1-UP Laser Form \*  
\* USA CMF - 134 08/22 \*



First-Class Mail  
Postage & Fees Paid  
**USPS**  
Permit No. G-10



**USPS TRACKING #**



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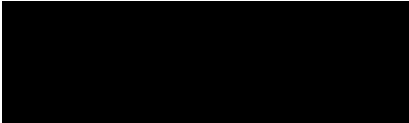
PS Form 3811, Postmark, July 2010 (500 3200)



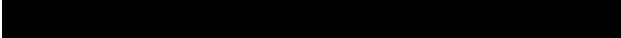
Date: December 20, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489/1103.11TR  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45







**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** 

**Re: Property Located at** 

Dear 

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$26,586.00** to rent a replacement home that costs **\$1,633.00** per month or more including utilities. This supplement has been based on the cost to rent a six-room, three-bedroom replacement multi-family unit located at   
. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,633.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,633.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at   
 in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$26,586.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at 7600 [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



# Table of Contents

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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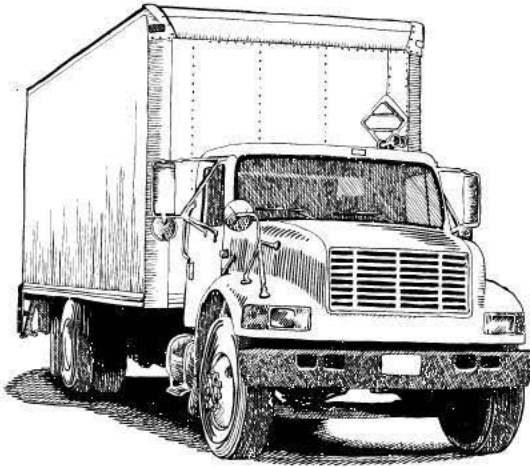
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

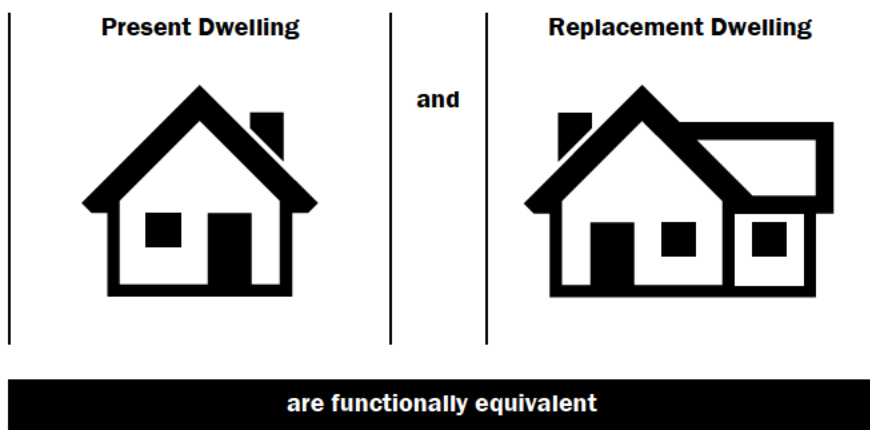
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

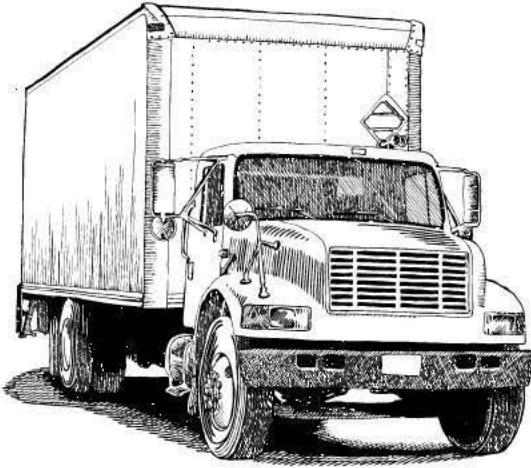
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

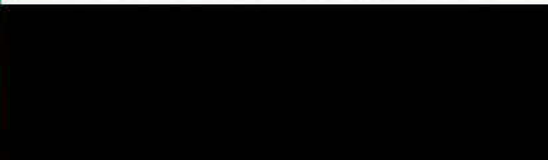


SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Ensure items 1, 2, and 3 are completed.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature: ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent ) <b>X</b>	
	B. Received By: (Printed Name)	C. Date of Delivery
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
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U.S. Postal Service  
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ARTICLE ADDRESS TO:



FEEES  
Postage per piece \$1.830  
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Return Receipt Fee \$3.550  
Total Postage & Fees: \$9.730



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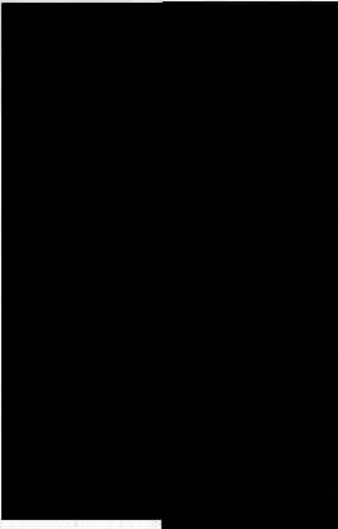
**CERTIFIED MAIL**

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**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )  
**X**

B. Received By: (Printed Name) C. Date of Delivery

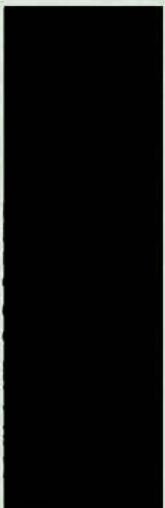
D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail®

**SENDER: COMPLETE THIS SECTION**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



Domestic Return Receipt

PS Form 3811 Facsimile, July 2015 (SDC 3930)

**CERTIFIED MAIL**

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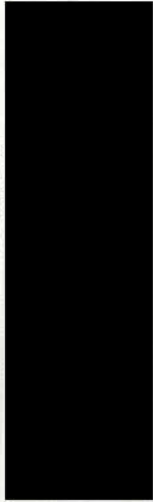
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First-Class Mail  
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**USPS**  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
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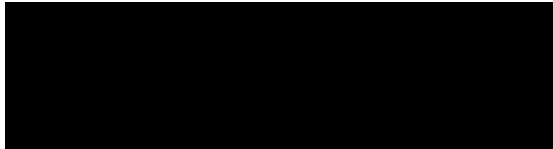
PS Form 3811 Facsimile, July 2015 (SDC 3830) 022

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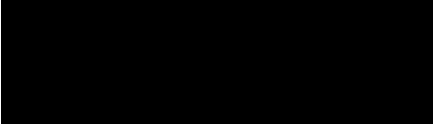
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SIVE FIRMLY AGAINST ANY  
DTH DRY CLEAN SURFACE.



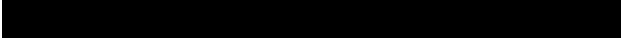
Date: December 14, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489/1103.12TR  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45





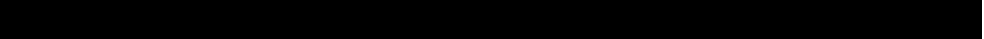
**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** 

**Re: Property Located at** 

Dear 

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$15,078.00** to rent a replacement home that costs **\$1,334.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom replacement multi-family unit located at   
. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,334.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,334.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at  in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$15,078.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at 7600 [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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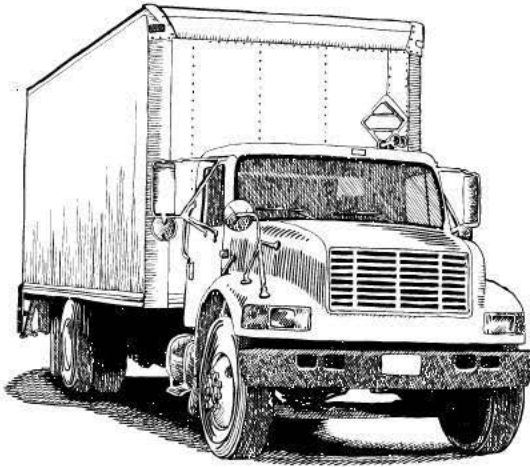
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

## **Replacement Housing Payments**

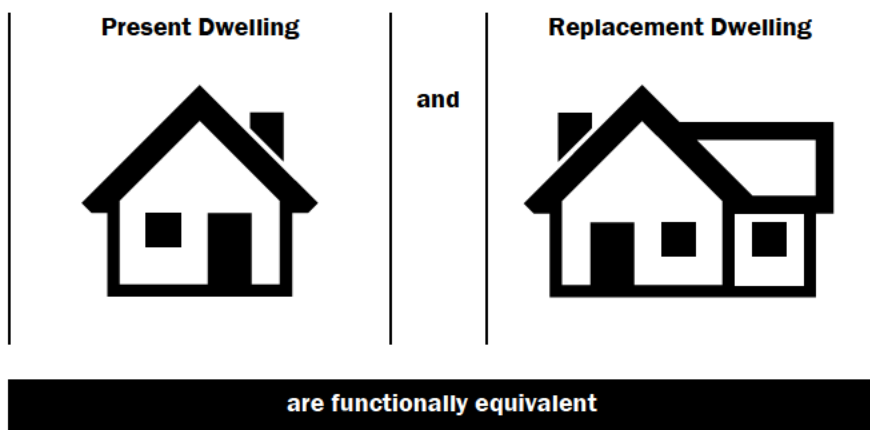
Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.



## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

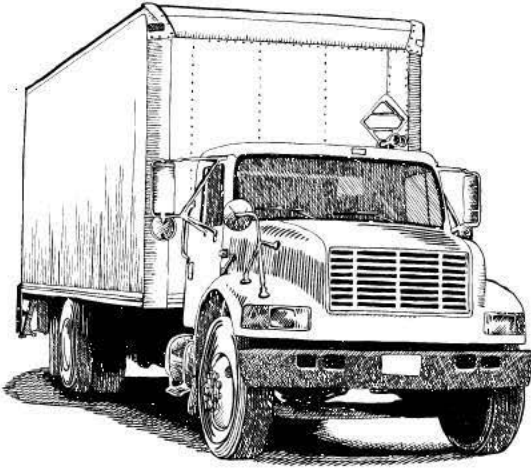
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**



## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.



## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



FEEES

Postage per piece	\$1.830
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$9.730</b>

ARTICLE ADDRESS TO:



Postmark  
Here

1H-45 (Beatnz) 1103.13 TR - WOE mailed



CERTIFIED MAIL

CERTIFIED MAIL

062S0001443197



\$9.730  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
12/28/2023  
stamps  
endicia

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent )

X

B. Received By: (Printed Name)

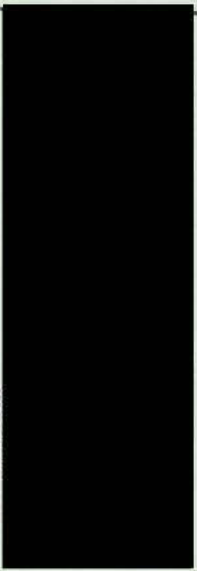
C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



3. Service Type

Certified Mail®

Domestic Return Receipt

PS Form 3811 Facsimile, July 2015 (SDC 3936)

CERTIFIED MAIL

stamps.com

\* 1-UP Laser Form \*  
\* USA CMF-134 08/22 \*



CERTIFIED



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

H-45 (Beetwood) 1103.13TR-NOE  
mailed



PEEL

TAPE SLOWLY — PRESS  
ADHESIVE FIRMLY AGAINST ANY  
SMOOTH DRY CLEAN SURFACE.

PS Form 3811 Facsimile, July 2015 (SBC 1830)



# Stateside

Right of Way Services

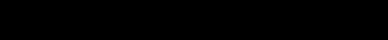


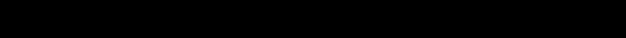
Date: December 28, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.13TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



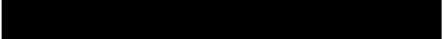


**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** 

**Re: Property Located at** 

Dear 

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$35,196.00** to rent a replacement home that costs **\$1,658.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, two-bedroom replacement multi-family unit located at  . You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,658.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,658.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at  in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$35,196.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager/Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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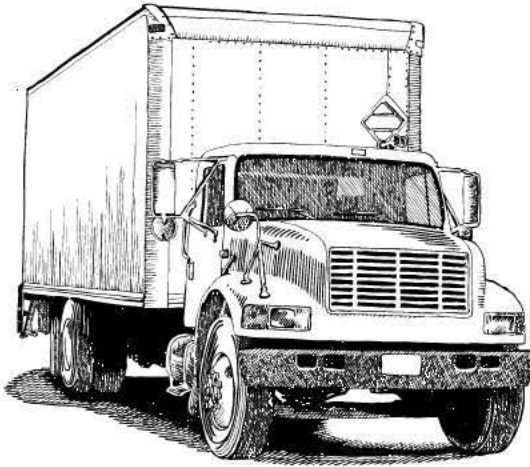
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

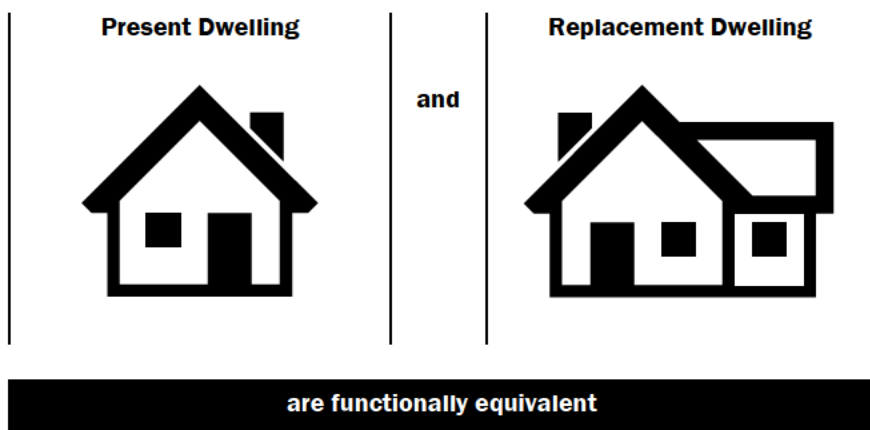
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

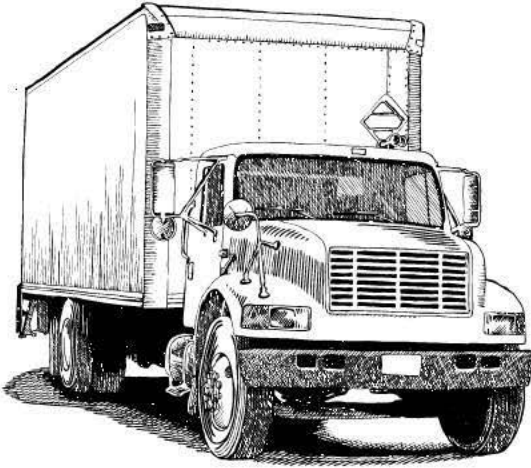
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

**SENDER: COMPLETE THIS SECTION**

**COMPLETE THIS SECTION ON DELIVERY**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

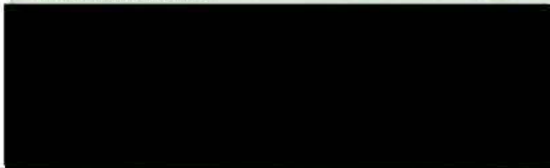
**A. Signature:** (  Addressee or  Agent)

**X**

**B. Received By:** (Printed Name)

**C. Date of Delivery**

**1. Article Addressed to:**



**D. Is delivery address different from item 1?**  Yes  
If YES, enter delivery address below:  No



**3. Service Type**

Certified Mail®

U.S. Postal Service  
Certified Mail Receipt



ARTICLE ADDRESS TO:



FEES	
Postage per piece	\$2.550
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$10.450</b>

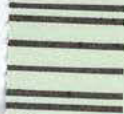
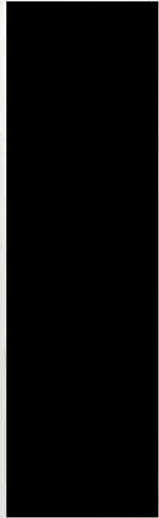


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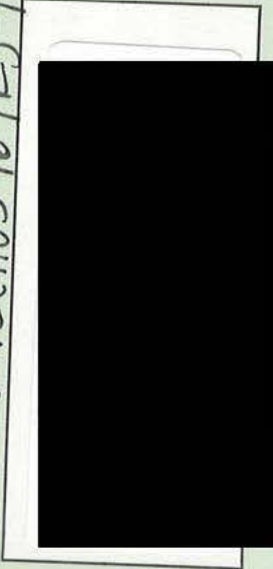


First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

UNITED STATES  
POSTAL SERVICE

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PEEL

TAPE SLOWLY — PRESS  
RESISIVE FIRMLY AGAINST ANY  
SMOOTH DRY CLEAN SURFACE.

PS Form 3811 Facsimile, July 2015 (SBC 2009)

**CERTIFIED MAIL**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )

**X**

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

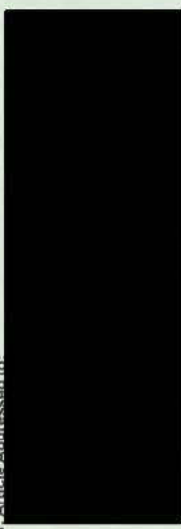
3. Service Type

Certified Mail®

**SENDER: COMPLETE THIS SECTION**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



**CERTIFIED MAIL**

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\$10.450  
US POSTAGE  
FIRST-CLASS  
Permit No. 75234  
12/20/2023  
stamps  
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**CERTIFIED MAIL**

stamps.com®

★ 1-UP Laser Form ★  
★ USA CMF - 134 08/22 ★

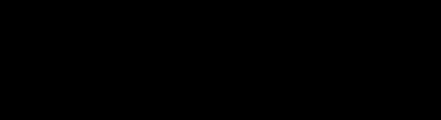




Date: December 20, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.16TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45





**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** 

**Re: Property Located at** 

Dear 

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$20,412.00** to rent a replacement home that costs **\$1,361.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom replacement multi-family unit located at . You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,361.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,361.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at  in your community.



4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$20,412.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]

Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.



# Section I: Residential Displacees

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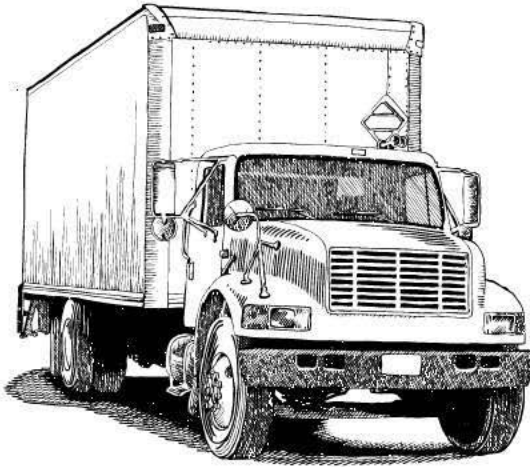
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

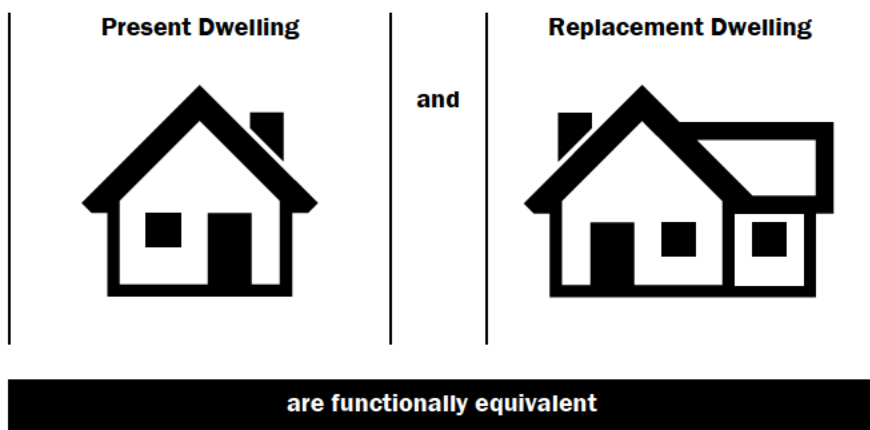
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).



## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

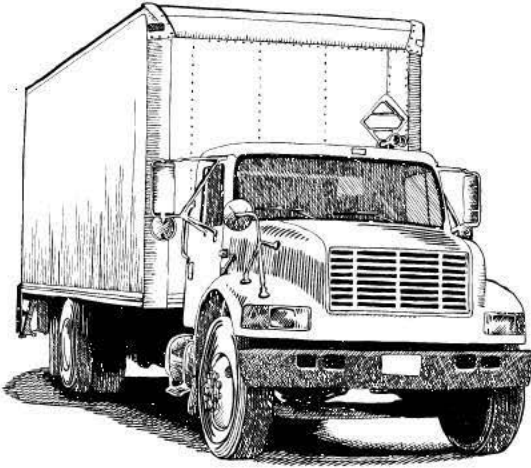
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.



## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.



## Notes

## Notes

## Notes



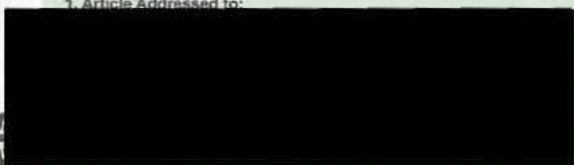

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



CERTIFIED MAIL



SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Ensure items 1, 2, and 3 are completed.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<b>A. Signature:</b> ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent ) <b>X</b>	
<b>1. Article Addressed to:</b> 		<b>B. Received By:</b> (Printed Name)	<b>C. Date of Delivery</b>
		<b>D. Is delivery address different from item 1?</b> <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
<b>3. Service Type</b> <input checked="" type="checkbox"/> Certified Mail®			

CERTIFIED MAIL

stamps  
COITM  
\*1-UP Laser Form\*  
\*NUSA OMF - 134 08/22\*

PS Form 3811 Facsimile, July 2015 (SDC 3930)

Domestic Return Receipt

**CERTIFIED MAIL**

*unk name*

*IT. no apt. #*

**\$9.730**  
 US POSTAGE  
 FIRST-CLASS®  
 FROM 75234  
 12/08/2023  
 stamps  
 endicia



062S0001443223




NIXIE 773 52 1 7212/16/23

RETURN TO SENDER  
INSUFFICIENT ADDRESS  
UNABLE TO FORWARD

BC: 75703683144 2091N350194-01525

U.S. Postal Service  
Certified Mail Receipt



**FEEES**

Postage per piece	\$1.830
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$9.730</b>

ARTICLE ADDRESS TO:



Postmark  
Here



H-45 (Beatm2) 1103.17TR-NOE



CERTIFIED MAIL

CERTIFIED MAIL

062SC001443223



\$9.730  
US POSTAGE  
FIRST CLASS  
FROM 75234  
12/08/2023  
stamps  
endicia

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  
If YES, enter delivery address below:

Yes  
 No

3. Service Type

Certified Mail®

PS Form 3811 Facsimile, July 2015 (SDC 3930)

Domestic Return Receipt

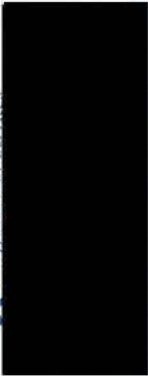
CERTIFIED MAIL

stamps.com

\* 1-UP Laser Form \*  
\*\*USA CMF - 134 08/22 \*







First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

JH-45 (P1103.17TR) NOE



PEEL

TAPE SLOWLY — PRESS  
TENSIVE FIRMLY AGAINST ANY  
DEPTH DRY CLEAN SURFACE.

PS Form 3811 Facsimile, July 2015 (SDC 3939) 0822



# Stateside

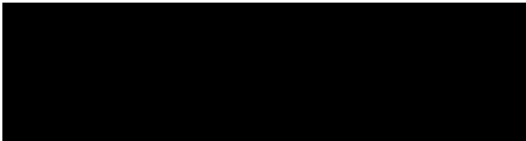
Right of Way Services



Date: December 08, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.17TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO. [REDACTED]**

**Re: Property Located at [REDACTED]**

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$41,991.60** to rent a replacement home that costs **\$1,334.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,334.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,334.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$41,991.60** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager/Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**



## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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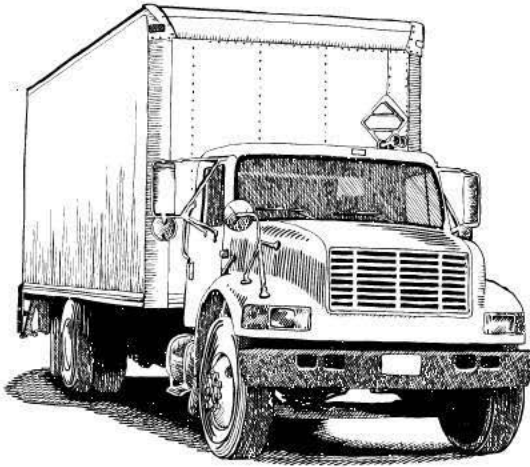
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

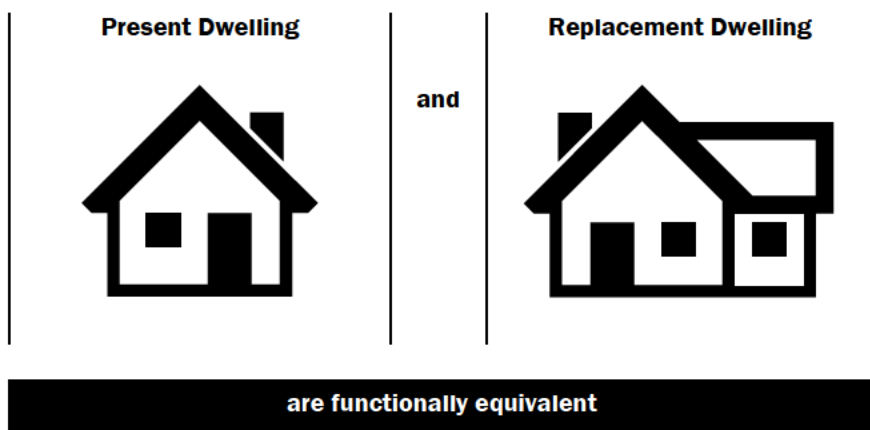
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.



## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

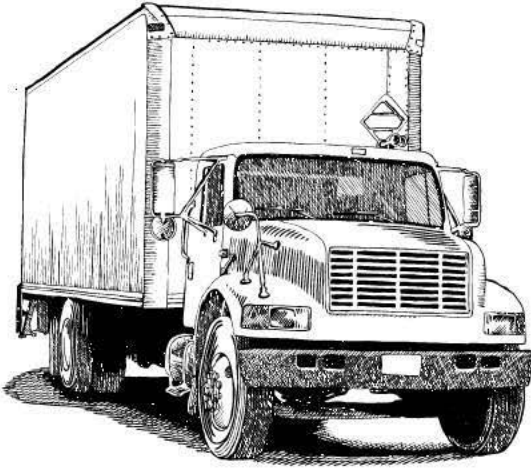
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**



- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.



## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

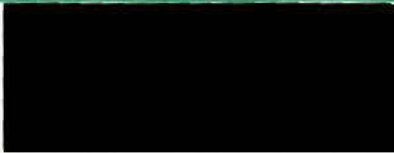
## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



FEEES

Postage per piece	\$1.830
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
Total Postage & Fees	\$9.730

ARTICLE ADDRESS TO:



Postmark  
Here



1H-45 (Beatmz) 1103.20 TR - NOE mailed





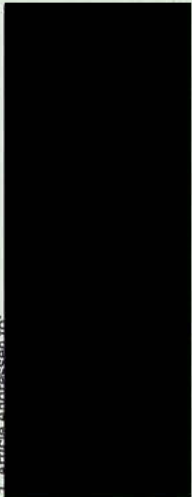
CERTIFIED MAIL

CERTIFIED MAIL

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

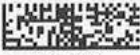
3. Service Type

Certified Mail®

PS Form 3811 Facsimile, July 2015 (SDC 3030)

Domestic Return Receipt

06290014950406



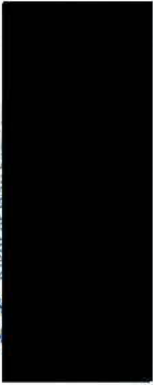
\$9.730  
US POSTAGE  
FIRST CLASS  
FROM 75234  
12/28/2023  
stamps  
endicia

stamps.com

★ 1-UP Laser Form ★  
★ USA CMF - 134 08/22 ★



CERTIFIED MAIL



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

1H-45 (Beatmz) 1103.20TR- NOE mailed



PS Form 3811 Facsimile, July 2015 (SDC 3930) 022

PEEL

TAPE SLOWLY — PRESS  
PRESSIVE FIRMLY AGAINST ANY  
WITH DRY CLEAN SURFACE.



Date: December 28, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.20TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO. [REDACTED]**

**Re: Property Located at [REDACTED]**

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$44,266.74** to rent a replacement home that costs **\$1,633.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,633.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,633.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$44,266.74** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at 7600 [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



# Table of Contents

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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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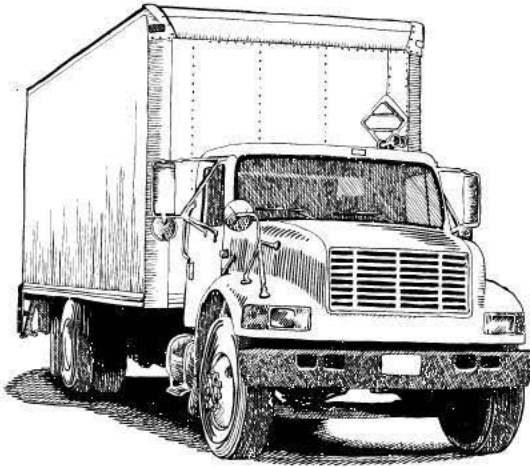
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

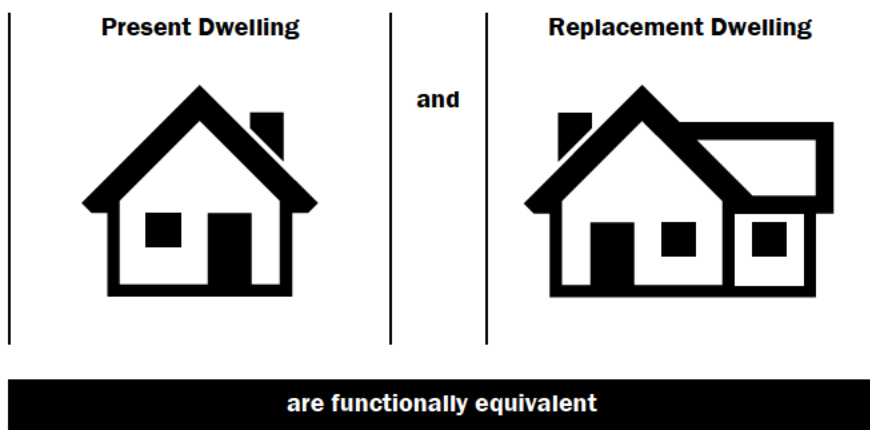
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

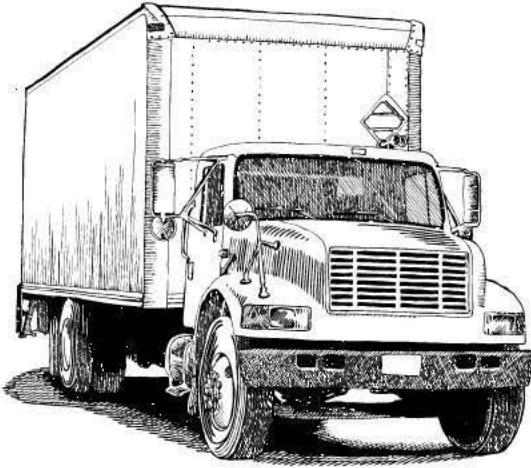
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



U.S. Postal Service  
Certified Mail Receipt



FEES	
Postage per piece	\$2.790
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$10.690</b>

ARTICLE ADDRESS TO:



Postmark  
Here

1H-45 (Beatriz) 1103.2 TR - NOE mailed



CERTIFIED MAIL

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below.

3. Service Type

Certified Mail®

PS Form 3811 Facsimile, July 2015 (SDC 3930)

Domestic Return Receipt

CERTIFIED MAIL

\$10.690  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
01/03/2024  
stamps  
endicia

062S0001443185



stamps.com

\* 1-UP Laser Form \*  
\*\*USA CMF - 134 08/22 \*



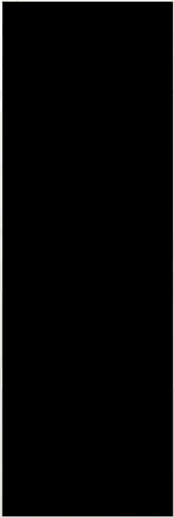
CERTIFIED MAIL



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

1H-45 (Beatriz) 1103.2 TR-10E Mailed



PEEL

TAPE SLOWLY — PRESS  
GIVE FIRMLY AGAINST ANY  
WITH DRY CLEAN SURFACE.

PS Form 3811 Facsimile, July 2015 (50C 1996)



# Stateside

Right of Way Services



Date: January 03, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.21TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re: Property Located at** [REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance.*" We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$39,886.98** to rent a replacement home that costs **\$1,672.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, two-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,672.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,672.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$39,886.98** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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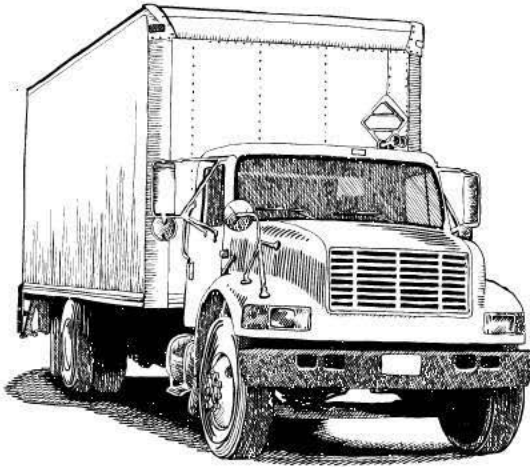
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

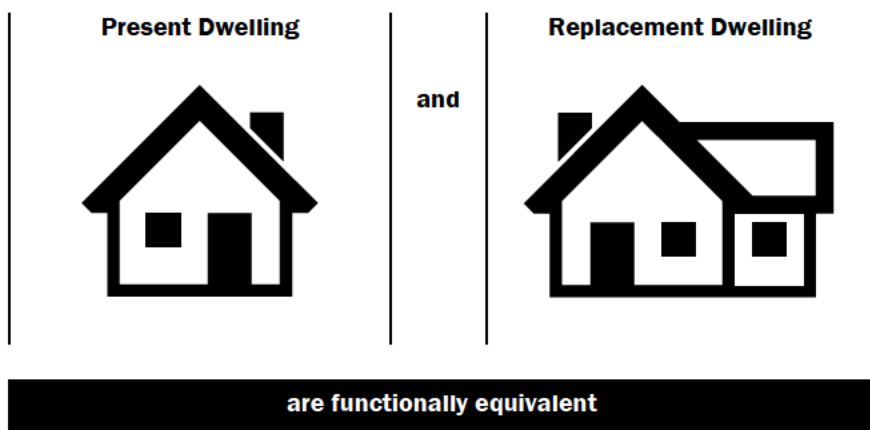
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.



## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

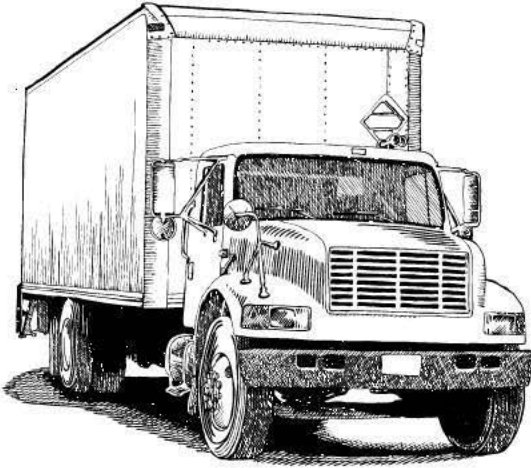
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.



## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships



# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





## **Relocation Office**

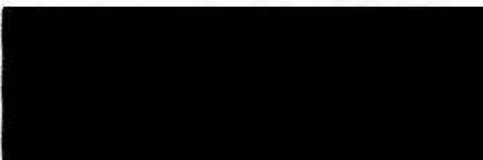
Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



FEEES  
Postage per piece \$2.790  
Certified Fee \$4.360  
Return Receipt Fee \$3.550  
Total Postage & Fees: \$10.690

ARTICLE ADDRESS TO:



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Here

IH-45 - P1103.25TR - NOE Mailed

CERTIFIED MAIL

CERTIFIED MAIL

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\$10.690  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
01/08/2024  
stamps  
endicia

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent )

X

B. Received By: (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

1. Service Type

Certified Mail®

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



PS Form 3811 Facsimile, July 2015 (SDC 3930)

Stateside  
Right of Way Services

CERTIFIED MAIL

stamps.com

\* 1-UP Laser Form \*  
\*WUSA CMF - 134 08/22 \*



CEI



First-Class Mail  
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USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

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Mailed



PEEL

TAPE SLOWLY — PRESS  
GIVE FIRMLY AGAINST ANY  
WITH DRY CLEAN SURFACE.

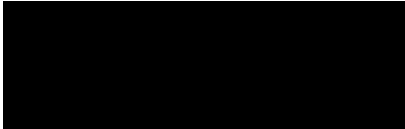




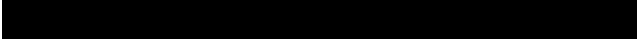
Date: January 08, 2024

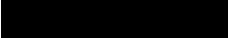
County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.25TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



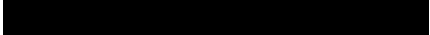

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** 

**Re: Property Located at** 

Dear 

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$30,492.00** to rent a replacement home that costs **\$1,651.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at . You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,651.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,651.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at  in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$30,492.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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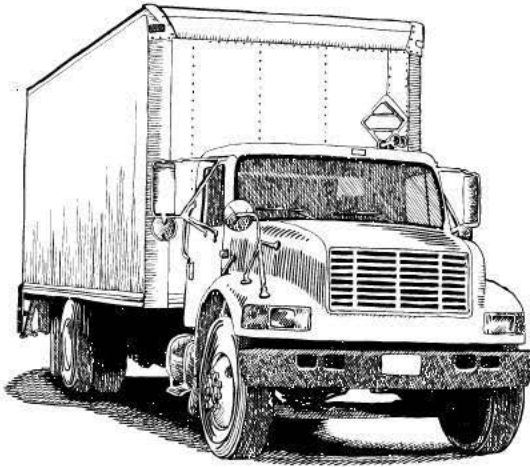
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

## **Replacement Housing Payments**

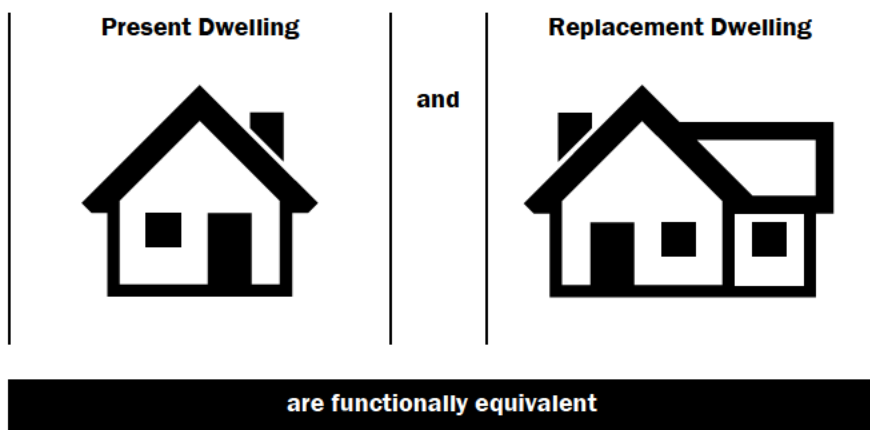
Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.



## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

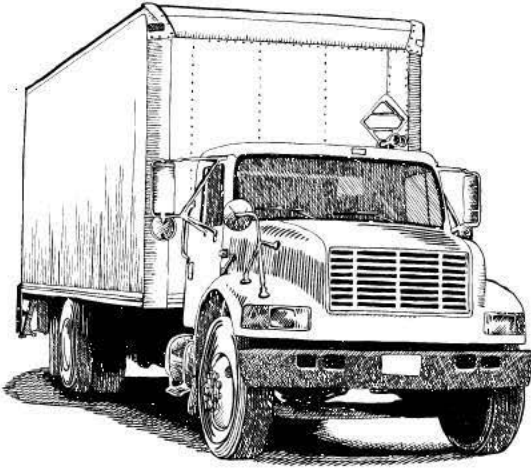
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**



## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

**Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

**Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.



## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



FEES	
Postage per piece	\$2.790
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$10.690</b>

ARTICLE ADDRESS TO:



Postmark  
Here

1H-45 (Beach 2) 1103. 27TR - NOE Mailed





CERTIFIED MAIL

**SENDER: COMPLETE THIS SECTION**

■ Ensure items 1, 2, and 3 are completed.  
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature:  Addressee or  Agent  
**X**

B. Received By: (Printed Name) C. Date of Delivery

Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below.

3. Service Type  
 Certified Mail®

PS Form 3811 Facsimile, July 2015 (SDC 3930)

CERTIFIED MAIL

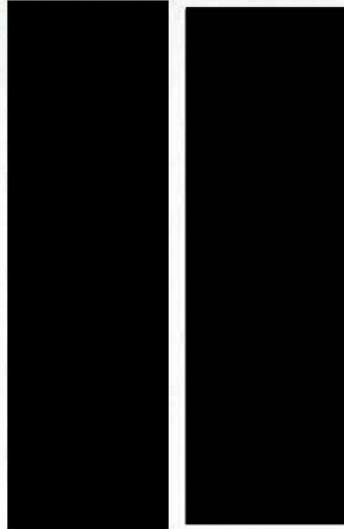
stamps.com

\* 1-UP Laser Form \*  
\* USA CMF - 134 08/22 \*

CERTIFIED MAIL

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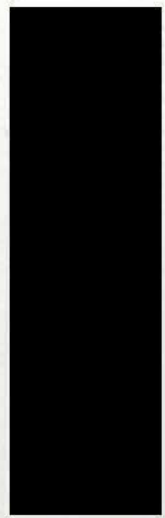
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USPS TRACKING #



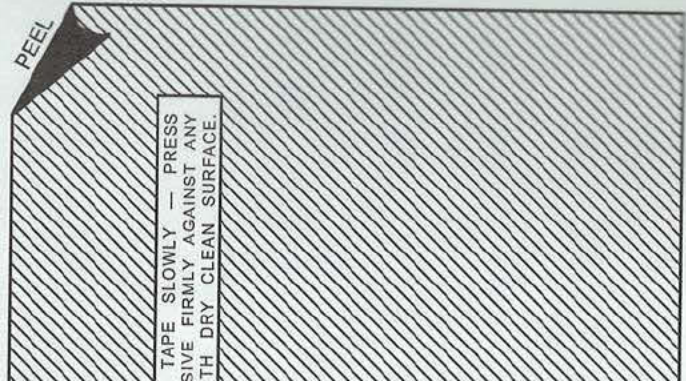
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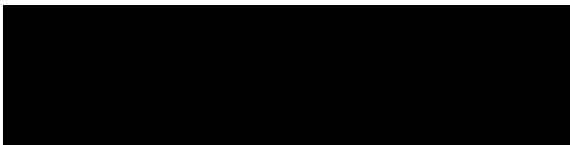
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PEEL

TAPE SLOWLY — PRESS  
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WITH DRY CLEAN SURFACE.

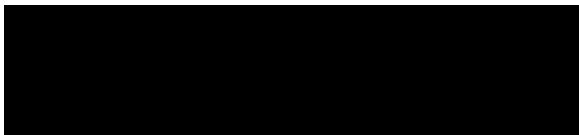




Date: January 11, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.27TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [Redacted]

**Re: Property Located at** [Redacted]

Dear [Redacted],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$21,924.00** to rent a replacement home that costs **\$1,442.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, two-bedroom replacement multi-family unit located at [Redacted]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,442.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,442.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [Redacted] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$21,924.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]  
Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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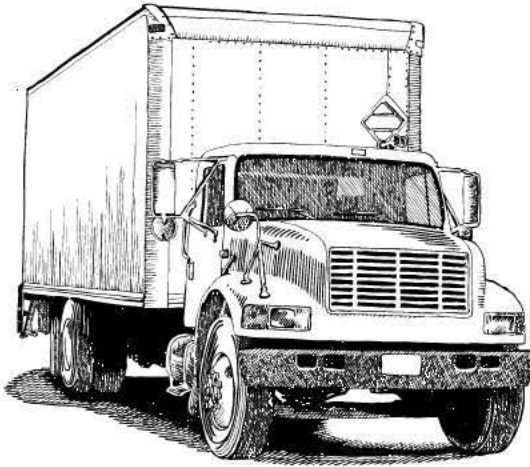
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

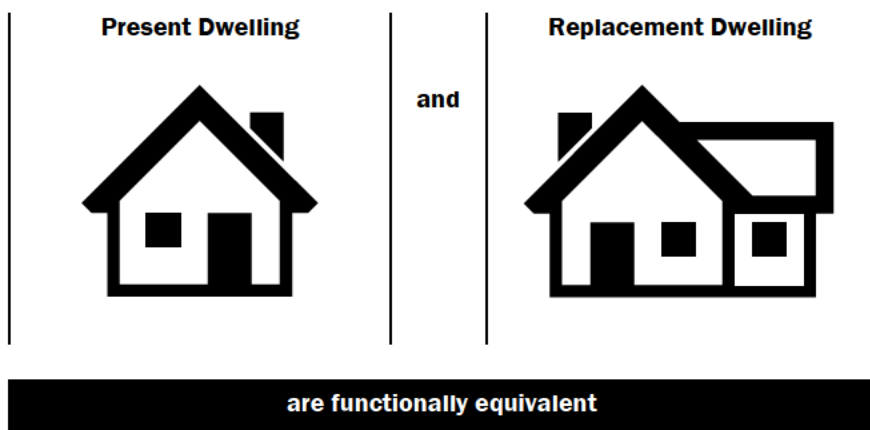
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

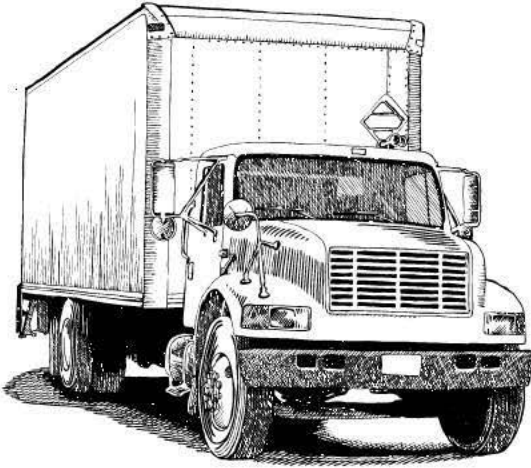
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

**SENDER: COMPLETE THIS SECTION**

**COMPLETE THIS SECTION ON DELIVERY**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature: ( Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Certified Mail®

U.S. Postal Service  
Certified Mail Receipt



ARTICLE ADDRESS TO:



FEEES

Postage per piece	\$1.830
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$9.730</b>



Postmark  
Here

1H-45 (Beatm2) 1103.30TR - NOE



CERTIFIED MAIL

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

[Redacted]

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

delivery address different from item 1?

Yes

No

YES, enter delivery address below:

3. Service Type

Certified Mail®

PS Form 3811 Facsimile, July 2015 (SDC 3830)

Domestic Return Receipt

CERTIFIED MAIL

062S0001443210



\$9.730  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
12/11/2023  
stamps  
endicia

[Redacted]

[Redacted]

CERTIFIED MAIL

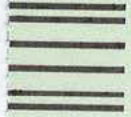
stamps.com

★ 1-UP Laser Form ★  
★ USA CMF - 134 08/22 ★





First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

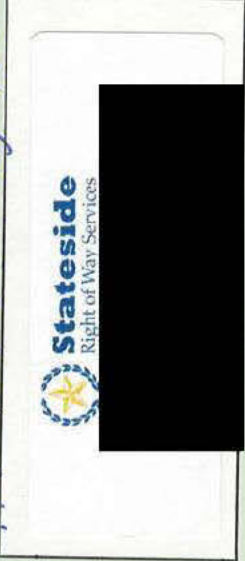


USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

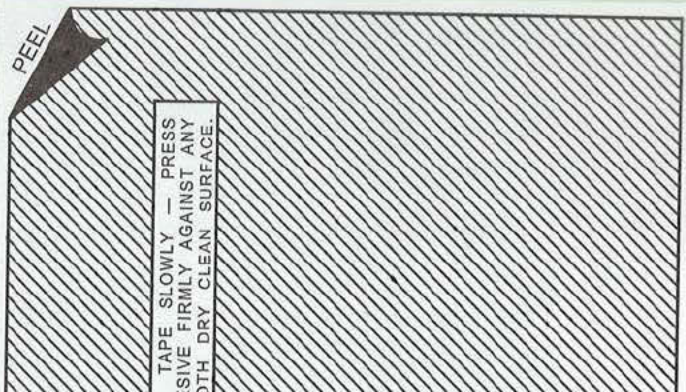
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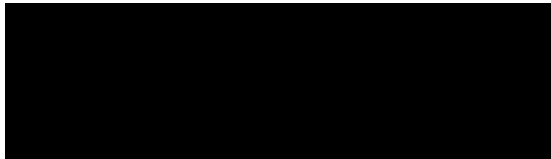


PS Form 3811 Facsimile, July 2015 (SDC 3930) 002

PEEL

TAPE SLOWLY — PRESS  
SIVE FIRMLY AGAINST ANY  
DTH DRY CLEAN SURFACE.

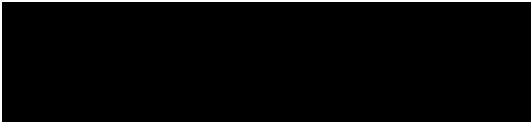




Date: December 11, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.30TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [Redacted]

**Re: Property Located at** [Redacted]

Dear [Redacted],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$22,315.86** to rent a replacement home that costs **\$1,334.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom replacement multi-family unit located at [Redacted]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,334.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,334.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [Redacted] in your community.



4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$22,315.86** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.



# Section I: Residential Displacees

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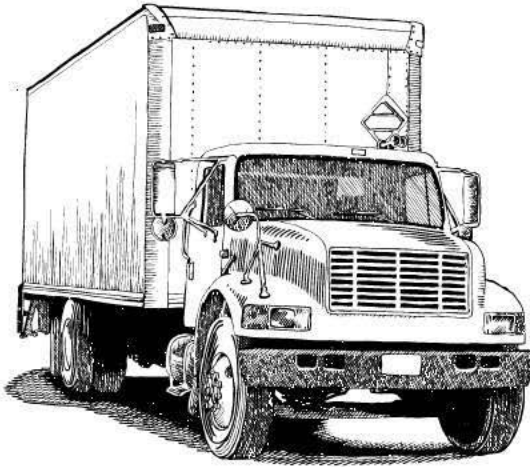
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

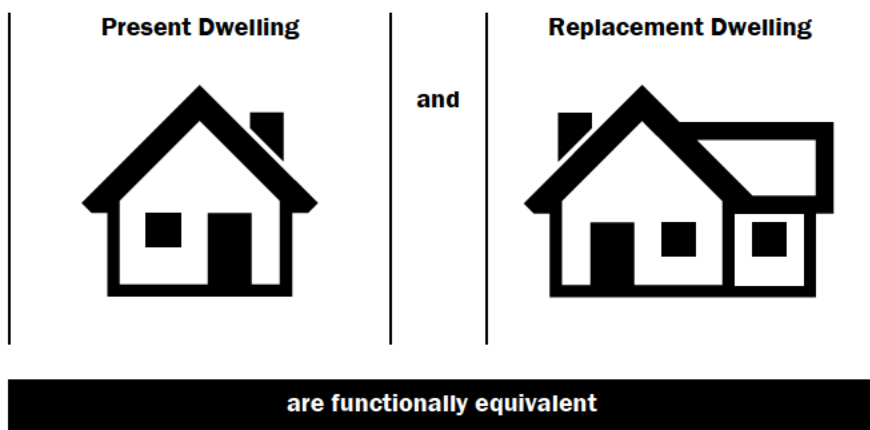
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).



## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

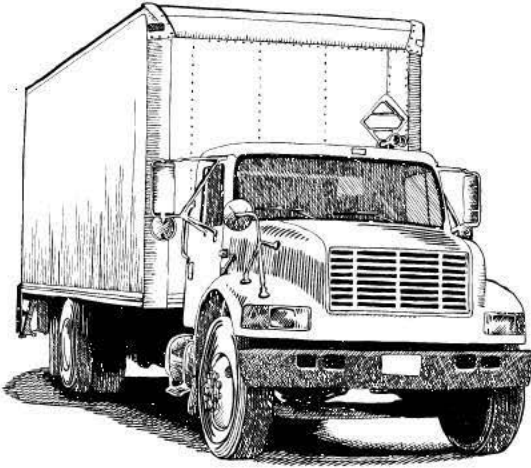
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.



## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.



## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>■ Ensure Items 1, 2, and 3 are completed.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<b>A. Signature:</b> ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent ) <b>X</b>	
	<b>B. Received By:</b> (Printed Name)	<b>C. Date of Delivery</b>
<b>1. Article Addressed to:</b> <div style="background-color: black; width: 100%; height: 60px; margin-top: 5px;"></div>	<b>D. Is delivery address different from item 1?</b> <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
<div style="background-color: black; width: 100%; height: 100px; margin-top: 10px;"></div>	<b>3. Service Type</b>  <input checked="" type="checkbox"/> Certified Mail®	
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FEEES

Postage per piece	\$2.790
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Return Receipt Fee	\$3.550
Total Postage & Fees	\$10.690

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<p>1. Article Addressed to:</p>		<p>B. Received By: (Printed Name)</p>	<p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No if YES, enter delivery address below:</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail®</p>		<p>Domestic Return Receipt</p>	

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stamps.com

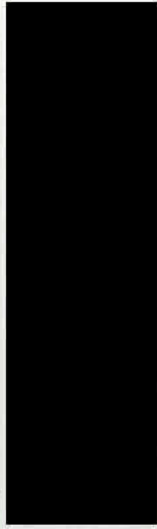
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★ USA CMF - 134 (0/22) ★

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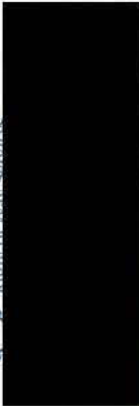


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PEEL

TAPE SLOWLY — PRESS  
SIVE FIRMLY AGAINST ANY  
WITH DRY CLEAN SURFACE.

[REDACTED]

Date: December 20, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.37TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re: Property Located at** [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$20,412.00** to rent a replacement home that costs **\$1,361.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,361.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,361.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$20,412.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**



## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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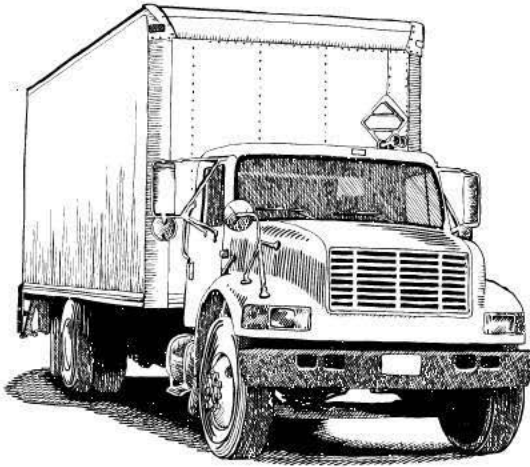
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

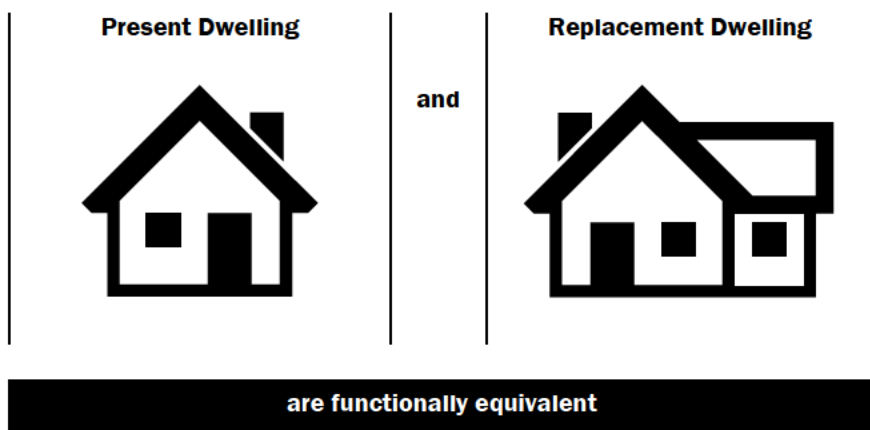
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.



## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

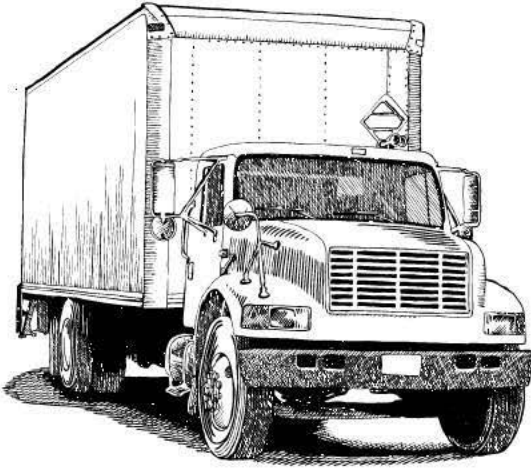
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**



- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.



## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



ARTICLE ADDRESS TO:



**FEEES**

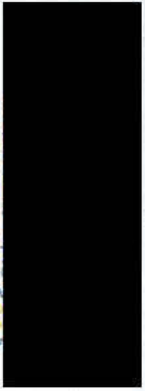
Postage per piece	\$2.790
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$10.690</b>



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First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

PS Form 3811 Facsimile, July 2015 (SDC 3330)

1H-45 (Beatmz) 1103.44TR - NOE  
Mailed



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SIVE FIRMLY AGAINST ANY  
TH DRY CLEAN SURFACE.

CERTIFIED MAIL

CERTIFIED MAIL

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FROM 75234  
01/04/2024  
stamps  
endicia



SENDER: COMPLETE THIS SECTION

Ensure items 1, 2, and 3 are completed.

Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent )

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No

If YES, enter delivery address below:

3. Service Type

Certified Mail®

Domestic Return Receipt

PS Form 3811 Facsimile, July 2015 (SDC 3930)

CERTIFIED MAIL

stamps.com

\* 1-UP Laser Form \*  
\* WUSA CMF - 134 09/22 \*





# Stateside

Right of Way Services



Date: January 04, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.44TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO. [REDACTED]**

**Re: Property Located at [REDACTED]**

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$26,586.00** to rent a replacement home that costs **\$1,633.00** per month or more including utilities. This supplement has been based on the cost to rent a six-room, three-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,633.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,633.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$26,586.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.



## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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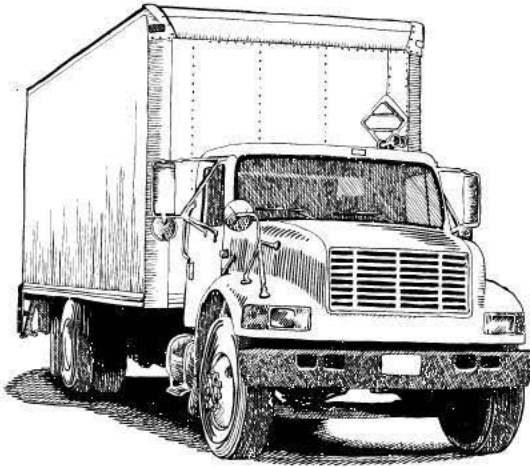
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

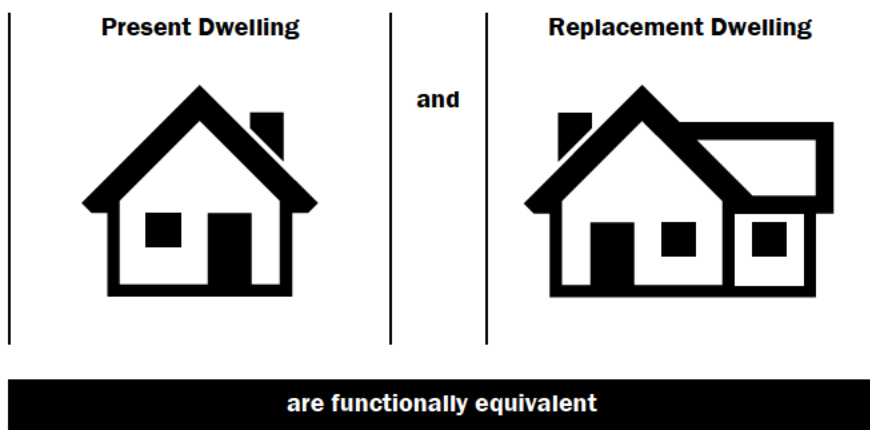
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.



## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

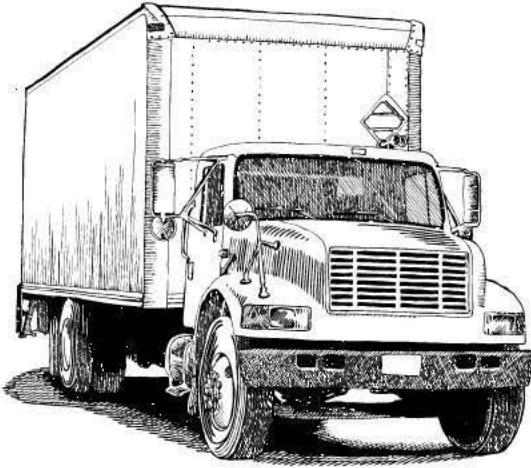
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.



## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.



## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

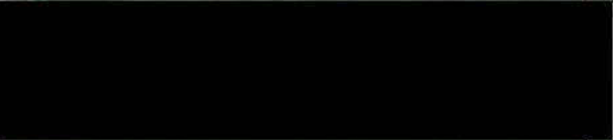


## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<p>■ Ensure items 1, 2, and 3 are completed.</p> <p>Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature: <input type="checkbox"/> Addressee <input type="checkbox"/> Agent</p> <p><b>X</b></p>	
	<p>B. Received By: (Printed Name)</p>	<p>C. Date of Delivery</p>
	<p>Is delivery address different from item 1? <input type="checkbox"/> Yes          If YES, enter delivery address below: <input type="checkbox"/> No</p>	
	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail®</p>	
<p>PS Form 3811 Facsimile, July 2015 (SDC 3930)</p>	<p>Domestic Return Receipt</p>	

U.S. Postal Service  
Certified Mail Receipt



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A. Signature:  Agent

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
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- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Domestic Return Receipt

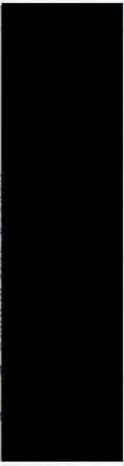
PS Form 3811 Facsimile, July 2015 (SDC 3030)

Stateside

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stamps.com

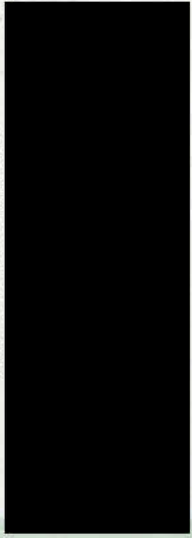
\* 1-UP Laser Form \*  
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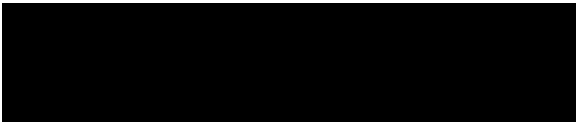
PS Form 3811 Facsimile, July 2015 (SDC 3830)



Date: December 14, 2023

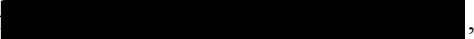
County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.50TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



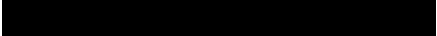

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.** 

**Re: Property Located at** 

Dear ,

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$21,588.00** to rent a replacement home that costs **\$1,334.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom replacement multi-family unit located at . You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,334.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,334.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at  in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$21,588.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at 7600 [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between 8 A.M. and 8 P.M. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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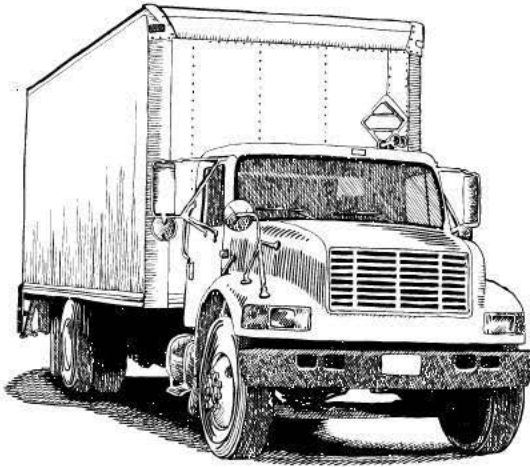
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

## **Replacement Housing Payments**

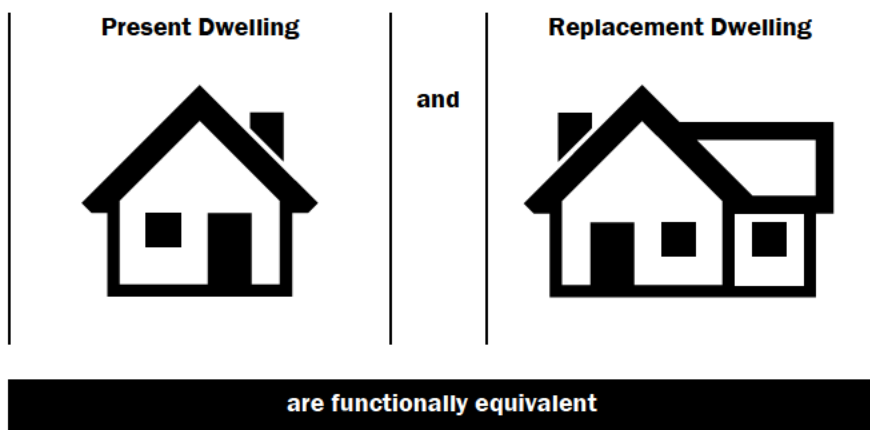
Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.



## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

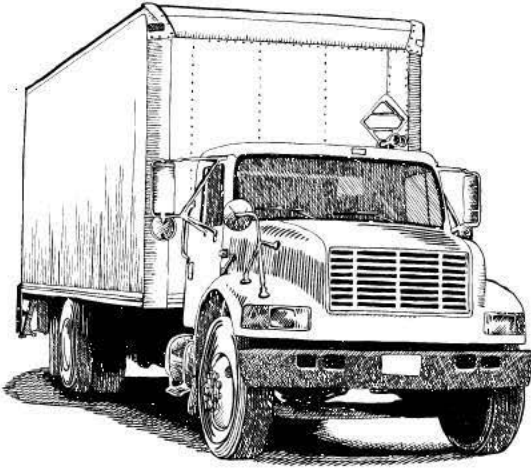
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**



## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.



## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt

[Redacted]

FEEs

Postage per piece	\$2.790
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$10.690</b>

ARTICLE ADDRESS TO:

[Redacted]

Postmark  
Here



1H-45 (Beatz) 1103.51 TK

**CERTIFIED MAIL**

**CERTIFIED MAIL**

062S0001443201



**\$10.690**  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
12/29/2023  
stamps  
endicia

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Ensure items 1, 2, and 3 are completed.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature: ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent )</p> <p><b>X</b></p>	
<p>1. Article Addressed to:</p> <p>[Redacted]</p>		<p>B. Received By: (Printed Name)</p> <p>C. Date of Delivery</p>	
<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail®</p>	

PS Form 3811 Facsimile, July 2015 (SDC 3930) Domestic Return Receipt

**CERTIFIED MAIL**

stamps.com

★ 1-UP Laser Form ★  
★ USA CMF - 134 08/22 ★

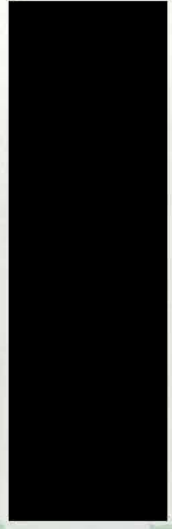




First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

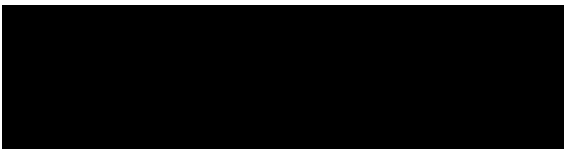
1H-45 (Beatriz) 1103.51TR-NOE Mailed



PS Form 3811 Facsimile, July 2015 (SDC 2020)

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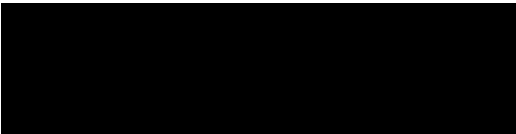
TAPE SLOWLY — PRESS  
TENSIVE FIRMLY AGAINST ANY  
WITH DRY CLEAN SURFACE.



Date: December 29, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.51TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [Redacted]

**Re: Property Located at** [Redacted]

Dear [Redacted],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$18,332.16** to rent a replacement home that costs **\$1,334.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom replacement multi-family unit located at [Redacted]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,334.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,334.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [Redacted] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$18,332.16** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at 7600 [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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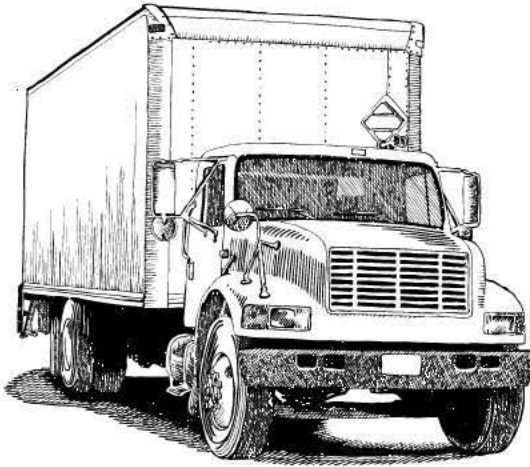
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**



## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

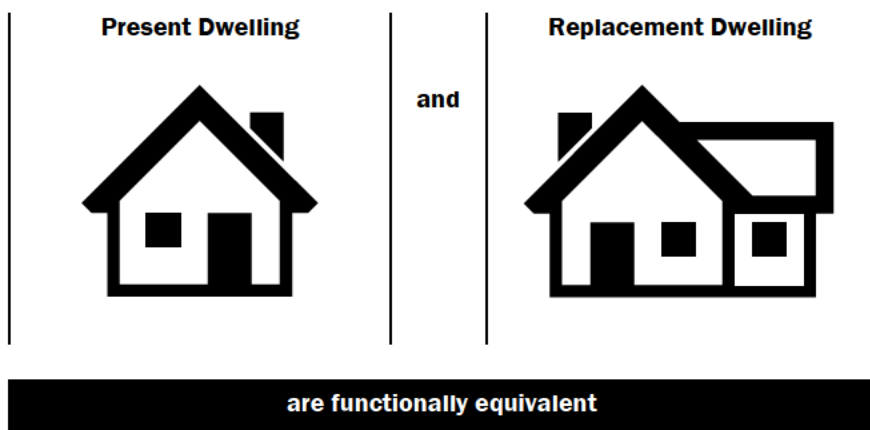
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

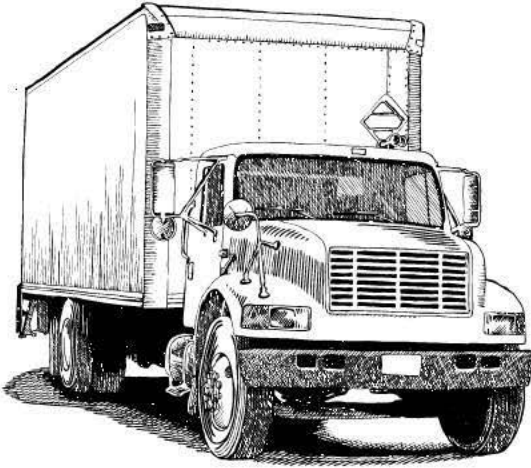
A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.



## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.



## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes



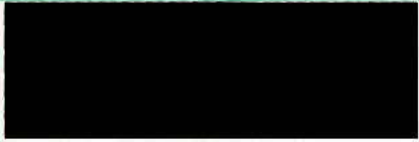
## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



ARTICLE ADDRESS TO:



FEEES

Postage per piece	\$1.830
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$9.730</b>

Postmark  
Here



Beatn2 - P1103.53TR - NOE Mailed



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

1H-45 (Beatz) P1103.53TR - N0E



PEEL

TAPE SLOWLY — PRESS  
SIVE FIRMLY AGAINST ANY  
DTH DRY CLEAN SURFACE.

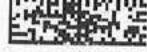
PS Form 3811 Facsimile, July 2015 (SDS 3920)



CERTIFIED MAIL

CERTIFIED MAIL

062S0014950421



\$9.730  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
11/27/2023  
stamps  
endicia

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type

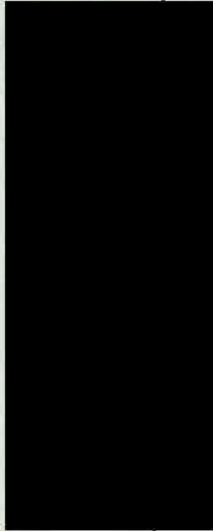
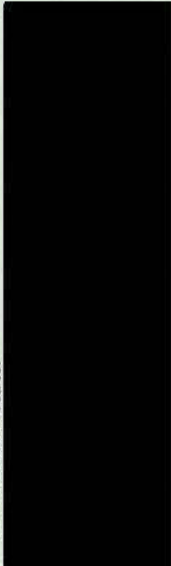
Certified Mail®

Domestic Return Receipt

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



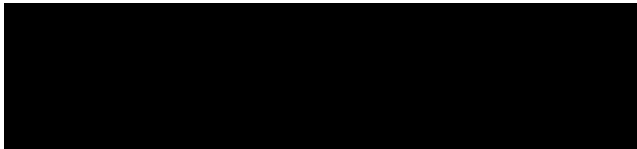
PS Form 3811 Facsimile, July 2015 (SDC 3930)

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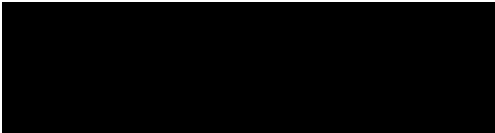




Date: November 27, 2023

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.53TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re: Property Located at** [REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$16,842.00** to rent a replacement home that costs **\$1,276.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,276.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,276.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$16,842.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] at [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] at [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]

Project Manager/Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

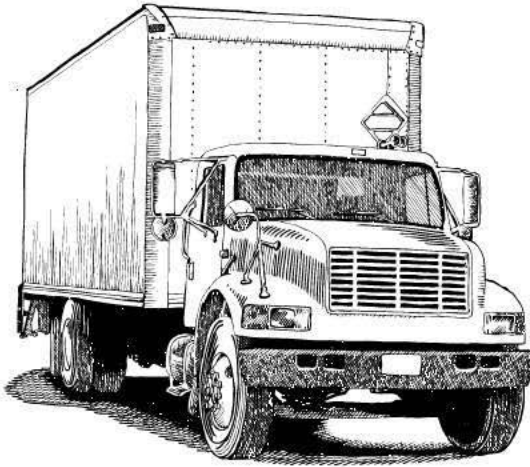
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

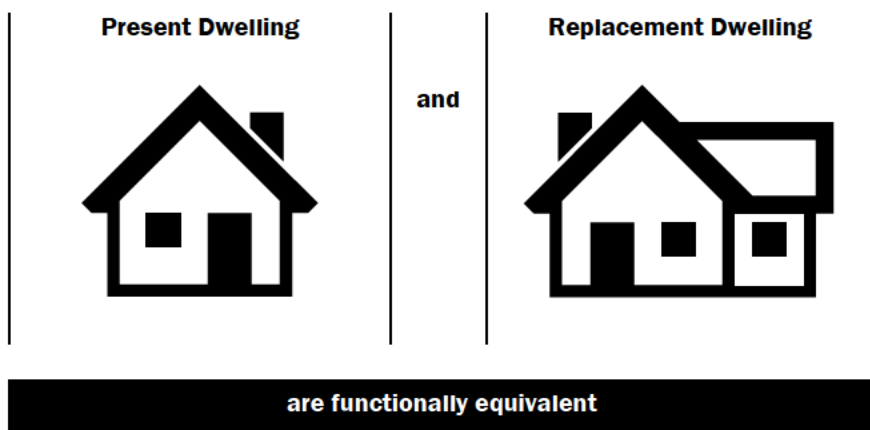
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

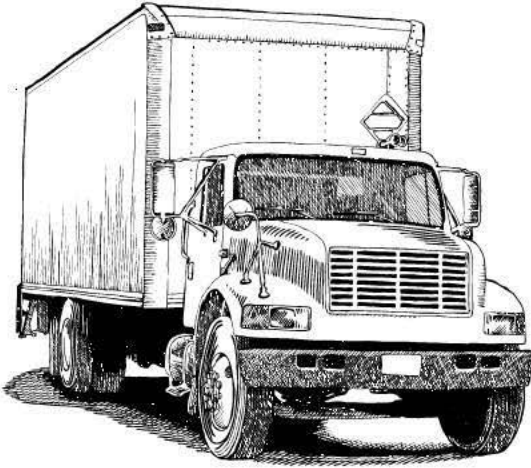
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



FEES

Postage per piece	\$2.790
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$10.690</b>

ARTICLE ADDRESS TO:



Postmark  
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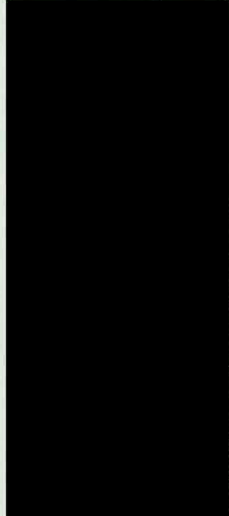


1H-45 - 1103.54 - NOE Mailed

**SENDER: COMPLETE THIS SECTION**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

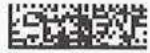


**COMPLETE THIS SECTION ON DELIVERY**

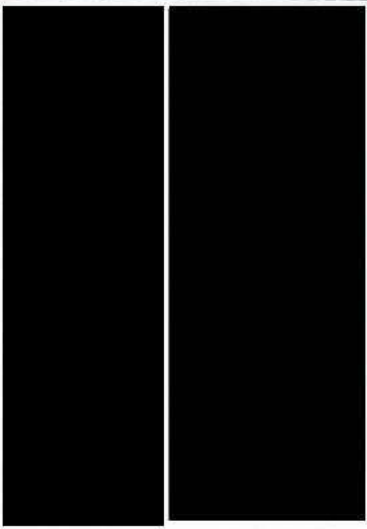
A. Signature: ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent )	
<b>X</b>	
B. Received By: (Printed Name)	C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No if YES, enter delivery address below:	
3. Service Type	
<input checked="" type="checkbox"/> Certified Mail®	

**CERTIFIED MAIL**

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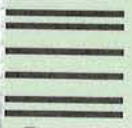


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US POSTAGE  
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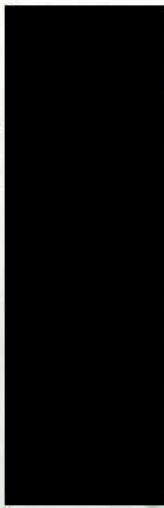




First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

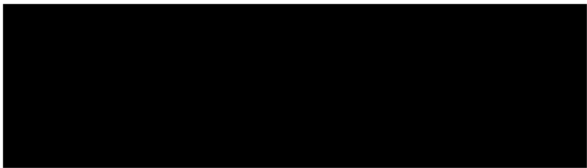
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PEEL

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WITH DRY CLEAN SURFACE.

PS Form 3811 Facsimile, July 2015 (500 2008)

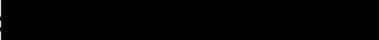


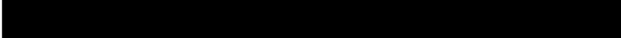
Date: January 17, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.54TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45



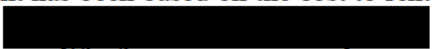

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** 

**Re: Property Located at** 

Dear 

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled “*Relocation Assistance.*” We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$32,592.00** to rent a replacement home that costs **\$1,651.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at . You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,651.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,651.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at  in your community.



4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$32,592.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.



# Section I: Residential Displacees

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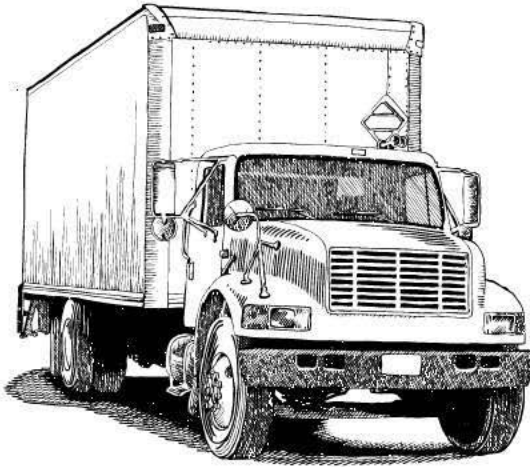
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

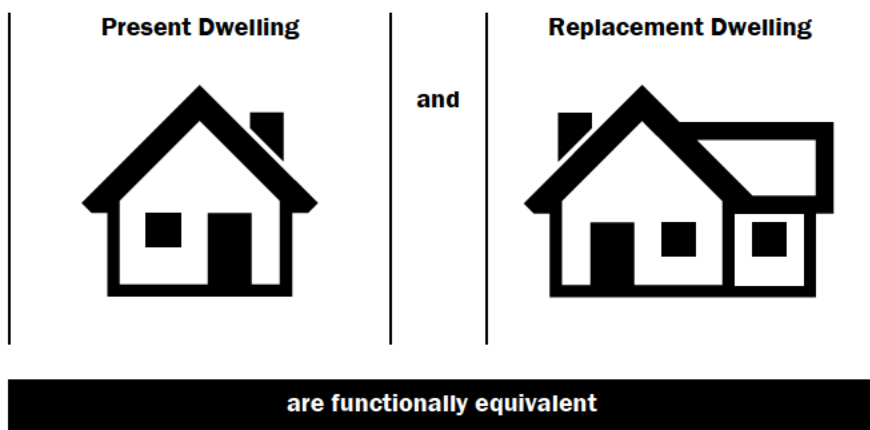
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).



## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

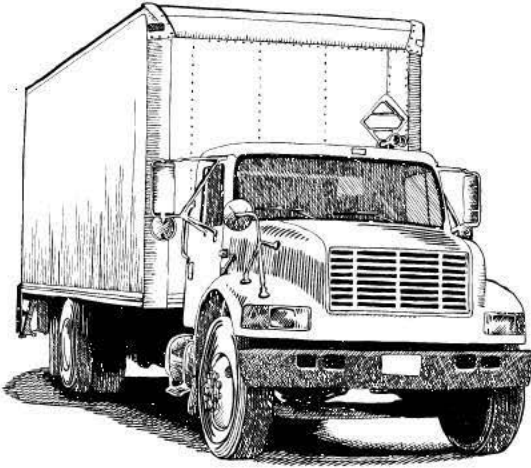
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.



## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.



## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

U.S. Postal Service  
Certified Mail Receipt



FEEES

Postage per piece	\$2.790
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
Total Postage & Fees:	\$10.690

ARTICLE ADDRESS TO:



1H-95 (Beatriz) 1103.55 TR - NOE Mailed

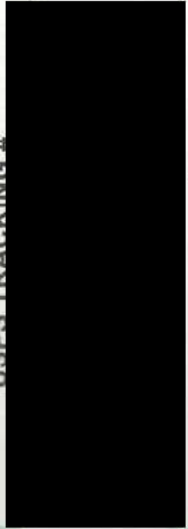
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First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

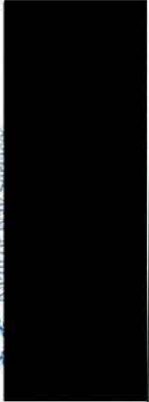


USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

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45



PS Form 3811 Facsimile, July 2015 (SBC 2329)

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WITH DRY CLEAN SURFACE.



CERTIFIED MAIL

CERTIFIED MAIL

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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Ensure items 1, 2, and 3 are completed.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature: ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent )</p> <p><b>X</b></p>	
<p>1. Article Addressed to:</p>		<p>B. Received By: (Printed Name)</p> <p>C. Date of Delivery</p>	
<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No if YES, enter delivery address below:</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail®</p>	

Domestic Return Receipt

PS Form 3811 Facsimile, July 2015 (SDC 3930)

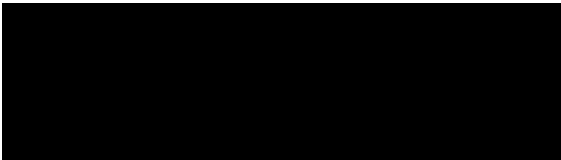
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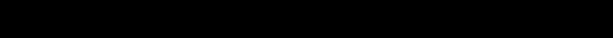
Date: January 03, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.55TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45





**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.** 

**Re: Property Located at** 

Dear 

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled “*Relocation Assistance.*” We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$28,284.48** to rent a replacement home that costs **\$1,334.00** per month or more including utilities. This supplement has been based on the cost to rent a four-room, one-bedroom replacement multi-family unit located at . You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,334.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,334.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at  in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$28,284.48** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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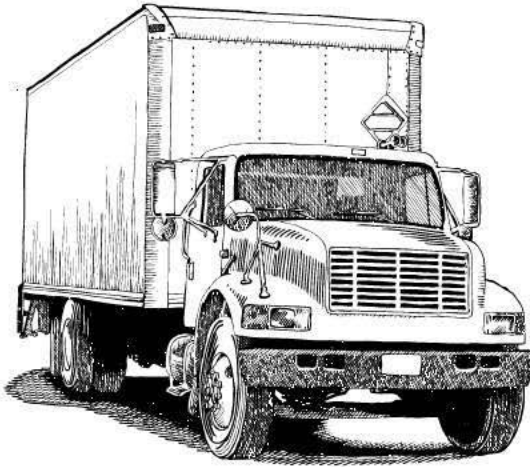
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

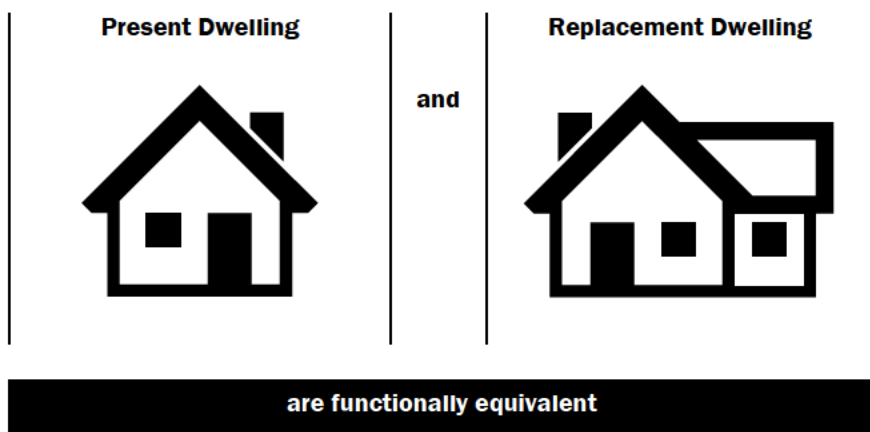
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

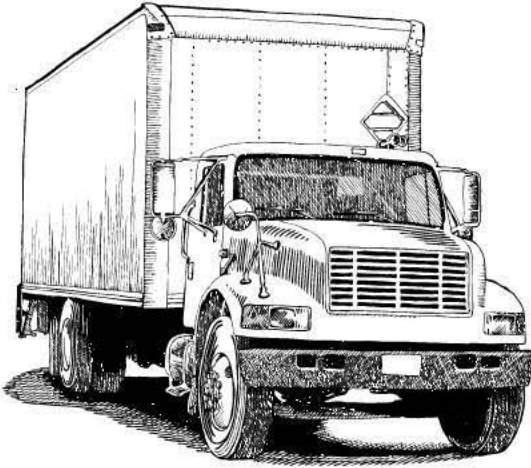
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 30, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.035TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 25, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;



- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x **\$ 755.80**), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**. If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier)**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

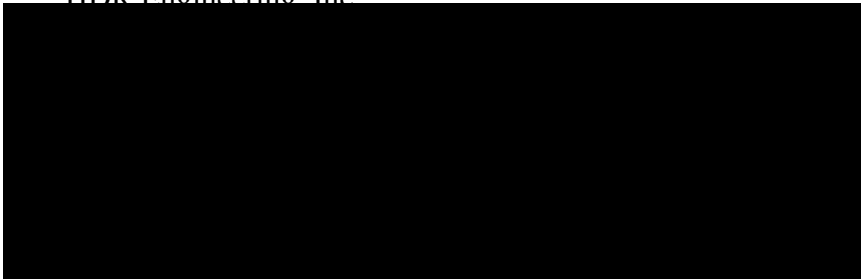
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/30/2024

I acknowledge receipt of this notice



Date: 1 30 24

(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 25, 2024

30

Parcel: 308.035TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

### RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

\_\_\_\_\_ (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

\_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

\_\_\_\_\_ (Initial) TxDOT URA Eligibility

\_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

  /   \_\_\_\_\_ (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA.

[REDACTED]

[REDACTED]

[REDACTED]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 26, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.060TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 26, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.



Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,491.60** (42 x \$ 749.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,491.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.

[REDACTED]

Right of Way Project Manager

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent: \_\_\_\_\_ Date: \_\_\_\_\_

I acknowledge receipt of this notice: \_\_\_\_\_ Date: \_\_\_\_\_  
(Resident Signature)

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



**RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM**

January 29, 2024

Parcel: 308.060TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following option:

- \_\_\_\_\_ (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.
- \_\_\_\_\_ (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

\_\_\_\_\_ (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

- \_\_\_\_\_ (Initial) TxDOT URA Eligibility
- \_\_\_\_\_ (Initial) Decline TxDOT URA Eligibility

\_\_\_\_\_(Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect the TxDOT URA option.

\_\_\_\_\_  
RELOCATION AGENT SIGNATURE

\_\_\_\_\_  
DISPLACEE SIGNATURE

\_\_\_\_\_  
NAVIGATOR SIGNATURE

[REDACTED]  
DISPLACEE NAME



# **RELOCATION ASSISTANCE**

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Right of Way Division

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## Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

### Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**



## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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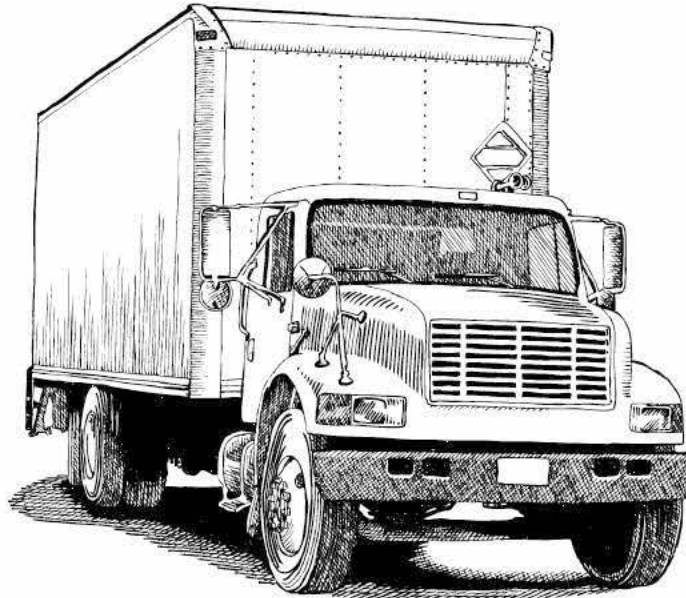
## **Moving Cost Reimbursement**

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## **Individuals and Families**

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

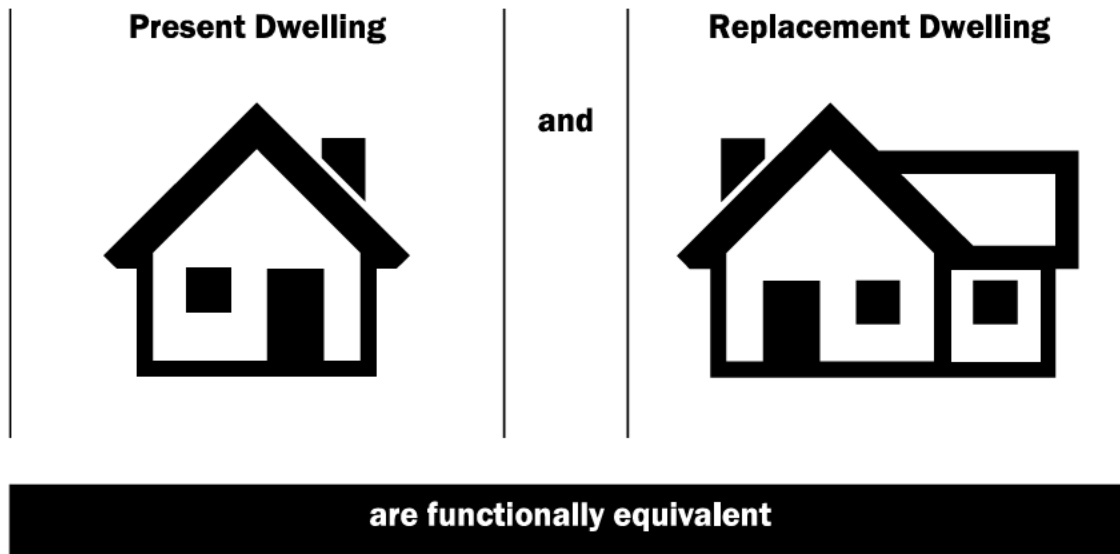
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## **A Comparable Replacement means that your...**



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.



## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

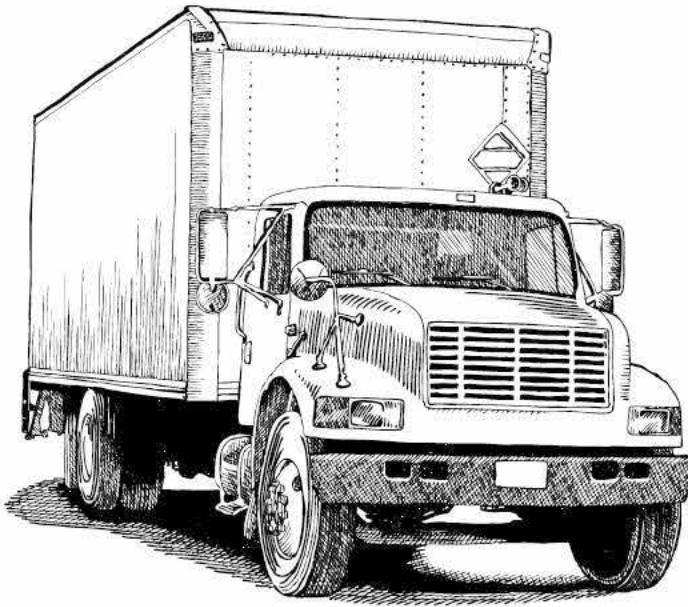
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### **Including**

Personal Property Losses

### **Plus**

Expenses in Finding a Replacement

### **Plus**

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Two Ways to Move Your Enterprise**

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## **Notification and Inspection**

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

### **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

### **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

### **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**



- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## **Types of Payments for Advertising Signs**

### **Actual Costs**

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### **Self-Move**

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## **Searching Expenses**

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

### **Caution**

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

### **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

### **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.



## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

## Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

### **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT**

Temenos II, CDC

January 30, 2024

County: Harris

Federal Project: NHHIP

ROW CSJ: 0500-03-608

Hwy. No.: IH 45

Parcel ID: 308.079TR / P00013380

Project Limits: IH 45 at IH 69(S)

Dear [REDACTED]:

On December 18, 2019, an offer was made by the Texas Department of Transportation (TxDOT) to purchase Temenos Community Development Corporation (Temenos) property as part of the North Houston Highway Improvement Project (NHHIP).

It has been determined that you will be displaced by the project. Since you are being displaced in connection with this federally funded project, you will be eligible for relocation assistance and payments under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA).

HHA and TxDOT are committed to ensuring that you have continued access to safe, quality, and affordable housing. Temenos has constructed another subsidized housing complex near your current location, allowing Temenos residents the opportunity to return to the area they have historically called home.

To ensure that you are informed of and provided with your rights under the URA, TxDOT has hired HDR Engineering, Inc. (HDR), a relocation firm that will work with you to provide relocation assistance, including providing advisory services, identifying a new home, planning and coordinating your move, and completing claim forms for your relocation benefits.

- This is your Notice of Eligibility for relocation assistance.
- The effective date of your eligibility is January 29, 2024

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a**

**qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled "TXDOT Relocation Assistance." Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do in order to receive these payments.

**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including counseling and other assistance to help you find another home and prepare to move.

2. Payment for Moving Expenses:

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment in the amount of **\$400.00** based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment Schedule for Texas

**A. UNFURNISHED UNITS - Occupant owns furniture.**

No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	
Amount	\$1,600	\$1,700	\$1,900	\$150	

**B. FURNISHED UNITS – Occupant does not own furniture.**

First Room	Each Additional Room
\$400	\$50

3. Voucher options through Houston Housing Authority (HHA).

As a Temenos resident, you can elect one of the following options through the **Voucher Program**.

- Option 1: You can remain on your current Project-Based voucher (PBV) and relocate to the new Temenos location or;

- Option 2: You may exercise the right to move to a non-Project Based Voucher unit. Below are the minimum requirements necessary to elect this option.
  1. You may terminate your lease at any time after the first year of occupancy at Temenos. You must give advance written notice to the owner in accordance with provisions in your lease and provide a copy of such notice to HHA. You must be in good standing with your current landlord at Temenos. Good standing includes, but not limited to there not being delinquent rent owed, pending eviction, lease violations, etc. If you choose this option, you must contact HHA to request the continued tenant-based assistance ***prior*** to providing notice to terminate the lease.
  2. If you terminate your lease in accordance with the above requirements, HHA shall offer you the opportunity for continued tenant-based assistance, in the form of a voucher or other comparable tenant-based rental assistance. If a voucher or other comparable tenant-based assistance is not immediately available upon termination of your lease in the PBV unit, HHA shall give you priority to receive the next available opportunity for continued tenant-based assistance.
  3. If you terminate your assisted lease before the end of the first year, then you relinquish the opportunity to choose this option. Therefore, if you want to return to a PBV funded unit, you will be placed on a waitlist for admission.

If you elect to request a non-Project Based Voucher Unit, your project-based voucher will be discontinued as both vouchers cannot be in effect at the same time.

#### 4. URA TxDOT Option.

##### **a) Rental Assistance**

If you relocate without a voucher, you will be provided with a replacement housing payment under the TxDOT relocation assistance program in compliance with the URA. The payment is based on several factors, including (1) the monthly rent and cost of utility services for your present home; (2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR); and (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between factors 1, 2 or 3 above, as applicable, and the new housing costs for a one-month period, then multiplied by 42 months. Please note that URA assistance is not adjusted to reflect future rent increases and covers only a 42-month period.

Listed below is a comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.

<u>Address</u>	<u>Rent &amp; Utility Costs</u>	<u>Contact Info</u>
[REDACTED]	\$1,030.00 + \$0 Utilities = \$1,030.00	[REDACTED]

Based on the information you have provided about your income, rent, and utilities you now pay, you may be eligible for a maximum replacement housing payment of approximately **\$31,743.60** (42 x \$ 755.80), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement, you must rent and occupy a replacement dwelling costing **\$1,030.00** per month or more, including utilities, **within one year of the following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).** If your replacement dwelling rents for less than **\$1,030.00** per month, the supplement may be reduced to reflect the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation coordinator and your Navigator before making any kind of commitment to rent a unit.**

We will not base your payment on any dwelling that is not a comparable, decent, safe, and sanitary replacement home.

**b) Down-Payment Assistance**

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed **\$31,743.60** for down payment and incidental expenses. Any amount paid under this provision must be applied toward the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year of the **following dates: 1) the date you move from the displacement dwelling; or 2) the date in which you are in receipt of this Notice of Eligibility (whichever date is earlier).**

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property passes a decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Relocation Assistance Review Committee and/or TxDOT's Relocation Assistance Review Committee, as explained in the brochure.

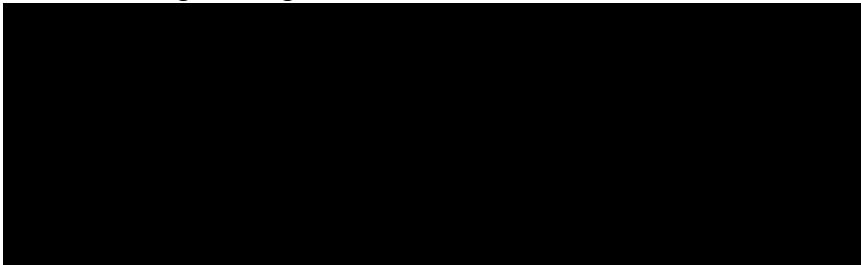
Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by HDR. Completed claim forms must be filed **no later than eighteen (18) months from the date you receive of this notice.**

If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your relocation agent [REDACTED]. The relocation team will assist to ensure that you preserve your eligibility for all relocation payments to which you may be entitled. Also, be sure and let your Relocation Agent know if you require auxiliary aides, verbal and written translation, or other assistance to fully participate in the relocation process.

**Remember, do not move or commit to the purchase or lease of a replacement dwelling before we have a chance to further discuss your eligibility for relocation assistance.**

This letter is important to you and should be retained.

Sincerely,  
HDR Engineering, Inc.



Right of Way Project Manager



Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail
- Mailed USPS certified
- Posted on door (must have photo)
- Picked up in office

Relocation Agent



Date: 1/30/2024

I acknowledge receipt



Date: 1-30-24

Enclosure:

Relocation Option Acknowledgment  
Relocation Assistance Brochure



# RELOCATION ASSISTANCE PROGRAM OPTION ACKNOWLEDGEMENT FORM

January 25, 2024

Parcel: 308.079TR / P00013380

County: Harris

Displacee: [REDACTED]

ROW CSJ: 0500-03-608

Please be advised that the following procedures and items concerning Relocation Assistance were discussed with the following person(s) whose signature(s) appear below:

- 1. Delivery of the brochure entitled "Relocation Assistance"
- 2. Explanation of Relocation Benefit Options (Houston Housing Authority (HHA) Project Based Voucher/ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA))
- 3. Qualifications for Relocation Assistance
- 4. Notice of Eligibility
- 5. Claim for Payment (if applicable)
- 6. Relocation Payments are nontaxable
- 7. Appeal Rights

### RESIDENTIAL:

- 8. Moving Costs
- 9. Rental Assistance Payment (if applicable)
- 10. Down Payment Assistance (if applicable)

I acknowledge that I have been informed and understand the relocation options offered to me by HDR Engineering, Inc. (HDR) and the Texas Department of Transportation (TxDOT). At this time, I have elected the following:

[REDACTED] (Initial) **Option 1:** Retain Project Based Voucher Assistance by relocating to the new property.

[REDACTED] (Initial) **Option 2:** Relocation to a Private Market Unit by requesting and receiving a regular Housing Choice Voucher:

- 1) You have lived in the Project Based Voucher unit for at least 1 (one) year and are not under a written lease.
- 2) Are in good standing with the landlord.
- 3) Housing Choice Vouchers are available.

[REDACTED] (Initial) Please acknowledge that I will forfeit the benefits under the HHA Project Based Voucher should I elect the TxDOT URA.

[REDACTED] (Initial) TxDOT URA Eligibility

[REDACTED] (Initial) Decline TxDOT URA Eligibility

[REDACTED] (Initial) I acknowledge that I have up to 12 months to select and occupy a replacement dwelling and up to 18 months to submit eligible relocation claims from the date of the Notice of Eligibility should I elect

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]

[REDACTED SIGNATURE]



**NOTICE OF ELIGIBILITY FOR URA RELOCATION ASSISTANCE  
RESIDENTIAL TENANT  
Clayton Homes**

January 31, 2024

**VIA EMAIL AND CERTIFIED MAIL#** [REDACTED]

**RE:** [REDACTED]

Dear [REDACTED]:

On February 16, 2019, the Texas Department of Transportation's (TxDOT) made a written offer to acquire Clayton Homes from the Houston Housing Authority (HHA), as part of the North Houston Highway Improvement Project (NHHIP). It is our understanding that you have since moved away from Clayton Homes. This letter is being provided to notify you of another relocation option through TxDOT.

To ensure that you are informed of and provided your rights under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). TxDOT has hired Trinity Consulting (Trinity) a relocation firm who will work with you to provide advisory services on the relocation options available, as well as additional relocation services which you may be entitled should you elect to utilize the URA eligibility option. These services include identifying a replacement home planning and coordinating your move and completing claim forms.

- This is your Notice of Eligibility for relocation assistance
- The effective date of your eligibility is February 16, 2019.

**NOTE: Pursuant to Public Law 105-117, aliens not lawfully present in the United States are not eligible for relocation assistance under the URA, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child. All persons seeking URA relocation assistance will be required to certify that they are a United States citizen or national, or an alien lawfully present in the United States.**

Enclosed is a brochure entitled, "TXDOT Relocation Assistance". Please read the brochure carefully. It explains your rights and provides additional information on your eligibility for relocation payments and what you must do to receive payments.



**The relocation assistance to which you are entitled includes:**

1. Relocation Advisory Services, including relocation benefits, which includes financial and advisory benefits.
2. Payment for Moving Expenses

Payment for Moving Expenses. You may choose from the following options:

1. a licensed and bonded commercial mover of your choice
2. a payment for your actual reasonable moving and related expenses
3. a fixed moving payment based on the URA Fixed Residential Moving Cost Schedule (see schedule below)
4. or a combination of the above

Current Fixed Moving Payment schedule for Texas

<b>A. UNFURNISHED UNITS - Occupant owns furniture.</b>					
No. of Rooms	One	Two	Three	Four	Five
Amount	\$600	\$800	\$1,000	\$1,200	\$1,400
No. of Rooms	Six	Seven	Eight	Each Additional Room	-
Amount	\$1,600	\$1,750	\$1,900	\$150	-
<b>B. FURNISHED UNITS - Occupant does not own furniture.</b>					
First Room			Each Additional Room		
\$400			\$50		

3. Rental Assistance Payment.

If you qualify and elect to claim your relocation benefits utilizing the TxDOT relocation assistance program in compliance with the URA, the relocation payment will be based one of these factors: (1) the monthly rent and cost of utility services at Clayton Homes, 2) Fair Market Rent (FMR) if current housing cost are deemed low (less than 50% of FMR) or (3) for low-income persons, 30% of your average monthly gross household income. The payment is calculated based on the difference between the factors 1, 2 or 3 above, as applicable, and the replacement housing costs for a one-month period. You may be eligible for the difference for a period of three and a half years (42 months). Please note that URA assistance is not adjusted to reflect future rent increases.

Listed below is the comparable replacement dwelling that you may wish to consider for your replacement home. If you would like, we can arrange transportation for you to inspect this and other replacement dwellings.



Address	<u>Rent &amp; Utility Costs</u>	Contact Info
[REDACTED]	\$1,689.00 + \$223.00 (Utilities) = \$1,912.00	[REDACTED]

Based upon the income information you provided, rent and utilities at Clayton Homes, you may be eligible for a maximum replacement housing payment of \$50,358.00 (42 x \$1,199.00), if you rent the dwelling identified above as the most comparable to your current home or rent another dwelling of equal cost.

You do not have to rent that particular comparable dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing \$1,912.00 per month or more, including utilities, **within one year of receipt of this notice**. If your replacement dwelling rents for less than \$1,912.00 per month, the supplement may be reduced reflecting the lesser amount. **To avoid any loss of this benefit, you are encouraged to consult with your relocation agent before making any kind of commitment to rent a unit.**

We will not base your rental assistance payment on any dwelling that is not comparable, and decent, safe, and sanitary.

#### 4. Down-Payment Assistance

If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down-payment supplement not to exceed \$50,358.00 for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a decent, safe, and sanitary replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling **within one year from receipt of this notice**.

**Please note** that all replacement housing must be inspected to ensure it is decent, safe, and sanitary before any replacement housing payments are made. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass, decent, safe, and sanitary inspection by TXDOT.

If you are dissatisfied with the determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by TxDOT's Relocation Assistance Review Committee as explained in the brochure.

Application for relocation assistance payments must be made in writing on standard TXDOT forms provided by Trinity. Completed claim forms must be submitted no later than eighteen (18) months after the date you are in receipt of this notice.



If you have any questions about this letter and your eligibility for relocation assistance and payments, please contact your Relocation Agent, [REDACTED]. The relocation team will assist in ensuring that you preserve your eligibility for all relocation payments to which you may be entitled. Also let your Relocation Agent know if you need auxiliary aides, written translation, oral interpretation, or other assistance to fully participate in the relocation process.

This letter is important to you and should be retained.

[REDACTED]

[REDACTED]  
Trinity Consulting

Method of Delivery check all that apply:

- Hand delivered
- Mailed regular mail or email
- Mailed USPS certified
- Posted on door (must [REDACTED])
- Picked up in office [REDACTED]

Relocation Agent: [REDACTED]  
\_\_\_\_\_  
(Relocation Agent Name Signature)

Date: \_\_\_\_\_

[REDACTED]  
\_\_\_\_\_  
(Relocation Agent Printed Name)

I acknowledge receipt of this notice: \_\_\_\_\_  
(Resident Name Signature)

Date: \_\_\_\_\_

[REDACTED]  
\_\_\_\_\_  
(Resident Printed Name)



Consultant to the Texas Department of Transportation  
July 21, 2020

County: Harris  
Federal Project No.: N/A  
Highway: IH 45

ROW CSJ: 0500-03-619  
Parcel: 1102AAQ  
From: IH 610  
To: Tidwell

BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO.:



Dear Property Owners:

An offer was made by the Texas Department of Transportation on July 21, 2020 to purchase the above-designated property, on which your personal property is located, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

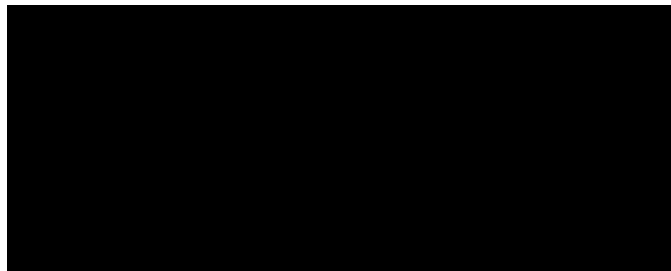
Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
3. Application for relocation assistance payments must be made in writing on standard forms provided by this Department and must be filed with this Department no later than eighteen (18) months after the date you actually move from this parcel.
4. Any person or entity who is 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.
5. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any

benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,



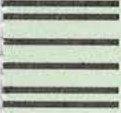
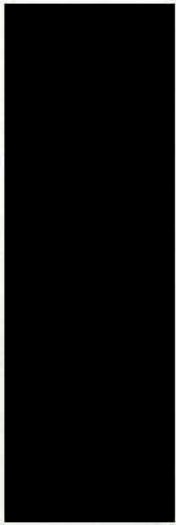
Enclosure





CEA

USPS TRACKING #



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

UNITED STATES  
POSTAL SERVICE

11-45 (Beach 2) 1103 . 337R - NOE Mailed



PEEL

TAPE SLOWLY — PRESS  
SIVE FIRMLY AGAINST ANY  
WITH DRY CLEAN SURFACE.

PS Form 3811 Facsimile, July 2015 (SDC 3830) (22)

CERTIFIED MAIL

062S0001443182

\$9.920  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
01/29/2024  
stamps  
endicia

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent)

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  
if YES, enter delivery address below:  Yes  No

SENDER: COMPLETE THIS SECTION

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

[Redacted]

3. Service Type

Certified Mail®

Domestic Return Receipt

PS Form 3811 Facsimile, July 2015 (SDC 3830)

CERTIFIED MAIL

stamps.com

\* 1-UP Laser Form \*  
\* USA CMF - 134 06/22 \*

U.S. Postal Service  
Certified Mail Receipt



FEES	
Postage per piece	\$1.870
Certified Fee	\$4.400
Return Receipt Fee	\$3.650
<b>Total Postage &amp; Fees:</b>	<b>\$9.920</b>

ARTICLE ADDRESS TO:



Postmark  
Here

1H-45 (Beatriz) 1103.33 TR-NUE



12830 Willow Centre Drive, Ste A  
Houston, Texas 77066  
817.369.3191

Date: January 29, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.33TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO. [REDACTED]**

Re: [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$30,534.00** to rent a replacement home that costs **\$1,651.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,651.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,651.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.
4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$30,534.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment,

you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.

5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]  
Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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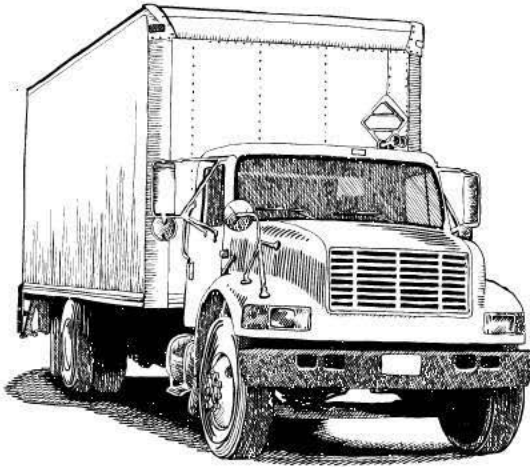
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

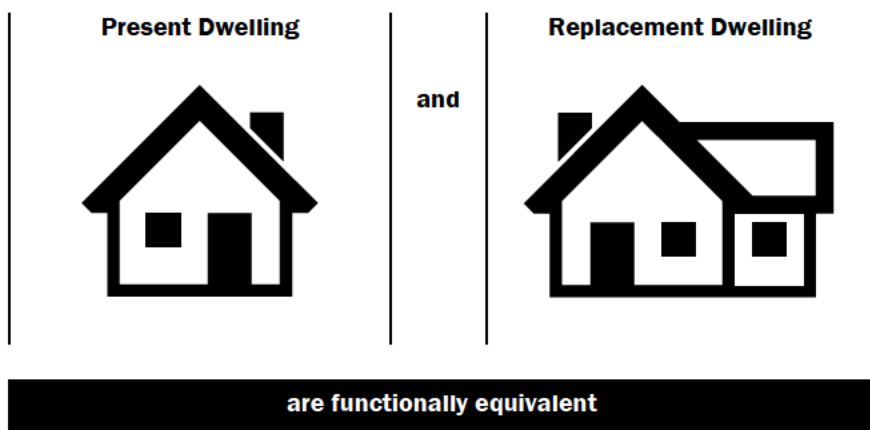
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.



## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

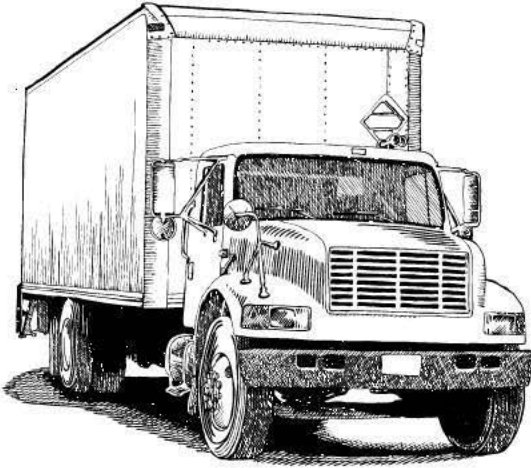
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.



## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships



# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

Date: February 01, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.34TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re: Property Located at** [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date, you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$31,542.00** to rent a replacement home that costs **\$1,651.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,651.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,651.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you in doing so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at 450 E Roger Street, Houston, TX, 77022, and 1001 Pinemont Drive, Houston, TX 77018 in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$31,542.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**



## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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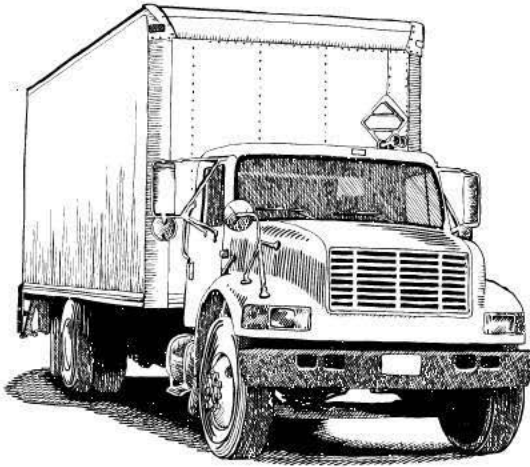
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

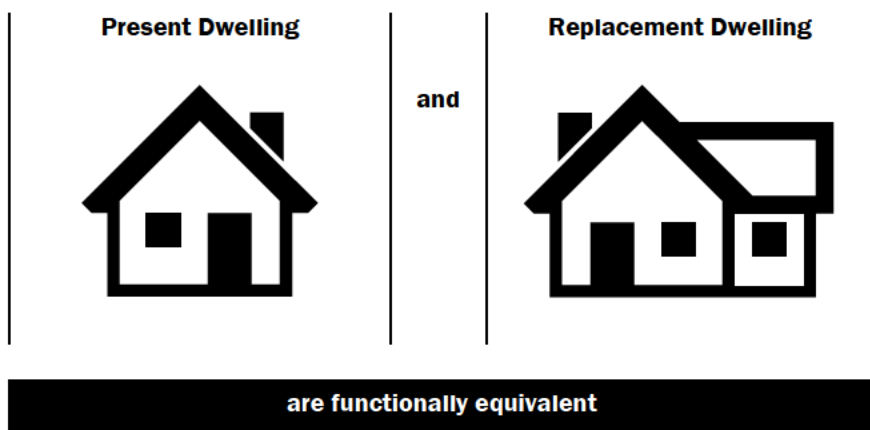
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.



## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

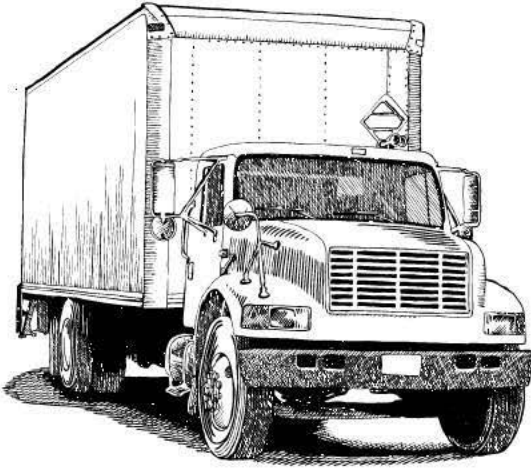
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**



- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.



## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



12830 Willow Centre Drive, Ste A  
Houston, Texas 77066  
817.369.3191

Date: February 01, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.35TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]  
[REDACTED]  
[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re:** [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$54,045.60** to rent a replacement home that costs **\$1,651.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,651.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,651.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you in doing so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.



4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$54,045.60** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED], or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]

Project Manager/  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.



# Section I: Residential Displacees

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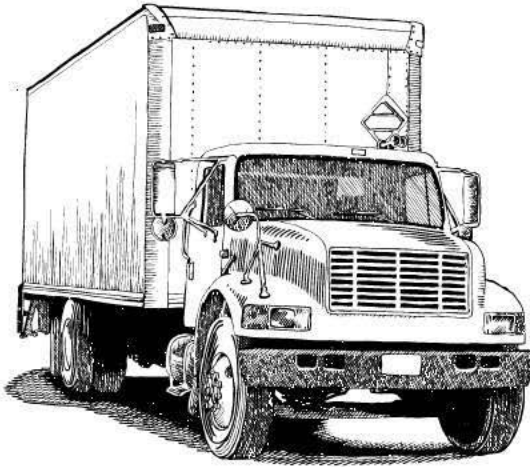
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

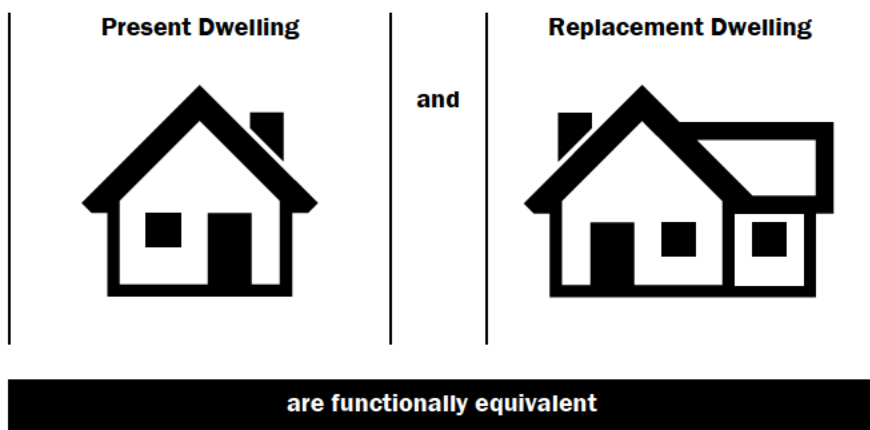
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).



## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

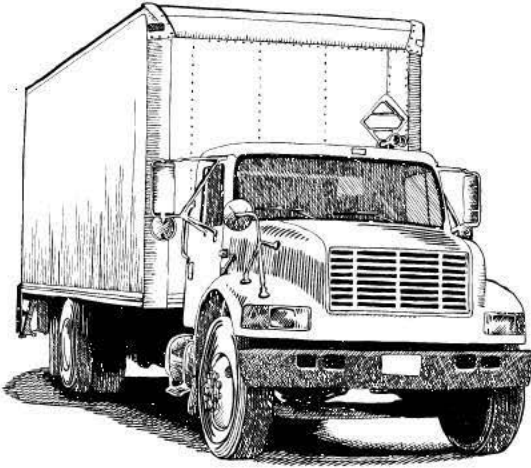
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.



## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.



## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

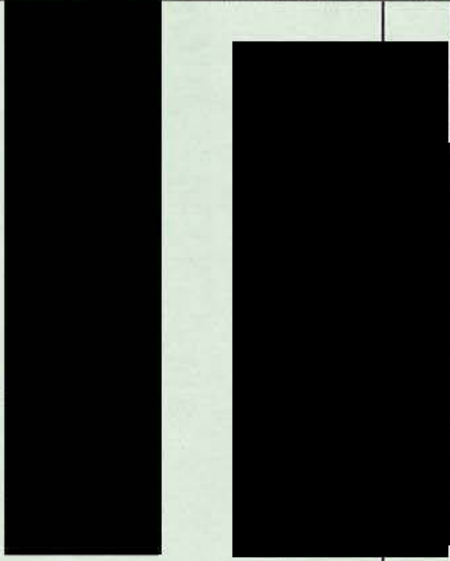


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- Attach this card to the back of the mailpiece, or on the front if space permits.

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COMPLETE THIS SECTION ON DELIVERY

A. Signature:  Addressee or  Agent

X

B. Received By: (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type

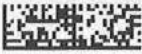
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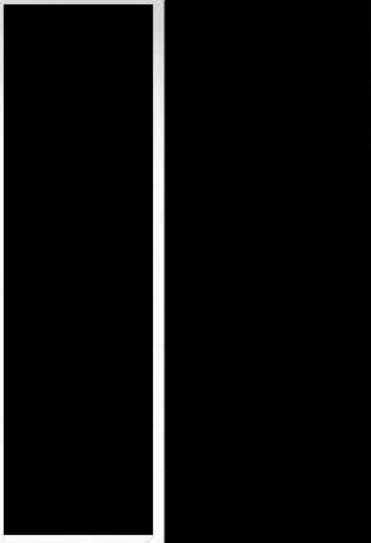
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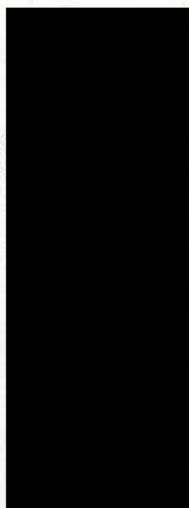




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# Stateside

Right of Way Services

12830 Willow Centre Drive, Ste A  
Houston, Texas 77066  
817.369.3191

Date: January 26, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.36TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re:** [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$32,592.00** to rent a replacement home that costs **\$1,651.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,651.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,651.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$32,592.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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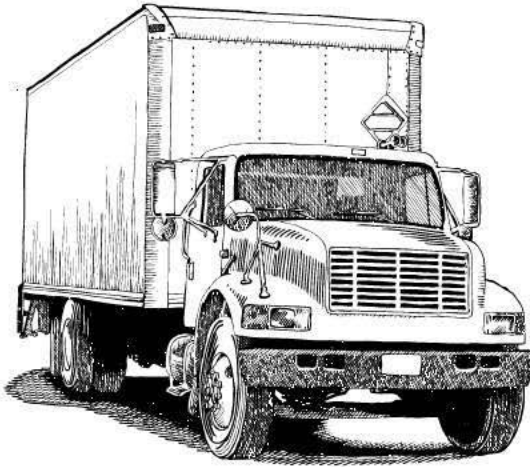
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

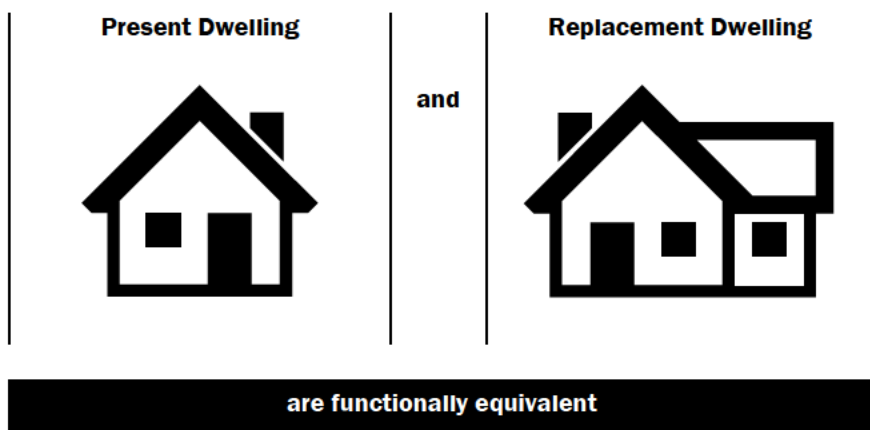
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

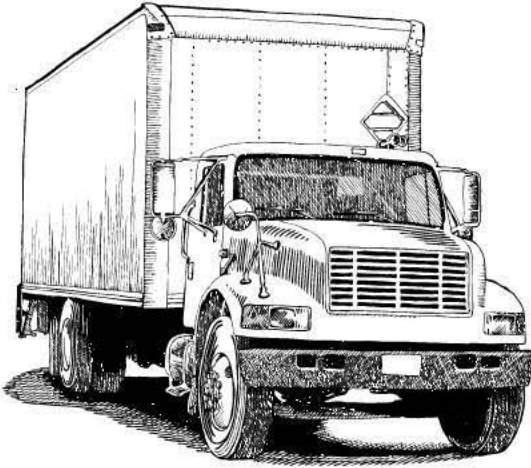
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

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**CERTIFIED MAIL**

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**COMPLETE THIS SECTION ON DELIVERY**

A. Signature: (  Addressee or  Agent )

**X**

B. Received By: (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

**SENDER: COMPLETE THIS SECTION**

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

3. Service Type

Certified Mail®

Domestic Return Receipt

PS Form 3811 Facsimile, July 2015 (SDC 3930)

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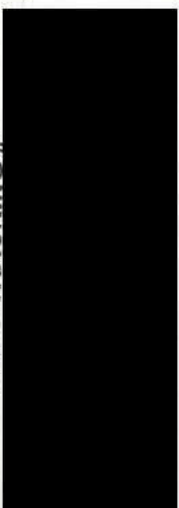




First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



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Houston, Texas 77066  
817.369.3191

Date: January 24, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.38TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO. [REDACTED]**

Re: [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$33,642.00** to rent a replacement home that costs **\$1,651.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,651.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,651.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$33,642.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at 7600 [REDACTED]. In the event you are unable to contact our office between 8 a.m. and 5 p.m., you may call [REDACTED] between 8 A.M. and 8 P.M. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]

Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.



**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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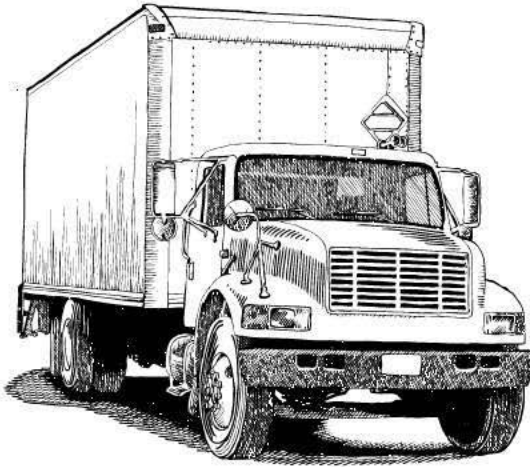
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

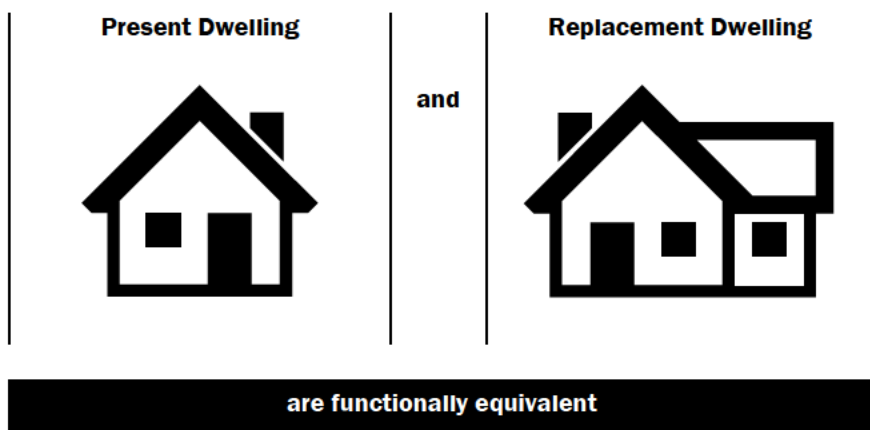
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.



## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

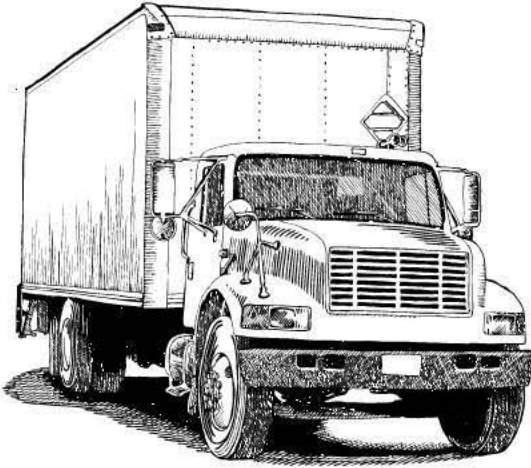
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.



# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.



# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



12830 Willow Centre Drive, Ste A  
Houston, Texas 77066  
817.369.3191

Date: February 01, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.40TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]  
[REDACTED]  
[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re:** [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date, you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$19,614.00** to rent a replacement home that costs **\$1,442.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room two-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,442.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,442.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you in doing so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$19,614.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]

Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

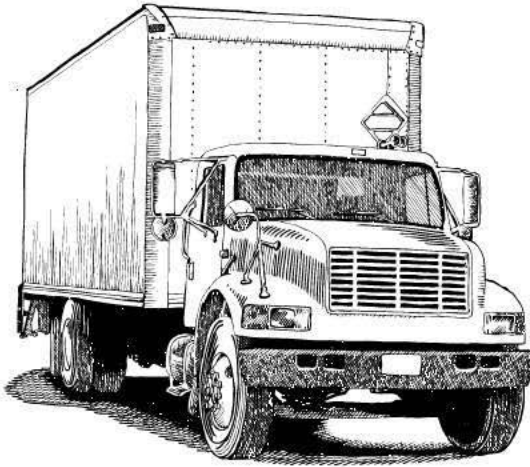
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

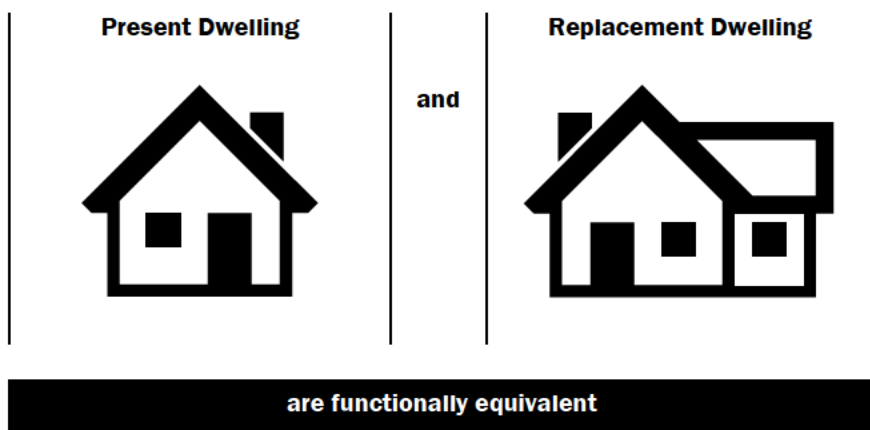
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

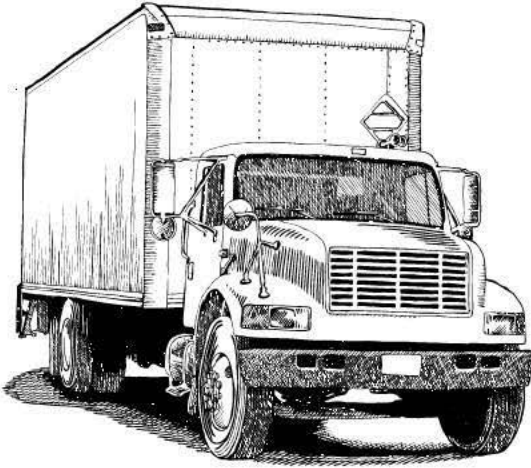
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



CERTIFIED MAIL

CERTIFIED MAIL

\$10.880  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
01/30/2024  
stamps.  
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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Ensure items 1, 2, and 3 are completed.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature: ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent )</p> <p><b>X</b></p>	
<p>1. Article Addressed to:</p> <p>[Redacted]</p>		<p>B. Received By: (Printed Name)</p> <p>C. Date of Delivery</p>	
<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>		<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail®</p>	

Domestic Return Receipt

PS Form 3811 Facsimile, July 2015 (SDC 3830)

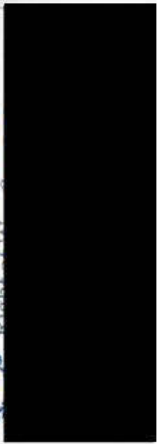
CERTIFIED MAIL

stamps.com

\* 1-UP Laser Form \*  
\* USA CMF - 134 0822 \*

CERTIFIED

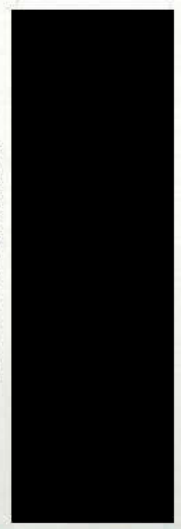
Stateside  
Right of Way Services



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10



USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

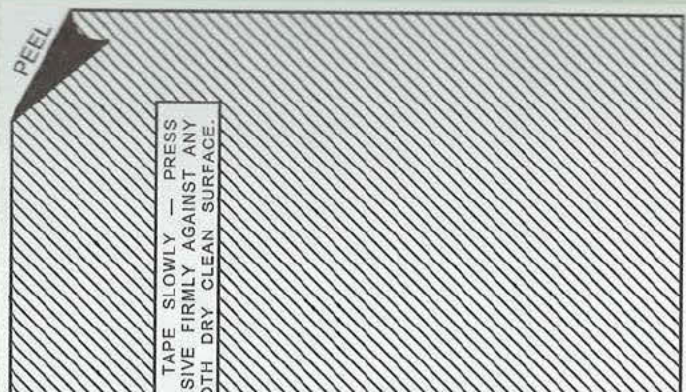
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Stateside  
Right of Way Services



PEEL

TAPE SLOWLY — PRESS  
SIVE FIRMLY AGAINST ANY  
DTH DRY CLEAN SURFACE.



PS Form 3877, Backmatter, July 2015 (SBC 3877)



**Stateside**  
Right of Way Services

12830 Willow Centre Drive, Ste A  
Houston, Texas 77066  
817.369.3191

Date: January 30, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.41TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re:** [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$18,564.00** to rent a replacement home that costs **\$1,442.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, two-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,442.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,442.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$18,564.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager/ Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure





# **RELOCATION ASSISTANCE**

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Right of Way Division



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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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## Moving Cost Reimbursement

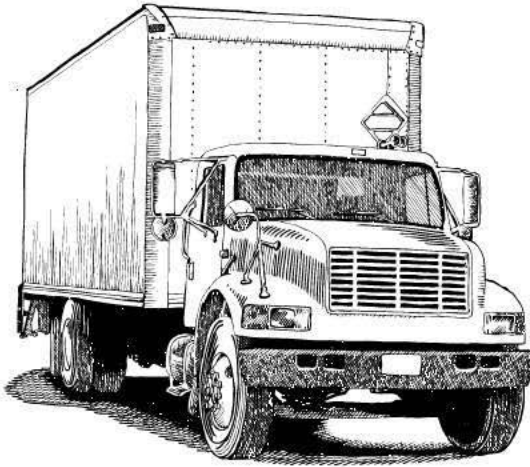
If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**



**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

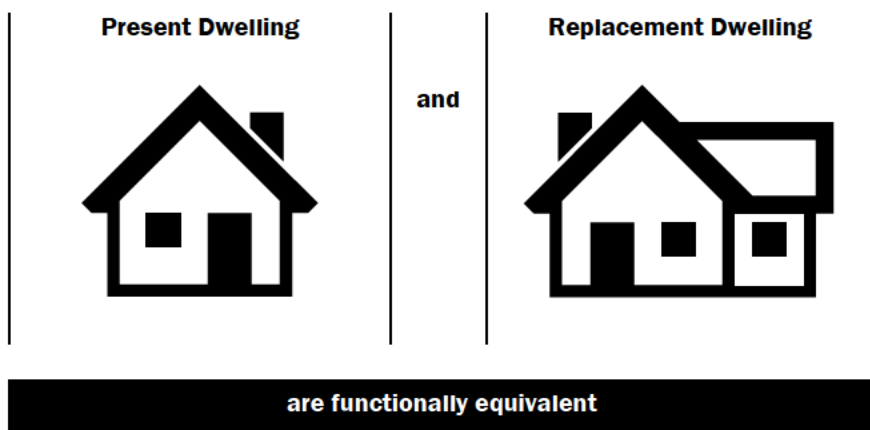
## **Replacement Housing Payments**

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.

## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.



# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

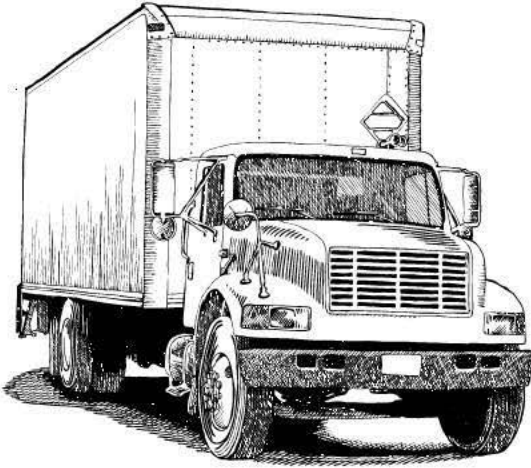
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.



# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.

## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes



## Notes

## Notes



## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

Date: February 01, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.42TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re:** [REDACTED]

Dear [REDACTED]

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$82,859.70** to rent a replacement home that costs **\$2,384.00** per month or more including utilities. This supplement has been based on the cost to rent a eight-room, four-bedroom replacement single family home located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$2,384.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$2,384.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you in doing so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$82,859.70** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact

[REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED]. Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

[REDACTED]

Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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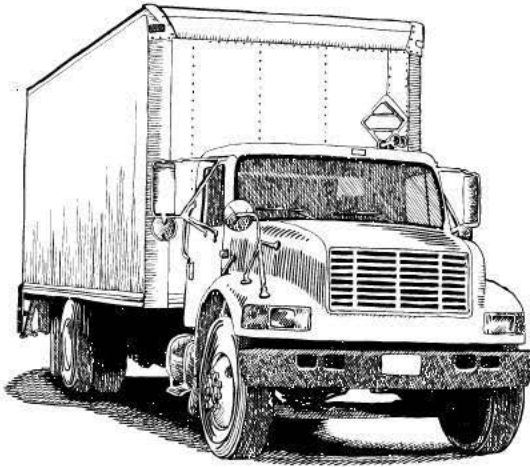
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

## **Replacement Housing Payments**

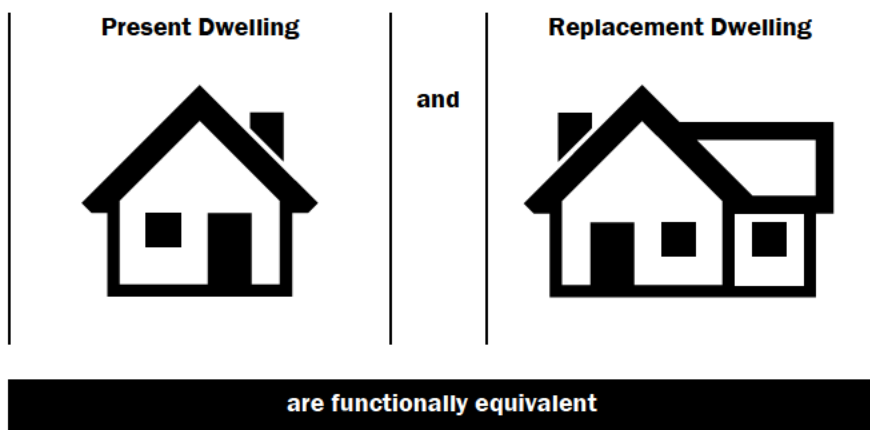
Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.



## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

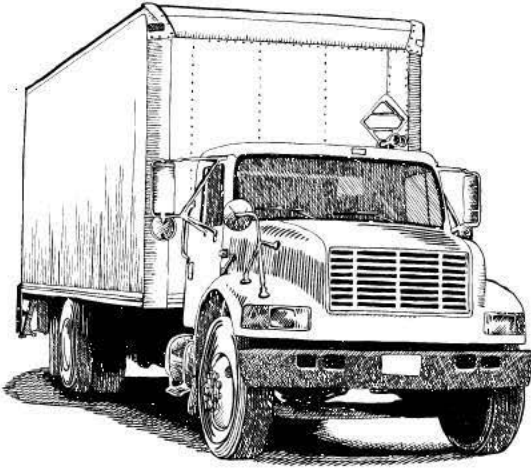
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**



## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.



## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at  
200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

CERTIFIED MAIL

CERTIFIED MAIL

062S0001443221



\$10.880  
US POSTAGE  
FIRST-CLASS  
FROM 75234  
01/30/2024  
stamps  
endicia

COMPLETE THIS SECTION ON DELIVERY

A. Signature: (  Addressee or  Agent )  
**X**

B. Received By: (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Certified Mail®

Domestic Return Receipt

de

Services  
Ste. 140

202518369868 (label)

File, July 2015 (SDC 3930)



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

USPS TRACKING #



UNITED STATES  
POSTAL SERVICE

1H-45 (BEATRIZ) 1103-43TR - NO e mailed



PEEL

TAPE SLOWLY — PRESS  
RESISTIVE FIRMLY AGAINST ANY  
OTHER DRY CLEAN SURFACE.

PS Form 3811 Facsimile, July 2015 (SDC 3330)

Date: January 30, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.43TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

**BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.:** [REDACTED]

**Re:** [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$42,333.06** to rent a replacement home that costs **\$1,442.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, two-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,442.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,442.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$42,333.06** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager / Right of Way Agent  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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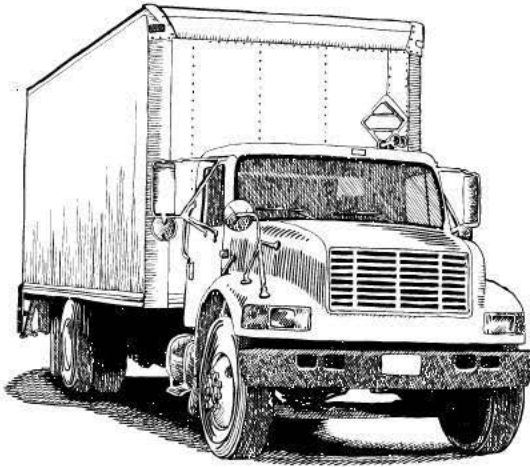
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

## **Replacement Housing Payments**

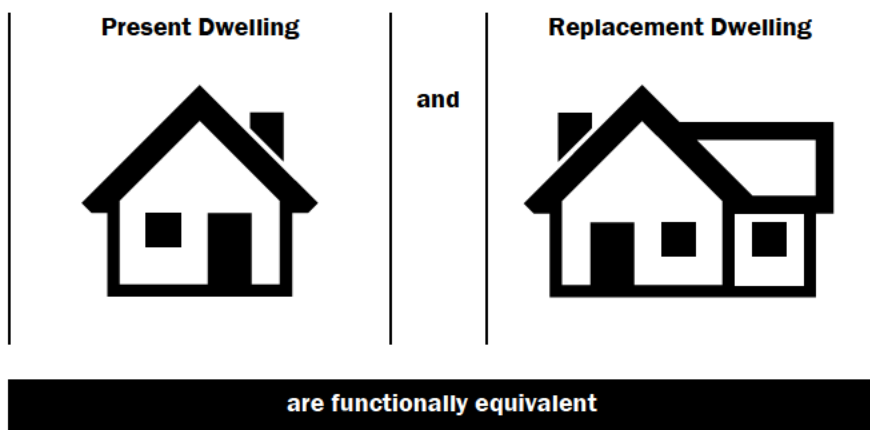
Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.



## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

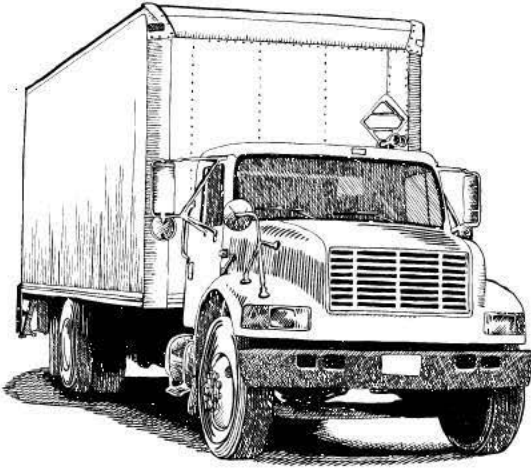
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**



## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
----------------

**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.



## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

## **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

**The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.



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SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Ensure items 1, 2, and 3 are completed.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature: ( <input type="checkbox"/> Addressee or <input type="checkbox"/> Agent )</p> <p><b>X</b></p>	
<p>1. Article Addressed to:</p> <div style="background-color: black; width: 100px; height: 40px; margin-bottom: 5px;"></div> <div style="background-color: black; width: 100px; height: 40px;"></div>		<p>B. Received By: (Printed Name)</p>	<p>C. Date of Delivery</p>
<p>D. Is delivery address different from item 1? If YES, enter delivery address below:</p>		<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail®</p>			

PS Form 3811 Facsimile, July 2015 (SDC 3930) Domestic Return Receipt

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Right of Way Services



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PS Form 3811 Facsimile, July 2015 (SDC 3930)



12830 Willow Centre Drive, Ste A  
Houston, Texas 77066  
817.369.3191

Date: January 24, 2024

County: Harris  
ROW CSJ: 0500-03-619  
Parcel: P00013489 (1103.48TR)  
Project Limits: IH 610 To Tidwell

Federal Project No.: N/A  
Hwy. No.: IH-45

[REDACTED]

BY CERTIFIED MAIL, RETURN REQUESTED RECEIPT NO.: [REDACTED]

Re: [REDACTED]

Dear [REDACTED],

An offer was made by the Texas Department of Transportation on **September 12, 2023**, to purchase the above-designated property, on which you reside, for highway right of way. This Department assists persons displaced by the purchase of land for transportation purposes through our Relocation Assistance Program. The payments and services to which you may be entitled are outlined in the enclosed brochure which is entitled "*Relocation Assistance*." We believe that you will find that this brochure is very helpful.

Please take careful note of each and all of the following statements:

1. You will not be required to move from the property being acquired for at least 90 days from the date of this letter. At some later date you will be given a written notice and a date by which you must vacate the property. You will have at least 30 days after receipt of the written notice before you must move.
2. You may be entitled to a replacement housing supplement of **\$35,784.00** to rent a replacement home that costs **\$1,651.00** per month or more including utilities. This supplement has been based on the cost to rent a five-room, one-bedroom replacement multi-family unit located at [REDACTED]. You do not have to rent that particular dwelling to qualify for your rent supplement; however, to claim this supplement you must rent and occupy a replacement dwelling costing **\$1,651.00** per month or more, including utilities, within one year as explained in our brochure. If your replacement dwelling rents for less than **\$1,651.00** per month, the supplement may have to be reduced. To avoid any loss of this benefit, you are encouraged to consult with this Department before making any kind of commitment to rent the unit.
3. If you wish to examine the possible replacement dwelling(s) previously mentioned, this agency will provide transportation to assist you to do so. If you wish to examine other possible replacement homes of like price and functional qualities, our relocation assistance personnel will be available to assist with each such visit you would like to make during any reasonable duty hour. Two such dwellings are presently available for rent at [REDACTED] in your community.

4. If you elect to purchase rather than rent a replacement dwelling, you may be entitled to a down payment supplement not to exceed **\$35,784.00** for down payment and incidental expenses. Any amount paid under this provision must be applied towards the purchase of a replacement dwelling. To claim this payment, you must purchase and occupy a residential dwelling within one year, as is also explained in our brochure. To avoid the possible loss of benefits, you would do well to consult with the Department before making a binding commitment to buy a replacement home.
5. Be advised that any lease agreement you may currently be a party to is still valid and fully enforceable by your landlord. Please coordinate with your relocation agent to determine when the lease agreement has been extinguished.
6. Additionally, you may be entitled to moving costs as explained in our brochure. These costs, however, are limited to personal property and will not include any costs for moving real property.
7. For you to be eligible for a supplemental housing payment, your replacement home must conform to State requirements for decent, safe and sanitary housing. To insure that your replacement home meets the required standards, we suggest that you have it inspected by this Department before entering into a contract for its purchase or rental. If this is not possible, we suggest that a provision be included in the earnest money contract for the replacement property that the contract is valid only if the property will pass a decent, safe and sanitary inspection by this Department.
8. Any person or entity who is 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.
9. Finally, if you are dissatisfied with a determination as to your eligibility for a payment or the amount of any relocation payment, you may request a review of your case by the Texas Department of Transportation's Relocation Assistance Review Committee as explained in our brochure.

We request that you thoroughly read and examine our brochure for additional information and the requirements for payment eligibility. Assistance in preparing the necessary forms and with the filing of your claims for any benefits to which you may be entitled, as well as any additional information desired concerning our relocation assistance program, will be made available to you from this office. If any such help is desired, please contact [REDACTED] or visit the Texas Department of Transportation office at [REDACTED]. In the event you are unable to contact our office between **8 a.m.** and **5 p.m.**, you may call [REDACTED] between **8 A.M.** and **8 P.M.** Our contact person will cooperate with you in setting up an appointment at a time and place convenient for you.

Sincerely,

[REDACTED]  
Project Manager  
Stateside Right of Way Services

Enclosure: TxDOT Relocation Assistance Brochure



# **RELOCATION ASSISTANCE**

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Right of Way Division





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# Introduction

The development of highways or other public transportation services needed to serve and improve our way of life require the use of land. This, in turn, means that some persons may be required to move to another location. Your Texas Department of Transportation (TxDOT) is aware of the cost and inconvenience associated with having to move from a home, business or farm. In order to assist those who are required to move, TxDOT provides, through its relocation assistance program, payments and services to aid in movement to a new location.

This brochure provides information about available relocation services and payments:

- Section I is for people displaced from a residence.
- Section II is for displaced businesses, farms and nonprofit organizations.
- Section III is for advertising signs.
- Section IV is about relocation assistance services.
- Section V is how to claim a relocation payment.
- Section VI is information on a person's right to appeal TxDOT's determination regarding the amount of a relocation payment or the entitlement to a relocation payment.

If you are required to move as the result of the acquisition of property for a TxDOT project, a relocation assistance counselor will contact you. The counselor will be able to answer your specific questions and provide additional information. **To ensure maximum relocation benefits you must discuss any proposed move with the relocation assistance counselor so that a definite understanding of eligibility requirements can be reached.**

## Special Note

It is not possible to cover the needs and questions of each person. This brochure is for general information purposes only; it is not a document of law, rule or regulation.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers and nonprofit organizations lawfully present in the United States who are displaced as a result of a state highway or transportation project. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants but to all properties where an occupant has to move to a new location or move his property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

### Caution

To assure eligibility and prompt payment of your relocation benefits, **you must** provide your TxDOT relocation assistance counselor advance notice of the approximate date of the planned move and a list of the items to be moved so that a TxDOT representative may inspect the personal property at the displacement and replacement sites and monitor the move. **An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.**

## Some Important Definitions

**Acquiring Agency** - The “acquiring agency” or “agency” may be the Texas Department of Transportation (hereinafter referred to as “TxDOT”) or a political subdivision of the state including but not limited to cities and counties.

**Displaced Person** - Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as the result of the acquisition of the real property, in whole or in part, or as the result of a written notice from TxDOT to vacate the real property needed for a state highway or transportation project. In the case of partial acquisition, TxDOT shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy of the acquired property. Displaced persons are classified as:

- An owner occupant of a residential property. (Includes mobile homes.)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms.)
- A business, farm or nonprofit organization.
- An individual with only displaced personal property.

**Business** - Any lawful activity conducted primarily for the purchase, sale, lease, and/or rental of either personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or solely for the purpose of relocation benefits, an outdoor advertising display(s) that must be moved as a result of a state highway or transportation project.

**Family** - The term “family” means two or more individuals living together in a single family dwelling unit who are: related by blood, adoption, marriage, or legal guardianship, who live together as a family unit, plus all other individuals regardless of blood or legal ties who live with and are considered a part of the family unit, or are not related by blood or legal ties but live together by mutual consent.

**Farm** - Any activity conducted solely or primarily for the production of agricultural products or commodities, including timber, for sale and home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

**Initiation of Negotiations** - The date the acquiring agency makes its first written offer to an owner of real property, or the owner's representative, to purchase the real property for a state highway or transportation project.

**Nonprofit Organization** - An organization that is incorporated under the applicable laws of a state as a nonprofit organization, and exempt from paying federal income taxes under Section 501 of the Internal Revenue Code.

**Small Business** - A business having no more than 500 employees working at the site being acquired.

# Section I: Residential Displacees

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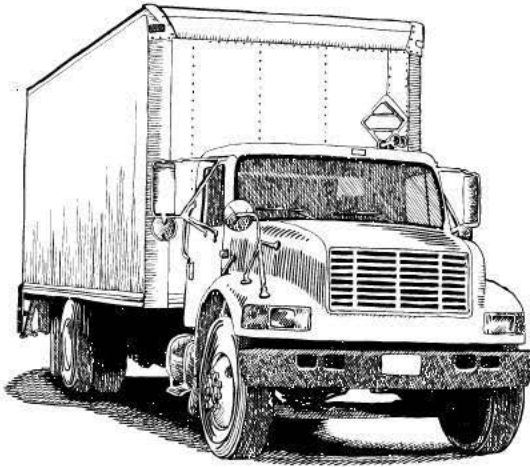
## Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

## Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, **to assure your eligibility and prompt payment of moving expenses, you must contact the relocation assistance counselor from TxDOT before you move.**

**You Can Choose Either:**



**Actual Reasonable  
Moving Costs**

**Including:**

- Packing and unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

**-OR-**

**Fixed Moving Cost  
Schedule**

**Based on  
Room count**

## **Actual Reasonable Moving Costs**

You may be paid for your actual reasonable moving and related expenses when the work is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance. Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

### **Caution**

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**

## **Fixed Moving Cost Schedule**

Or you may choose to be paid on the basis of a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will not be eligible for reimbursement of related expenses.

## **Replacement Housing Payments**

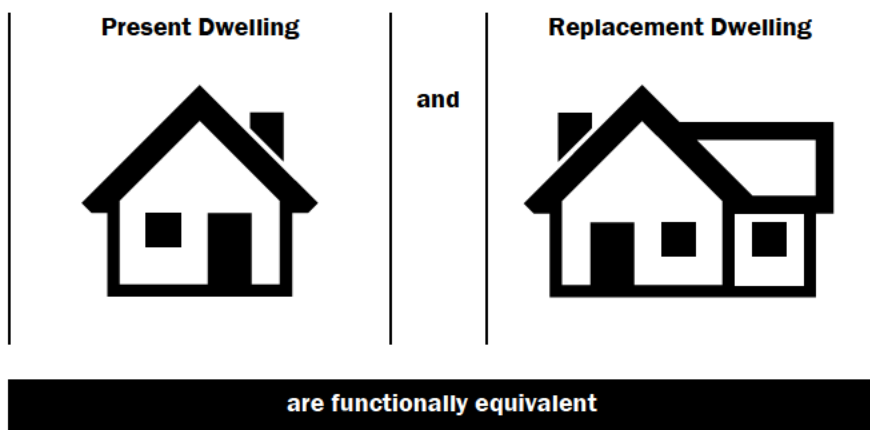
Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms . .

- Comparable
- Decent, Safe and Sanitary (DSS)

These terms are explained on the following pages.



## A Comparable Replacement means that your...



This is regarding:

- Number of rooms
- Living space
- Location
- Square footage

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## **Decent, Safe, and Sanitary (DSS) ...**

Replacement housing must be decent, safe, and sanitary. This means it meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## **Replacement Housing Payments Are Separated Into Three Basic Types:**

- Purchase Supplement (page 12)
- Rental Assistance (page 13)
- Down Payment Assistance (page 13)

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## **Occupancy Time Periods and What You Are Entitled To**

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.

If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the relocation assistance counselor for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible, in addition to the just compensation for your property, for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling. The department will compute the maximum payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year.**

### **The Purchase Supplement Includes:**

#### **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

#### **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

#### **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties or provided by title companies and closing agents as part of other services.

## **The Rental Assistance Supplement (Owner-Occupants of Less Than 90 Days and Tenants)**

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. TxDOT will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless TxDOT determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a person displaced decides not to accept the replacement housing offered by TxDOT, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards.

### **Down Payment Assistance**

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest. Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving date (for owners) or one (1) year of the date of the 90-day notice to vacate (for tenants).

## **Fair Housing Law**

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

### **To All Residential Displacees**

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

#### Do not:

- Execute a sales contract or a lease agreement until a representative from TxDOT has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

# Section II: Businesses, Farms and Nonprofit Organizations

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## Moving Cost Reimbursement

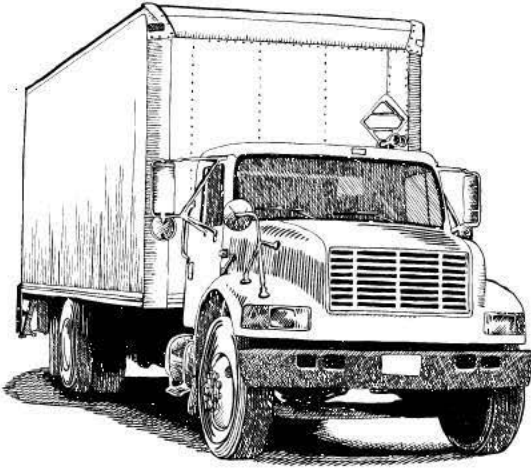
**Owners or tenants may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment.**

A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover or if you move yourself (page 16). Related expenses, such as personal property losses (page 18), and expenses in finding a replacement site (page 18) may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business (page 18).

or,

B. You may be eligible to receive a fixed payment. This payment is based on the annual net earnings of the business or farm, not to exceed \$40,000. For a nonprofit organization the fixed payment is the average of two (2) year's annual gross revenues less administrative costs. To qualify for a fixed payment, certain conditions must be met. See page 19.

## Actual Reasonable Moving Costs



### Including

Personal Property Losses

### Plus

Expenses in Finding a Replacement

### Plus

Expenses In Reestablishing Your Business

Reimbursements for moving expenses are limited to reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the original location.

### Caution

**Expenses must be necessary and reasonable as determined by TxDOT and supported by receipts. Prior to taking action or incurring any moving expenses verify eligibility for reimbursement with your relocation assistance counselor.**



## Two Ways to Move Your Enterprise

- *Professional Mover.* You may be reimbursed the actual reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by paid receipts or invoices to ensure prompt payment of your moving cost claim. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit or storage, and the cost of new licenses and permits may also be reimbursable.
- *Self-Move.* If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated reimbursement payment not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified department employee. If two acceptable bids or estimates cannot be obtained, or you decide to move yourself on an actual cost basis, your moving payment may be based on actual, reasonable moving expenses supported by receipted bills or other evidence of the actual expenses. Cost estimates or bids for negotiated self-move payments shall be obtained by TxDOT. Moreover, self-move payments must be approved by TxDOT before the start of the proposed move.

## Notification and Inspection

To assure eligibility and prompt payment for moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a list of items to be moved so that TxDOT may inspect the personal property at the displacement and replacement sites and monitor the move.

## **Direct Losses of Tangible Personal Property/ Purchase of Substitute Personal Property**

Displaced businesses, farms and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property or the purchase of substitute personal property that is incurred as a result of the move or discontinuance of the operation. This payment will vary depending upon whether the item is replaced or not; however, it may never exceed the estimated cost of moving and reinstallation.

Your relocation assistance counselor will explain this procedure in detail if you are faced with this situation.

## **Reestablishment Expenses for Replacement Site**

A small business (not more than 500 employees), farm or nonprofit organization may be eligible to receive a payment, not to exceed \$25,000 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by TxDOT. Your relocation assistance counselor will explain the eligible expenses included under this category of relocation assistance.

## **Searching Expenses for Replacement Property**

Displaced businesses, farms and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants (excluding commissions); and other expenses determined as reasonable and necessary by TxDOT.

## **Fixed Payment (in Lieu)**

Displaced businesses, farms and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000 or more than \$40,000.

For a business to be eligible for a fixed payment, TxDOT must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

For the owner of a farm to be eligible for a fixed payment, the farm operation must be displaced either by total or partial acquisition. In the case of a partial acquisition, TxDOT must determine that the acquisition caused the operator to be displaced or it caused a substantial change in the nature of the farm operation.

For a nonprofit organization to be eligible for a fixed payment, it must furnish proof of its nonprofit status under applicable federal or state law.

**Applications for fixed payments in lieu of actual expenses must be filed with TxDOT prior to the planned move from the displacement property.**

- When the fixed payment claim is selected, a displaced business, farm, or nonprofit organization may not claim any other type of moving expenses.
- Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the relocation assistance counselor for more details.

# Section III: Advertising

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The owner of any outdoor advertising display(s) is eligible for a relocation payment for actual moving and related expenses.

## Types of Payments for Advertising Signs

### Actual Costs

Actual reasonable moving expenses may be paid when the move is performed by a qualified mover (page 8). Claims for such expenses must be supported with itemized receipts or other verifiable evidence of the expense(s) incurred.

### Self-Move

If you elect to take full responsibility for all or part of the move, TxDOT may approve a negotiated payment as described on page 17. Negotiated self-move payments must be approved by TxDOT prior to the start of the planned move.

- **Direct Loss of Personal Property Expenses**

This payment is based on the depreciated value of the sign in place as determined by TxDOT less the proceeds from its sale, or the estimated cost of moving the sign, but with no allowance for storage, whichever is the lesser amount.

**or**

- **Purchase of Substitute Personal Property**

This payment is based on the replacement cost of like-type sign less the sale/trade-in of current signs, or the estimated cost of moving the existing sign, but with no allowance for storage, whichever is the lesser amount.

## Searching Expenses

Owners of displaced advertising signs are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement sign site (page 18), not to exceed \$2,500.

<b>Caution</b>
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**To assure eligibility and prompt payment for all moving expenses, you must provide TxDOT with advance written notice of the approximate date of the planned move and a sketch of the displaced sign showing its size (dimensions), number of poles, type of materials, lighting and advertisement.**

Also, advertising signs that are moved to locations that do not conform with the highway beautification provisions of the Texas Litter Abatement Act will not be eligible for a relocation reimbursement.

# Section IV: Relocation Services

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## **Relocation Assistance Services**

Any individual, family, business or farm displaced by a state highway or transportation program shall be offered relocation assistance services for the purpose of locating a suitable replacement property. Relocation services are provided by qualified personnel employed by TxDOT. These services are to help you successfully relocate. Relocation assistance agents are there to help and advise you; be sure to make full use of their services. Do not hesitate to ask questions to ensure you understand fully all of your rights and relocation benefits.

## **Personal Contact**

A relocation assistance counselor will contact you personally. Relocation services and payments will be explained in accordance with your eligibility. During the initial interview, your housing needs and desires will be determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you. When possible, comparable housing will be inspected prior to being made available to you to assure that it meets decent, safe and sanitary standards.

In addition, the relocation assistance counselor will give you current listings of other available replacement housing. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The department will also provide counseling or help you get assistance from other available sources to minimize hardships in adjusting to your new location. Information concerning other federal, state and local housing programs offering assistance is also available.

## **Business and Farm Assistance**

The relocation assistance counselor will assist in locating commercial properties and farms. Steps will be taken to minimize economic harm and to increase the likelihood of relocating into the affected community. The counselor will also explore and provide advice about possible sources of funding and assistance from other local, state and federal agencies.

## **Social Services Provided by Other Agencies**

Your relocation assistance counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those agencies with trained personnel to help you. Make your needs known so you may receive the proper assistance.

## **Relocation Office**

In addition to personal contacts by the relocation assistance counselor, TxDOT agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary.

The office maintains a variety of information concerning:

- Listings of available replacement properties
- Local housing ordinances building codes
- Social services
- Security deposits interest rates and terms
- Typical down payments
- Veterans Affairs (VA) and Federal Housing Administration (FHA) loan requirements
- Real property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.



## **Relocation Advisory Assistance**

### **Checklist**

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a state highway or transportation project. In addition, TxDOT is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

The relocation assistance counselor will personally interview persons displaced to:

- Determine needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a comparable residential property in advance of displacement
- Provide current listing of comparable properties
- Provide the amount of the replacement housing payment in writing
- Inspect residential dwellings for DSS acceptability
- Supply information on other federal and state programs offering assistance
- Provide counseling to minimize hardships

# Section V: Claim for Payment

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## **How Do I Obtain My Relocation Payment?**

You must file a claim for reimbursement. The department will provide required claim forms, assist you in completing them and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must meet prior to your move cause a hardship, discuss your financial needs with TxDOT.

## **When Should I File My Claim?**

You must have all your claims submitted to TxDOT no later than 18 months from the date you move, or are required to move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, TxDOT may extend this time period for good cause. The department is required to pay you promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

## **Duplicate Payments**

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

## **Another Important Benefit**



**No Adverse Effects on:**

**Social Security Eligibility**

**Welfare Eligibility**

**Income Taxes**

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

# **Section VI: Right of Appeal**

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If you believe that TxDOT has failed to properly determine your eligibility, or the amount of a payment, you may appeal to TxDOT's Relocation Assistance Review Committee. Applications for appeal must be submitted in writing. TxDOT will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by the review committee. You have the right to be represented by legal counsel or other representative at your own expense.

The review committee will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The committee will provide a written determination resulting from the appeal with an explanation of the basis for the decision.

# Section VII: Civil Rights

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In accordance with Title VI of the Civil Rights Act of 1964 and related statutes, it is the policy of the department to ensure that no person shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment. 42 U.S.C. §2000d-3), color, national origin, sex, age, retaliation or disability.

If you believe you have been discriminated against or your rights have been violated under any program or activity of the department, you may file a Title VI Discrimination Complaint.

## **The Title VI Discrimination Complaint Form can be obtained by:**

- Visiting TxDOT's website at <http://www.txdot.gov/inside-txdot/office/civil-rights/contact.html>
- Contacting the Office of Civil Rights (866) 480-2518
- Visiting the Office of Civil Rights located at 200 E. Riverside Dr., 2<sup>nd</sup> floor, Austin Tx 78704

If you have questions about completing the form, contact the Office of Civil Rights at the number listed above. Upon request, assistance will be provided if you have limited English proficiency or are disabled. Complaints also may be filed using an alternative format, such as computer disk, audio tape or in braille. If you have a speech or hearing impairment, call Texas Relay at (800) 735-2988 or 711 for assistance.

The department's Office of Civil Rights will notify you when it receives your complaint.

## Notes

## Notes

## Notes





## **Relocation Office**

Contact the Relocation Assistance Office for relocation advisory assistance and information pertaining to the state law and procedures that regulate this program.

**NHHIP VRA PROGRESS REPORT**

**February 29, 2024**

**APPENDIX D**

**ENHANCED RELOCATION SERVICES**

**Appendix D**  
**Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	VA assistance	Enrolled in Combined Arms program.
	Home Ownership information	Referred to NAACP homeownership counseling courses
	Counseling, Housing & Employment	Enrolled in Combined Arms program
	Transportation assistance	Offered free ride Lyft codes through United Way
	Project Information	Contacted resident to offer services and answer questions
	Veterans Services	Spoke with Resident to offer services. He wanted to be connected with Combined Arms.
	Transportation assistance	Issued free ride Lyft codes through United Way
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House
	Transportation Services	Reached out to claimant to offer our environmental justice services. Resident inquired about a discounted bus pass. I gave him to Metro Transit's phone number and website to help get started
	Transportation assistance to obtain social security card	Provided personal ride to obtain new card
	Veterans Services	Contacted Ms. Smith and offered services who asked about education assistance
	Healthcare information	Called tenant and Left Message to offer services and give update on the project.
	Veterans Services	Called claimant to offer our EJ Services. Resident just inquired when they would receive monetary assistance. I explained that we are waiting on TXDOT's approval. Other than that, he did not need any extra services at this tim
	Veterans Services	Contacted resident to offer services and put incontact with Combined Arms
	Assistance with life insurance	Enrolled in Combined Arms program
	Veteran services	Enrolled in Combined Arms program
	Veteran Services	Enrolled in Combined Arms program. Registered for Vet Expo.
	Food Assistance	Pop Up Grocery through Target Hunger
	Transportation assistance	Issued free ride Lyft codes through United Way
	Status Update	Provided information on relocation services and possible benefits.

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Veterans Services	Spoke to him regarding The status of the project and when he can move
	Veteran & housing services	Enrolled in Combined Arms program
	Transportation assistance to VA	Offered free ride Lyft codes through United Way
	Credit improvement	Participated in Financial Empowerment presentation & Referred to Urban League Credit Counseling program
	Veteran services	Encouraged to participate in VETS Lunch & Learn workshop
	Transportation to social service appointments	Issued free ride Lyft codes through United Way
	Veteran services	Enrolled in Combined Arms program.
	Veteran services	Enrolled in Combined Arms program.
	Project Information	He reached out about financial assistance to move out 10/31. I explained that we are waiting on TxDot to give us the green light. I further explained that we can not offer any financial assistance at this time, but we can offer other EJ services.
	Project Information	Reached out to him. He gave an email address for me to send him my contact information. He is concerned, since he sees other people moving out, and he has not heard anything in regards to moving or payout. When the time comes, he wants to live in the same area.
	Veterans Services	Reached out to claimant to offer our EJ Services. I also explained that we are still waiting on TXDOT approval, and I will call again in January, 2024 to follow-up.
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House
	Legal assistance	Enrolled in Combined Arms program.
	Home Ownership information	Referred to homeownership counseling services through NAACP & The Alliance
	Veteran services	Enrolled in Combined Arms program
	Veterans Services	Reached out to claimant to offer EJ Services. I made mention of the Christmas Eve Dinner at the George R. Brown Convention Center and gave details for the free event/meal.
	Veteran services	Enrolled in Combined Arms program
	Assistance in obtaining Section 8 Voucher	Contacted Housing Authority and scheduled appointment for resident
	Transportation assistance to open bank account	Offered free ride Lyft codes through United Way

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Veteran services	Enrolled in Combined Arms program
	Veteran Services	Enrolled in Combined Arms program.
	Food Assistance	Received free groceries from Target Hunger & Project Row House
	Veteran services	Enrolled in Combined Arms program
	Transportation Services	Tenant called to get some information on getting transportation to appointments
	Business requested Project update	Met with business and gave project pause update; passed information to TXDOT
	Project Information	Busines oewner called to get information on the status of the project. I informed her that someone from Txdot will be contacting her
	Homeownership assistance	Provided info on TSAHC mortgage credit certificates, program eligibility, and EJ homebuyer education workshops
	Project Information	Attempted to reach out to claimant to introduce myself as the Relocation Navigator. The XXX number was not working. The XXX number worked, and I left a message with my contact information.
	Assistance with replacement housing	Provided Senior Living rental listings
	Assistance with replacement housing	Provided housing referrals & listings
	Healthcare information	Enrolled in healthcare with San Jose Clinic during workshop. Participated in Jam Park Health & Wellness Fair
	Project Information	Met with her to discuss the status of her tenant and business relocation. She stated that she is waiting to hear back from TXDOT.
	Project Information	Property owner called to discuss the status of the project and when her tenants would be contacted.
	Information on moving & project status	Provided project update & information on relocation services and possible benefits.
	Project Information	Met with tenant to discuss the status of her relocation . Because she is a business tenant., I told her that TXDOT will be in contat with her.
	Relocation Information	Contacted resident to offer services and answer questions. resident who in a business owner asked when she will be able to relocate her real estate company.
	Project Information	Met with resident and relocstion agent who conducted interview and answered questions

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Rental assistance	Spoke with him, and his landlord is in the process of getting the lease agreement over to the Relocation Agent. He is not in need of any extra services at this time
	Food Assistance	Followed-up with claimant to remind of the upcoming Thanksgiving Meal at George R. Brown Convention Center on 11/23/23.
	Food Assistance	Followed-up with claimant to remind of the upcoming Christmas Eve Meal and toy drive at George R. Brown Convention Center on 12/24/23
	Rental assistance	Claimant reached out for assistance in a home purchase instead of leasing. I sent her resources with the City of Houston's Home Buyer program, as well as home buyer education classes through the U.S. Department of Housing and Urban Development. We plan on meeting next week to discuss furth
	Rental assistance	Spoke to him to offer services. He asked if he could get some assistance looking for replacement unit. I informed him that I would countact his relocation agent to get some information for him.
	Project Information	Met with resident and relocstion agent who conducted interview and answered questions
	Housing & Rental Assistance	Referred to housing resources through City of Houston and non-profit agencies
	Back to school resources	Participated in Back to School event and received supplies donated by the NAACP
	Project Information	Attempted to get in contact with Ms. Matlock to introduce myself as the Relocation Navigator. She did not answer, so I left my contact information. Will follow-up.
	Project Information	Spoke to Javier Aldam, introducing myself as the Relocation Navigator. He mentioned that he was told he is not entitled to any benefits due to his residency status. I told him that I would be in touch with him to give him updates.
	Relocation Assistance	Delivered Thanksgiving/Holiday Meal Flyer to Claimant. Flyer had details about locations for free Holiday Meals, Free Toys, Free Warm Clothing, as well as other helpful Holiday Tips.
	School Services	Participated in Back to School event and received laptops and supplies donated by the NAACP
	Food Assistance	Pop Up Grocery Through Target Hunger
	Transportation assistance	Issued free ride Lyft codes through United Way

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Relocation Assistance	He called back asking if he is eligible for rental assistance. I explained that if he already received a payout, he would not be eligible for rental assistance again. He said he did already receive a payout. I further explained that we could offer guidance and direction on social service assistance, or any future community drives we host.
	School Supply Assistance	He came by the office to asks for assistance with school Supplies. I told him that we had not planned a back to school event and gave him some information on local back to school events coming up.
	Information on homeownership	Financial Empowerment Workshops
	Relocation Information	Spoke to claimant. They have already moved out. I still invited her to the Relocation Recap Workshop. Claimant mentioned she is working and not able to go. I mentioned the type of services that EJ can help with.
	Project Information	Spoke to claimant. They have already moved out. I still invited her to the Relocation Recap Workshop. Claimant mentioned she is working and not able to go. I mentioned the type of services that EJ can help with. None were needed at this time
	Project Information	Attempted to reach out to claimant to introduce myself as the Relocation Navigator. Ms. Watkins did not answer, so I left a voicemail with my contact information.
	Home Ownership information	Completed Financial Empowerment Presentation; Referred to Urban League & TSAHC lenders for credit counseling; and NAACP homeownership counseling
	Project Information	Met with the resident to discuss the status of his relocation. I informed the tenant the his relocation package has been submitted to TXDOT for Approval
	Credit repair, job placement & higher education	Referred to multiple community & social service agencies. Invited to participate in various EJ workshops pertaining to his interests.
	Assistance with lease dispute	Connected claimant to the Houston Volunteer Lawyers
	Transportation assistance for work	Issued free ride Lyft codes through United Way
	Transportation assistance because car out of service	Issued free ride Lyft codes through United Way
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House
	Healthcare information	Enrolled in healthcare with San Jose Clinic during workshop. Participated in Jam Park Health & Wellness Fair
	Job training & placement	Referred to Legal Aid services, and FIEL Houston



**Appendix D**  
**Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Immigration services	Referred to Legal Aid services, and FIEL Houston
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House
	Food Assistance	Referred for SNAP benefits; Received free groceries from Target Hunger & Project Row House
	Back to school resources	Participated in Back to School event and received supplies donated by the NAACP
	Healthcare information	Referred to San Jose Clinic during workshop. Invited to participate in Jam Park Health & Wellness Fair
	Rental assistance	Mariam called me back and asked for assistance in finding her a place to rent close to the Medical Center. I will pull 3 comps and send them to her.
	Relocation Information	Reached out to claimant to set up an appointment, so we can go over her Notification Letter.
	Back to school resources	Participated in Back to School event and received laptops and supplies donated by the NAACP
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House; Signed up to receive free grocery delivery from Target Hunger
	Immigration services	Referred to Legal Aid services, and FIEL Houston
	Transportation assistance	Issued free ride Lyft codes through United Way
	Healthcare information	Provided referrals for health service providers and "See to Succeed" program
	Rental assistance	Met with resident and relocation agent to issue NOE and explain benefits. The tenants stated that they wanted to purchase a replacement property and will start looking with an agent
	Legal help	Houston Volunteers Lawyers and The Alliance
	Back to school resources	Participated in Back to School event and received supplies donated by the NAACP
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House
	Transportation assistance	Issued free ride Lyft codes through United Way
	Food Assistance	Received free groceries from Target Hunger & Project Row House
	Food Assistance	Followed-up with claimant to remind of the upcoming Christmas Eve Meal and toy drive at George R. Brown Convention Center on 12/24/23
	Employment	Connected with Career and Recovery services; Workforce Development; & Job referrals

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Food assistance	Pop Up Grocery Through Target Hunger & Received free groceries from Project Row House
	Back to school resources	Participated in Back to School event and received laptops and supplies donated by the NAACP
	Rental assistance	Connected to the Houston & area Non-Profit rental assistance programs
	Home Ownership information	Participated in office homeowner workshops & referred to NAACP workshop
	Transportation assistance	Issued free ride Lyft codes through United Way
	Project Information	Contacted and spoke to Ms. Pawlik. She said she already vacated. I explained that we will be in contact with her, since she might be entitled to receive benefits.
	Project Information	Contacted resident to offer services and answer questions
	Relocation Information	Sent an email to follow-up from our Relocation Workshop Recap. Email explained the services EJ provides, asking claimant if they might need any of the enhanced services.
	Healthcare information	Researched emotional support animal process for claimant (Christian Rutherford), since he had inquired about it on his initial interview. Sent email with several links explaining the process and asked him to let me know if he had any additional questions about the process.
	Transportation assistance	Issued free ride Lyft codes through United Way
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House
	Project Information	Contacted resident to offer services and answer questions
	Transportation assistance	Issued free ride Lyft codes through United Way
	Rental assistance	Met with resident to discuss getting pay document to give to relocation agent. Tenant states that he lost his job and can't provide pay stubs.
	Status Update	Met with resident with relocation Agent to discuss the relocation program and needed documents
	Rental assistance	Contacted him and discuss the status of his relocation . I informed him that the RA will be submitting his relocation Package for approval to TXDOT
	Food Assistance	Pop Up Grocery Through Target Hunger & Received free groceries from Project Row House
	Information on health programs for her children	Provided referrals for health service providers and "See to Succeed" program
	Relocation Information	Provided information on relocation services and possible benefits.
	Assistance transporting daughter to daycare	Issued free ride Lyft codes through United Way

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Rental assistance	Attended NOE meeting with Relocation Agent to explain EJ services that we will continue to offer until her case closes.
	Home Ownership information	Researched First-Time Home Buyer's Assistance Program through City of Houston for claimant. Sent information via email to claimant on steps to qualify, program guidelines, FAQ, Also, sent link and information from U.S. Department of Housing & Urban Development for Housing Counseling Service
	Transportation Services	Claimant reached out because their vehicle is not working. She asked about Uber Ride assistance. I explained they are not giving vouchers for this anymore. However, I sent her Metro's website link for the Discounted and Free Fare Programs, as well as how to apply.
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House
	Back to school resources	Participated in Back to School event and received laptops and supplies donated by the NAACP
	Transportation assistance	Issued free ride Lyft codes through United Way
	Assistance with obtaining ID for documentation	Assisted resident in getting new ID
	Healthcare information	Enrolled in healthcare with San Jose Clinic during workshop. Participated in Jam Park Health & Wellness Fair
	Project Information	Reached out to Claimant to introduce myself as the Relocation Navigator. Left a message with my contact information for Eloino Gonzales Romero to call me back with any questions he might have.
	Food Assistance	Delivered Thanksgiving/Holiday Meal Flyer to Claimant. Flyer had details about locations for free Holiday Meals, Free Toys, Free Warm Clothing, as well as other helpful Holiday Tips.
	Rental assistance	Met with resident and relocation agent to issue NOE and explain benefits. The tenants stated that they wanted to purchase a replacement property and will start looking with an agent
	Transportation assistance	Issued free ride Lyft codes through United Way
	Housing Assistance	Provided housing referrals to children of displacee who passed away.
	Transportation assistance for work	Issued free ride Lyft codes through United Way
	Legal help	Connected with Legal Aid services

**Appendix D  
Enhanced Relocation Services Provided**

<b>Displacee</b>	<b>Services Requested</b>	<b>Services Provided</b>
	School Services	Participated in Back to School event and received laptops and supplies donated by the NAACP
	Food Assistance	Pop Up Grocery Through Target Hunger
	Relocation Assistance	Contacted Daughter of displacee and offered services. She stated that she is looking to go to school out of state due to the benefits running out.
	Healthcare information	Spoke to tenant who asked if they could get some assistance with insurance for mother
	Home Ownership information	Provided information on NAACP home buying programs and registered resident for their class
	Transportation assistance	Issued free ride Lyft codes through United Way
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House
	Project Information	Met with resident with relocation Agent to discuss the relocation program and needed documents
	Food Assistance	Contacted claimant by text blast to invite out to upcoming pop up Grocery on 9.29.22
	Credit repair	Encouraged to participate Financial Empowerment presentation & Referred to Urban League Credit Counseling program
	Food Assistance	Pop Up Grocery Through Target Hunger
	Social Services	Referred to service providers to help pay electric bill
	Transportation assistance	Issued free ride Lyft codes through United Way
	Rental assistance	Contacted resident to offer services and answer questions. Ms. Nalls stated she would like to attempt to get a section 8 Voucher. I informed her that I would contact the Housing Authority to get some information for her.
	Assistance with replacement housing	Provided housing referrals & listings
	Homeownership assistance	Referred to housing resources through City of Houston and non-profit agencies
	Food Assistance	Invited to free groceries with Pop Up Grocery & Project Row House; Encouraged to sign up for free groceries delivered by Target Hunger
	Transportation assistance	Issued free ride Lyft codes through United Way
	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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Displacee	Services Requested	Services Provided
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
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[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services
[REDACTED]	N/A	Invited to attend workshops and Relocation services

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	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services
	Apartment Complex willing to accept someone with a record	Research to determine various complex background policies
	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services



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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
[REDACTED]	N/A	Invited to attend workshops and Relocation services
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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	Apartment Complex that allow Tenants poor credit	Research and provide Apartment Complex that allow Tenants poor credit
	N/A	Invited to attend workshops and Relocation services
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	N/A	Invited to attend workshops and Relocation services
	N/A	Invited to attend workshops and Relocation services
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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	N/A	Invited to attend workshops and Relocation services
	Apartment Complex that allow Tenants poor credit	Research and provide Apartment Complex that allow Tenants poor credit
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
[REDACTED]	N/A	Invited to attend workshops and Relocation services
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	N/A	Invited to attend workshops and Relocation services
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	ESL- Interpreter services English/Spanish, Employment and Career Resources, Moving Support, Housing Referrals, Voucher Support	Relocation Services, HHA Support, One-on-one Support, ESL Support: Spanish, URA Benefit Counseling, Donation Support, General Community Resources
	Employment and Food Services, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resource Coordination, General Community Resources
	Support Locating Housing, Realtor, Transportation, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, General Community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	URA Benefit Counseling, One-on-one/Touchpoint Assessment, Relocation Support, HHA Support, Resource Coordination, General Community Resources
	Food Services, Utility Assistance, Deposit and Application Resources, Resume writing assistance, Moving Support, Housing Referrals, Voucher Support	URA Benefit Counseling, Relocation Services, One-on- one/Touchpoint Assessment, HHA Support, Letter Writing Services, General Community Resources

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Housing Support, Utility and Employment Support, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, URA Benefit Counseling, Eviction Intervention, Letter Writing Services, General Community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	URA Benefit Counseling, One-on-one/Touchpoint Assessment, Relocation Support, HHA Support, General community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	Relocation Services, One-on-one/Touchpoint Assessment, HHA Support, General Community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, Resource Coordination, HHA Support, Claim Support, General Community Resources
	Legal Eviction Resources, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Claim Support, General Community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resource Coordination, URA Benefit Counseling, General Community Resources
	Housing , Legal and Employment resources, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Resource Coordination, General Community Resources
	Credit Counseling, Homebuying Assistance Programs, Moving Support, Housing Referrals, Voucher Support	Relocations Support, One-on-one/Touchpoint Assessment, URA Benefit Counseling, Claim Support, General Community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, URA Benefit Counseling, Resource Coordination, HHA Support, General Community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, General Community Resources



**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Walker donation support, Gold Card Application support for her son in college, Food delivery resources, Utility assistance, General Community Resources to Support with Transition. Resource Coordination, One-on-one/Touchpoint Assessment, URA Benefit Counseling, General Community Resources to Support with Transition.	YMCA Houston, Family Point Resources (FPR), Fifth Ward CRC, Houston Area Urban League, Lone Star Legal Aid, Catholic Charities, Credit Coalition, SERJobs, Houston Food Bank, BE Impactful: Holiday Festival, Houston Police Department: Toy giveaway, Feeding Texas, Impact Houston, Community Family Centers, Central Texas Food Bank, Houston Food Bank, Memorial Hermann Community Resource Center, We Are Pearls, TurnAround Houston, Fair Haven, WHAM, H.B. Turner Grand Lodge New Life Grand Chapter of Texas, Job Search 101, WorkFaith Connection, Houston Health Department, Pacesetters Personnel Services, Operation Hope, Team Myndz, Inc., American Foundation for Suicide Prevention, JYD Wellness Consulting & Coaching, Community Justice Center, Memorial Assistance Ministries, Home Run Dugout's, Kemah Boardwalk, Galveston Island Brewing, Wakefield Crowbar, CityCentre, Lone Star Legal Aid, Houston's Children Charity, Toys For Tots, Houston Fire Department, Salvation Army, Faulk Foundation, My Brother's Keeper Outreach Center, Target Hunger, Workforce Solutions, Grand Lodge New Life Grand Chapter of Texas, Mr. Deeds Buys Houses, Optimum Source Inc, Value Village Texas, Hire Houston Youth, Sunshine Personnel Solutions LLC, East End Street Fest, Church of Champions, Houston Small Business Expo, Sazan Latin Food, Mental Health Talk and Nature Walk, Houston NW Church, Life Savers ER, Natural Solution Seekers, Meals on Wheels, Buffalo Bayou Partnership, American Red Cross, Back To Eden Fellow Program, Midtown Houston, Fabletics, SERJobs, Credit Coalition, Hopewell Temple Baptist Church, Free Financial Workshop, JobFairX, CareerClub, Mayor's Back to School Fest, Casa Juan Diego Pantry, Echos, Bethel's Heavenly Hands, Harris Health System: Gold Card, RSVP Texas, Salvation Army, St. Vincent de Paul.
	ESL- Interpreter services English/French, Remote Employment, Self Care and Mental Health, CNA Jobs and Training, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, URA Benefit Counseling, Resource Coordination, HHA Support, General Community Resources, ESL Support: French
	Locating Housing, and Support with additional move options, Housing Search Support, Employment and Utility Assistance, Moving Support, Housing Referrals, Voucher Support	Relocations Support, One-on-one/Touchpoint Assessment, URA Benefit Counseling, Claim Support, General Community Resources

**Appendix D  
Enhanced Relocation Services Provided**

	Locating Housing, and Support with additional move options, Housing Search Support, Utility Assistance, Benefit Counseling, Moving Support, Housing Referrals, Voucher Support	Relocations Support, One-on-one, URA Benefit Counseling, Resource Coordination, Claim Support, General Community Resources
	Transportation, Housing Listings, Reasonable Accommodation Support, ADA, Move Assistance, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resource Coordination, URA Benefit Counseling, Claim Support, General Community Resources
	Support with additional move options, Rental application support, Transportation assistance, Credit report, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one, HHA Support, Resource Coordination, URA Benefit Counseling, Claim Support, General Community Resources
	Employment Resources and Resume Support, Housing Listings, Realtors, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Letter Writing Services, Claim Support, General Community Resources
	Food and Community Resources, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Claim Support, Resource Coordination, Donations Support, General Community Resources
	Furniture Donations, Move Assistance, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Donations Support, General Community Resources
	Housing Listings, RFTA Support, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resources Coordination, Claim Support, General Community Resources
	Education on Voucher and additional move options, Realtor, Custody Support, AA Support, Budgeting, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resources Coordination, Claim Support, General Community Resources
	Housing, Income, Education, Workforce Development, Mental Health Therapy, and Financial Budget Worksheet, DV Assistance, Rental Assistance, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resources Coordination, URA Benefit Counseling, Donation Support, Eviction Prevention, Claim Support, General Community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Claim Support, General Community Resources

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Apartment Association Support, Utility Assistance, Budgeting Assistance, Loan Officer, Employment support, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resources Coordination, URA Benefit Counseling, Donation Support, Claim Support, General Community Resources
	Transportation Support, Home Buyer Support, Utility Support, Debt Reduction & Budgeting, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resources Coordination, URA Benefit Counseling, Donation Support, Claim Support, General Community Resources
	Housing Support, Realtors, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resources Coordination, URA Benefit Counseling, Donation Support, Claim Support, General Community Resources
	Furniture Donations, Budgeting support, Career development support, Rent & Utility Assistance, Credit Building, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resources Coordination, URA Benefit Counseling, Donation Support, General Community Resources
	Furniture, Utility help, Rental Assistance, Transportation Assistance, Employment referrals, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Resources Coordination, URA Benefit Counseling, Donation Support, Eviction Prevention, Claims Support, General Community Resources
	General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, General Community Resources
	Business resources, T-shirt Designing, Self Care and Mental Health, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, General Community Resources
	Homebuying Programs, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, General Community Resources
	Food and Housing Services, Credit repair, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, URA Benefit Counseling, General Community Resources
	Community Resources, Employment, Transportation, Realtors, Utility & Appliance Assistance, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, Resource Coordination, HHA Support, ESL Services: Relay Services for deaf Individual, General Community Resources

**Appendix D  
Enhanced Relocation Services Provided**

	Housing, Transportation, Rental Assistance, Moving Support, Housing Referrals, Voucher Support	Relocation Support, One-on-one/Touchpoint Assessment, Resource Coordination, HHA Support, Donation Support, Claims Support, General Community Resources
	ESL- Interpreter services English/Kinyarwanda, Moving Support, Housing Referrals, Voucher Support	ESL Services: Kinyarwanda, Relocation Support, One-on-one/Touchpoint Assessment, HHA Support, Claims Support, Letter Writing Support, General Community Resources
	ESL Interpreter services English/Spanish, General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	ESL Services: Spanish
	ESL- Interpreter services English/Somali, General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	ESL Services: Somali
	Utility Connection Support, HHA Support, General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	One on One/Touchpoint Assessment, Resource Coordination, HHA Support, Relocation Support, URA Benefit Counseling,
	ESL Interpreter services English/Spanish, Relocation Support, Claim Support, General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	ESL Services: Spanish, One on One/Touchpoint Assessment, Resource Coordination, Relocation Support, URA Benefit Counseling, General Community Resources to Support with Transition, Claim Support
	Voucher request, Utility Assistance with power bill, social group for son with dyslexia, resources to supplement income, Compensation for poor living arrangements at Clayton Homes, URA Benefits explanation, claim support, General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support	One on One/Touchpoint Assessment, Resource Coordination, HHA Support, Relocation Support, URA Benefit Counseling, Claim Support

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	<p>URA Benefits explanation for claim interest, portability support, document completion support, furniture resources, document interpretation support, General Community Resources to Support with Transition, Moving Support, Housing Referrals, Voucher Support</p>	<p>One on One/Touchpoint Assessment, Resource Coordination, HHA Support, Relocation Support, URA Benefit Counseling</p>
	<p>Rent balance inquiry and payment assistance, housing referrals, moving resources, voucher support, application fee reimbursement, safety concern and request for support, claim interest support, Holiday Toys, Moving Support, Housing Referrals, Voucher Support</p>	<p>One on One/Touchpoint Assessment, Resource Coordination, HHA Support, Relocation Support, URA Benefit Counseling, Donation Support</p>
	<p>Housing referrals, Credit/debt resources, Application fee reimbursement, Property transfer support, Move check distribution, Rent and Utility assistance resources, Voucher support, Vital records and Identification support, Employment, GED resources, CNA resources, URA Benefits explanation, Business resources, support with retrieving check mailed to old address, expungement support, Summer Camps, Burial assistance, Bereavement/Grief Counseling, General Community Resources to Support with Transition</p>	<p>One on One/Touchpoint Assessment, Resource Coordination, HHA Support, Relocation Support, URA Benefit Counseling, Donation Support</p>
	<p>Voucher request and support with adding daughter and sister to household, Relocating rehabilitation center support, Moving Support, Housing Referrals, Voucher Support</p>	<p>One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination</p>
	<p>Voucher request, Housing referrals, URA Benefits explanation, moving support, food donation, plus size clothing donation, General Community Resources to Support with Transition, Moving Support, Voucher Support</p>	<p>One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, Letter Writing Services, Donation Support, URA Benefit Counseling</p>

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	<p>General Community Resources to Support with Transition, Voucher support, Housing Referrals, application and deposit assistance/reimbursement, rent assistance resources, resume writing assistance, transportation assistance, Change of address assistance, URA Benefit explanation, credit/debt resources, family legal matter assistance</p>	<p>One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, Letter Writing Services, URA Benefit Counseling</p>
	<p>Eviction intervention assistance, voucher request assistance, counseling/mental health resources, utility assistance resources, budgeting assistance, shelters and temporary housing options, food donation, property transfer assistance, furniture assistance, transportation assistance, recertification assistance, cleaning kit request, housing referrals, General Community Resources to Support with Transition</p>	<p>Eviction Intervention, One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, Letter Writing Services, URA Benefit Counseling, Donation Support</p>
	<p>Application/deposit reimbursement, move check request, Additional Relocation Support due to home not DSS, eviction intervention, URA Benefit explanation, General Community Resources to Support with Transition</p>	<p>Eviction Intervention, One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling</p>
	<p>Housing referrals, voucher support, URA Benefits explanation, claim request and support, family court resources, expungement resources, General Community Resources to Support with Transition</p>	<p>Claim Support, One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling</p>

**Appendix D**  
**Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	<p>ESL Interpreter services and forms translation into native language English/Swahili, URA Benefits explanation, claim request and support, housing referrals, moving support, voucher support, job application submission assistance, ESL classes, General Community Resources to Support with Transition</p>	<p>One on One/Touchpoint Assessment, ESL Support: Swahili, Relocation Support, URA Benefit Counseling, Claim Support, HHA Support, Resource Coordination</p>
	<p>Voucher support, Housing referrals, Moving support, grief resources, family counseling resources, General Community Resources to Support with Transition, food donation, utility assistance, car repossession assistance, dining room table donation, children's bed donation, realtor support, credit repair assistance</p>	<p>One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling, Donation Support</p>
	<p>Voucher education and support, Food and Furniture donation resources, Housing referrals, Moving support, General Community Resources to Support with Transition</p>	<p>One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling, Donation Support</p>
	<p>Housing Referrals, Moving Support, General Community Resources to Support with Transition, rent and utility assistance resources, voucher support, budgeting assistance, rent balance support, homeownership education and support, employment assistance, childcare assistance, after school programs, nutritional support</p>	<p>One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling</p>
	<p>Bedding and appliance resources, voucher support, Housing referrals, Move Support, General Community Resources to Support with Transition</p>	<p>One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling</p>

**Appendix D  
Enhanced Relocation Services Provided**

	Emergency Housing, Employment, Eviction Assistance, Transportation assistance, birthday cake resource, rent and utility assistance, mental health resources, voucher support, Housing referrals, Move Support, General Community Resources to Support with Transition	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	ESL Interpreter services and forms translated in native language English/Spanish, voucher support, Housing referrals, Move Support, General Community Resources to Support with Transition	ESL Support: Spanish, One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, Transportation, Healthcare Providers in area, HHA Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	ESL Interpreter services English/Spanish, General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	ESL Support: Spanish, One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	ESL Interpreter services English/Spanish, General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	ESL Support: Spanish, One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	Workforce/Employment, General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling



**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	HHA Support, Housing Search Assistance, General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	Expungement Resources, HHA Support, General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, Housing Search Support, Legal Assistance, voucher support, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	Utility Assistance, General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, Utility and Rental Assistance, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	HHA Support, Housing Search Assistance, General Community Resources to Support with Transition, voucher support, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	General Community Resources to Support with Transition, Homebuying Resources, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	ESL Interpreter services English/Spanish, General Community Resources to Support with Transition, Voucher support, Housing referrals, Move Support	ESL Services: Spanish, One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, Transportation, Employment, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, Food Services, Relocation Transition Support, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support, Transportation, Employment	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, Senior Services, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling
	General Community Resources to Support with Transition, voucher support, Housing referrals, Move Support	One on One/Touchpoint Assessment, HHA Support, Relocation Support, Resource Coordination, URA Benefit Counseling

**Appendix D  
Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	Resource Coordination, voucher support, Housing referrals, Move Support, General Community Resources to Support with Transition	One on One/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Resource Coordination
	General Community Resources to Support with Transition, Resource Coordination, Legal and Housing Resources	One on One/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Resource Coordination
	Resource Coordination: Utility Resources, Employment,	One on One/Touchpoint Assessment, URA Benefit Counseling, Resource Coordination
	ESL Interpreter services English/Swahili, Resource Coordination: Toys, Food and Credit Resources,	One on One/Touchpoint Assessment, URA Benefit Counseling, Resource Coordination, ESL Support: Swahili
	Resource Coordination: Rental Assistance	One on One/Touchpoint Assessment, URA Benefit Counseling, Claim Support, Resource Coordination
	Resource Coordination: Employment, Financial Literacy and Business Development Resources	One on One/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Resource Coordination
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, URA Benefit Counseling
	Resource Coordination: Utility Assistance, Employment and Summer Programs	One on One/Touchpoint Assessment, URA Benefit Counseling, Resource Coordination
	Resource Coordination: Utility Assistance	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling, Resource Coordination
	ESL Interpreter services English/Kinyarwanda	One on One/Touchpoint Assessment, URA Benefit Counseling, Claim Support, Resource Coordination, ESL Support: Kinyarwanda,
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, URA Benefit Counseling
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, URA Benefit Counseling,
	General Community Resources to Support with Transition, Homebuying Education,	One on One/Touchpoint Assessment, HHA Support, URA Benefit Counseling,
	Resource Coordination: Summer Youth Services and Camps, Homebuying and Credit Resources	One on One/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Resource Coordination
	Resource Coordination: Food Pantry, Eviction Prevention Support	One on One/Touchpoint Assessment, URA Benefit Counseling, Resource Coordination,
	Food Pantry, General Community Resources to Support with Transition	One on One/Touchpoint Assessment, URA Benefit Counseling,

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Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, URA Benefit Counseling,
	General Community Resources to Support with Transition, Resource Coordination: Homebuying Information and Resources	One on One/Touchpoint Assessment, HHA Support, URA Benefit Counseling, Resource Coordination,
	General Community resources to support with her transition, Relocation Support coordination with new landlord and HHA to move with Voucher	HHA Support, URA Benefit Counseling,
	Education Support , General Community Resources to Support with Transition	DRA Supported with Letter of Recommendation, One on One/Touchpoint Assessment, URA Benefit Counseling,
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling,
	Resource Coordination: Food, Credit and Financial Resources	One on One/Touchpoint Assessment, URA Benefit Counseling, Resource Coordination
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling,
	General Community Resources to Support with Transition, Resource Coordination: Housing and Employment,	One on One/Touchpoint Assessment, HHA Support, Employment Application and Interview Process, URA Benefit Counseling, Resource Coordination: Homeless Shelters, Rental and Utility Assistance, Storage Options, Budgeting
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling, Claim Support,
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, URA Benefit Counseling,
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling,
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment
	General Community Resources, Resource Coordination: Homebuying Resources and Information	One on One/Touchpoint Assessment, URA Benefit Counseling, Homebuying Resources
	ESL Interpreter services English/Arabic, Resource Coordination: Homebuying Resources and Information	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling, Claim Support, ESL Support: Arabic,
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, URA Benefit Counseling,

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Displacee	Services Requested	Services Provided
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling,
	General Community Resources to Support with Transition, Utility and rental Assistance	One on One/Touchpoint Assessment, HHA Support , Assistance submitting Texas Rent Relief Assistance, URA Benefit Counseling,
	General Community Resources to Support with Transition	One on One/Touchpoint Assessment, URA Benefit Counseling,
	HHA Support, Furniture Resources and Food Assistance	One on One/Touchpoint Assessment, URA Benefit Counseling,
	Food and Mental Health Support	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling,
	HHA Support, Utility Assistance, Food Assistance,	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling,
	ESL- Interpreter services English/Kinyarwanda, Homebuying Options,	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling, Homebuying Education Resources , ESL Support: Kyniarwanda,
	HHA Support , Furniture Resource Request, General Community Resources to Support with Transition	One on One/Touchpoint Assessment, HHA Support , URA Benefit Counseling
	Relocation Support and Coordination, Food, HHA Support	One on One/Touchpoint Assessment,HHA Support , DRA Coordinated with management for move and post move support. emergency Food Assistance Donations were provided, URA Benefit Counseling,
	Relocation Advisory Services	EJ services,Setting up Appointment, Moving Determination Statement, Signed Release of Property Certification, Took vacancy photos, Knock doors to get document signed, Answerd relcoation Questions
	Relocation Advisory Services	EJ services,Setting up Appointment, Moving Determination Statement, Signed Release of Property Certification, Took vacancy photos, Knock doors to get document signed, Answerd relcoation Questions
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Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
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Enhanced Relocation Services Provided**

Displacee	Services Requested	Services Provided
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Enhanced Relocation Services Provided**

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Enhanced Relocation Services Provided**

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Displacee	Services Requested	Services Provided
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Enhanced Relocation Services Provided**

Workshop with Individual Parcel Owners	
Date of Workshop	Topic of Workshop
05/05/21	Updating and Understanding Credit
05/13/21	Relocation Benefits Open Door
05/19/21	Updating and Understanding Credit
05/19/21	First Time Home Buyer
06/22/21	On site meet and greet - Q & A
6/24/2021	Enhanced Relocation Services
7/14/2021	Healthcare with San Jose Clinic
8/12/2021	Back to School & Youth Services with NAACP
8/26/2021	Hurricane Preparedness
9/9/2021	Renter's Rights with Houston Dept. of Housing
9/23/2021	Immigration Rights with FIEL Houston
10/21/2021	How Can We Help
10/28/2021	Halloween Q & A Check-in
11/4/2021	Understanding the Relocation Process
11/22/2021	Turkey Giveaway with NAACP
12/17/2021	Ugly Christmas Sweater Q & A Check-in
1/12/2022	Organizing Your Pack and Move
1/19/2022	Setting Goals and Making Changes
1/25/2022	Credit 101 (Virtual Workshop) with 3M Consulting
1/25/2022	Credit 101
1/26/2022	So You've Moved... What's Next?

**Appendix D  
Enhanced Relocation Services Provided**

Workshop with Individual Parcel Owners	
Date of Workshop	Topic of Workshop
1/31/2022	Credit 101- Steps to Becoming a Homeowner
2/9/2022	Organizing Your Pack and Move
2/15/2022	We Care Transportation & Housing Mixer
2/18/2022	Setting Goals and Making Changes
2/23/2022	So You've Moved... What's Next?
2/24/2022	Meet & Greet
3/19/2022	Are you Ready-Saturday Edition w/ FIEL Houston
3/24/2022	Organizing Your Pack and Move
3/29/2022	Credit 101
3/31/2022	Credit 101
4/21/2022	Setting Goals and Making Changes
4/27/2022	VETS Lunch & Learn
5/11/2022	Organizing Your Pack and Move
8/9/2022	Back to School & Youth Services with NAACP
8/18/2022	Social Services Pop-Up Market
9/22/2022	Homebuying 101
9/27/2022	Homebuying 101
10/26/2022	Navigating Transitions
11/16/2022	Make Your Resources Work for You
11/29/2022	Community & Social Services Pop-up Market
11/30/2022	Make Your Resources Work for You

**Appendix D  
Enhanced Relocation Services Provided**

Workshop with Individual Parcel Owners	
Date of Workshop	Topic of Workshop
12/2/2022	Communicating with Your Navigator
12/7/2022	Knocking Down Barriers & Hurdles
12/16/2022	Communicating with Your Navigator
12/22/2022	Hot Cocoa & Holiday Relo
1/4/2023	Knocking Down Barriers and Hurdles
1/6/2023	Knocking Down Barriers and Hurdles
1/6/2023	Communicating with Your Navigator
1/11/2023	Understanding Your Housing Voucher
1/11/2023	Locating Potential Homes (Part 1)
1/13/2023	Understanding Your Housing Voucher
1/25/2023	Knocking Down Barriers
1/25/2023	Budgeting Your Way to Success
1/27/2023	Budgeting Your Way to Success
2/15/2023	Love Our Vets with Combined Arms
2/22/2023	Food Resources Pop-Up Market
3/14/2023	Spring Forward Relocation Prep with HDR
3/30/2023	Housing Resources Pop-Up Market
4/10/2023	Easter Egg Relocation Informational
4/26/2023	Community/Social Services Pop-Up Market
5/17/2023	Relocation Benefits Open Door
5/26/2023	On site meet and greet - Q & A

**Appendix D  
Enhanced Relocation Services Provided**

Workshop with Individual Parcel Owners	
Date of Workshop	Topic of Workshop
9/8/2023	Managing Finances & Documentation
9/11/2023	Post Planning Transitional 101
9/11/2023	Housing Goal Assessment
9/12/2023	Goal Planning and Review
9/13/2023	Balance Reduction
9/18/2023	Balance Reduction
9/19/2023	Moving Do's and Don'ts
9/20/2023	Housing Search & Options
9/22/2023	Reviewing Homebuying Process
9/26/2023	Diabetes-Get The Facts
9/26/2023	Navigating Eviction Process
9/26/2023	Post Planning Transitional 101
9/27/2023	Post Planning Transitional 101
9/27/2023	Post Planning Transitional 101
9/27/2023	Post Planning Transitional 101
9/28/2023	Post Planning Transitional 101
9/29/2023	Post Planning Transitional 101
9/30/2023	Post Planning Transitional 101
9/30/2023	Post Planning Transitional 101
9/30/2023	Past Balance and Rental History
9/30/2023	Post Planning Transitional 101



**Appendix D  
Enhanced Relocation Services Provided**

<b>Workshop with Individual Parcel Owners</b>	
Date of Workshop	Topic of Workshop
10/4/2023	Post Planning Transitional 101
10/4/2023	Post Planning Transitional 101
10/5/2023	Q&A with Allied Orion
10/6/2023	Post Planning Transitional 101
10/12/2023	Post Planning Transitional 101
10/12/2023	Post Planning Transitional 101
10/18/2023	Post Planning Transitional 101
10/18/2023	Q&A with Allied Orion
10/24/2023	Post Planning Transitional 101
10/26/2023	Housing Voucher vs URA Option Review
10/31/2023	Moving Intentions workshop combined with a Halloween Costumes and Karaoke
11/1/2023	Harris Health Speaker - Hypertension
11/6/2023	Accessing Resources
11/14/2023	Relocation Workshop to discuss moving options and payments
11/16/2023	Post Planning Transitional 101
11/17/2023	Housing Search Coordination
11/17/2023	Post Planning Transitional 101
11/24/2023	Claiming Rental Supplement
11/28/2023	Post Planning Transitional 101
11/29/2023	Q&A with Allied Orion

**Appendix D  
Enhanced Relocation Services Provided**

<b>Workshop with Individual Parcel Owners</b>	
Date of Workshop	Topic of Workshop
11/30/2023	Relocation Overview Workshop
12/6/2023	Moving Do's and Don'ts
12/7/2023	Moving Updates and Bingo
12/12/2023	Tour of Rasmus Temenos Place Apartments
12/13/2023	Housing Search
12/14/2023	Post Planning Transitional 101
12/14/2023	Post Planning Transitional 101
12/15/2023	Relocation Workshop
12/20/2023	Budgeting and setting up Payment Plans
12/21/2023	Post Planning Transitional 101
12/28/2023	End of Year Market
1/2/2024	Post Planning Transitional 101
1/2/2024	Budgeting and planning for the future
1/4/2024	Post Planning Transitional 101
1/5/2024	Employment Readiness
1/8/2024	Post Planning Transitional 101
1/9/2024	Employment & Education
1/9/2024	Budgeting and Managing Past Balances
1/9/2024	Post Planning Transitional 101
1/9/2024	Post Planning Transitional 101
1/9/2024	Moving Updates

**Appendix D  
Enhanced Relocation Services Provided**

<b>Workshop with Individual Parcel Owners</b>	
<b>Date of Workshop</b>	<b>Topic of Workshop</b>
1/23/2024	Q&A with Allied Orion
1/19/2024	"Pop" by for in Depth Relocation Information
1/24/2024	Harris County Single Family New Construction

**Appendix D  
Enhanced Relocation Services Provided**

Community Workshops	
Date	Topic of Community Workshop
04/03/21	Easter Egg Hunt
05/05/21	First Time Home Buyer
05/05/21	May the Fifth Be With You Cinco De Mayo Event
05/21/21	DRA Social Meet & Greet Clayton Homes
06/18/21	Clean Up and Clean Out Day - organized large item dumping and cleaning
6/19/2021	Juneteenth w/Emancipation EDC
06/19/21	Juneteen Community Event
06/22/21	On site meet and greet - Q & A
06/26/21	Pool Side Meet and Greet Daily Topics Consist of: Selecting Your Realtor, Updating and Managing Credit, Understanding Property Taxes and Exemptions, Household Maintenance, Consultant Breakout Relocation/ EJ Q & A, Open Chat
07/17/21	Choosing the Best Mortgage for You
07/21/21	Move Planning and Move Options
7/31/2021	Health & Wellness Fair with NAACP
07/31/21	Health & Wellness Fair
08/05/21	Move Planning and Move Options
08/07/21	Back to School Event
08/09/21	Small Group Entrepreneurship circle
8/17/2021	VETS Intro Meeting
08/25/21	Get Your Financial Plan in Order

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Community Workshops	
Date	Topic of Community Workshop
09/09/21	Virtual Resource Fair- Clayton Homes
09/22/21	Together We Can: Awareness, Screening, & Prevention for Prostate Cancer
10/14/21	Harris County Public Health
10/28/21	Halloween Q & A Check-in
10/28/21	Fall Festival
11/30/2021	Combined Arms
12/15/2021	OneHouston Navigator Engagement
12/17/21	Ugly Christmas Sweater Q & A Check-in
1/31/2022	US VETS
2/8/2022	FIEL Houston
2/22/2022	FIEL Houston
2/22/2022	The Alliance
3/7/2022	La Unidad
3/8/2022	United Way Thrive
3/17/2022	Navigator Engagement
4/1/2022	Nutrition Resource Development
07/30/22	NAACP Homes for Houston Housing Fair
8/1/2022	Education & Employment Resource Development
10/15/22	NAACP Homes for Houston Housing Fair

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Community Workshops	
Date	Topic of Community Workshop
01/30/23	Dress For Success
02/11/23	NAACP Homes for Houston Housing Fair (Virtual)
03/25/23	SerJobs Picnic
05/07/23	National Coalition of 100 Black Women Wellness Event
05/24/23	Beacon Law Presentation (Virtual)
06/07/23	Beacon Law Presentation
11/16/23	Food Box Giveaway
11/18/23	Turkey Give Away
9/7/2023	Covid & Relocation Services
10/17/2023	Relocation Recap with HDR
11/17/2023	Holiday Community/Social Service Resources
1/31/2024	Time to Move Resources
9/5/2023	Labor Day-Community Event
9/15/2023	Ice Cream Social-Community Engagement
10/25/2023	Pizza and Pumpkins Community Event
11/9/2023	Thanksgiving Crafts Community Event
11/15/2023	Thanksgiving Lunch Community Event
12/13/2023	Christmas Crafts Community Event
12/20/2023	Cheeseburgers and Caroling

**Appendix D  
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<b>Community Workshops</b>	
<b>Date</b>	<b>Topic of Community Workshop</b>
1/15/2024	MLK, Jr. Birthday Celebration
11/28/2023	Hello's and Hot Dogs
1/10/2024	Ring in the New Year/Office Open House

**NHHIP VRA PROGRESS REPORT**

**February 29, 2024**

**APPENDIX E**

**SAMPLE OCCUPANCY AGREEMENT**





### OCCUPANCY AGREEMENT

<b>THE STATE OF TEXAS</b>	§	County:
	§	District:
<b>COUNTY OF</b>	§	Federal Project No.:
		ROW CSJ No.:
		Parcel No.:

This agreement entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the **State** of Texas, acting by and through the Texas Department of Transportation, hereinafter called the **State**, and \_\_\_\_\_, hereinafter called the **Occupant**, WITNESSETH:

In consideration of the State's allowing the **Occupant** to occupy the premises located in \_\_\_\_\_ County, Texas and generally described as \_\_\_\_\_, which are required by the **State** for highway purposes, the **Occupant** agrees as follows:

1. **Occupant** acknowledges that **Occupant** has inspected the property and is occupying the premises "AS IS" with all faults. **Occupant** hereby waives any and all causes of action, claims, demands, damages and liens based on any warranty, expressed or implied, including but not limited to any implied warranty of suitability for a particular purpose and any warranty of habitability. **Occupant** shall indemnify and hold harmless the **State**, its successors and assigns and its agents, representatives and employees ("Indemnified Parties"), against any and all proceedings, suits, actions, claims, damages, judgments, liabilities, awards and expenses whatsoever ("Claims") which may be brought or instituted on account of or growing out of any and all injuries or damages, including death, to persons or property relating to any occurrence in, upon, at or from the premises or any part thereof, and all losses thereto, including but not limited to, all costs of defending against, investigating and settling the Claims.
2. Occupancy shall terminate as of \_\_\_\_\_, subject, however, to such written extensions of time as the **State** may grant. Such extensions will be granted only upon a showing by the **Occupant** of extenuating circumstances which in the opinion of the **State** will justify such extension.
3. Said occupancy shall be for the benefit of the **Occupant** exclusively, and **Occupant** acknowledges that said occupancy hereunder shall be for the sole benefit of said **Occupant** and that no payment has been made or is to be made to the **State** for use of said premises, and any attempt to assign such benefit, or to lease, rent, sublet or in any manner suffer or permit occupancy of said premises by a third party shall automatically suspend the operation of this agreement.
4. **Occupant** shall make every reasonable effort to keep improvements in good repair and shall exercise such diligence as may be necessary to protect same from damage.
5. It is understood that the terms of this agreement apply only to the land and improvements for which title is acquired in the name of the **State**.
6. **Occupant** agrees to notify the **State** upon vacating the premises.
7. The **State's** employees or agents will be permitted to inspect the premises from time to time.



- 8. The **State** assumes no responsibility for utilities.
  
- 9. It is mutually agreed and understood that any benefits which may accrue to the **Occupant** under the **State's** Relocation Assistance Program will be handled entirely separate from and in addition to this agreement. **Occupant** hereby acknowledges receipt of the brochure entitled "*Relocation Assistance.*"

**WITNESS, OUR HANDS, ON THE DAY AND YEAR FIRST ABOVE WRITTEN:**

**OCCUPANT:**

**STATE OF TEXAS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Right of Way Manager,        Region  
Texas Department of Transportation

**NHHIP VRA PROGRESS REPORT**

**February 29, 2024**

**APPENDIX F**

**PUBLIC INVOLVEMENT SUMMARY**

**(December 2023 Public Meeting Series)**



**I-45 North Houston Highway Improvement Project (NHHIP)**

# **December 2023 Public Meeting Series**

**Summary Documentation Report  
February 23, 2024**

**DRAFT**



Click Below to View Summary Documentation Report:

[https://nhhipublicmeetings.com/2023/wp-content/uploads/2024/02/December-2023-Public-Meeting-Series-Documentation\\_Combined\\_2-23-24-compressed.pdf](https://nhhipublicmeetings.com/2023/wp-content/uploads/2024/02/December-2023-Public-Meeting-Series-Documentation_Combined_2-23-24-compressed.pdf)

# **NHHIP VRA PROGRESS REPORT**

**February 29, 2024**

## **APPENDIX G**

### **THIRD PARTY COORDINATION MEETINGS**

MEETING DATE	THIRD PARTY	MEETING SUBJECT
8/1/2023	University of Houston Downtown; JLL; Ambrose	Field visit and tour of proposed acquisition, Parcel 800
8/1/2023	City of Houston; Greater Southeast Management District; Midtown Redevelopment Authority; Central Houston	Project 3B: Arch Bridge discussion
8/2/2023	CREW	NHHIP Update
8/2/2023	Sloan United Methodist Church	Property acquisition
8/3/2023	METRO	Project 3B-1 and 3B-2 coordination meeting
8/3/2023	Rossonian Cleaners	Project 3A: Rossonian Cleaners
8/4/2023	A+ Unlimited Potential Charter School	Project 3B Traffic Control and School Access Coordination
8/7/2023	Housing and Community Focus Group	Status of NHHIP and affordable grant program establishment
8/8/2023	TIRZ #15	Graffiti Building discussion
8/8/2023	TCEQ	NHHIP Air Quality Monitoring
8/11/2023	City of Houston; TIRZ #15	Project 3B: St. Emanuel Pedestrian Realm
8/14/2023	Houston Academy of International Studies; HISD	Project 3B Traffic Control and School Access Coordination
8/15/2023	City of Houston, Harris County, HDR	City's North Canal Project design progress meeting
8/15/2023	CenterPoint Energy	NHHIP Project 3B (3B-1 and 3B-2)
8/15/2023	NAACP	NHHIP Affordable Housing Program
8/16/2023	Union Pacific Railroad	Segment 3 Railroad bridge and track preliminary design plan comments resolution meeting
8/17/2023	OST/Alameda Corridors Redevelopment Authority; TIRZ #7; TIRZ #15; Midtown Redevelopment Authority; Greater Southeast Management District; City of Houston; METRO	Multi-Agencies: Caroline-Wheeler cap and Alameda-Cleburne cap opportunity

MEETING DATE	THIRD PARTY	MEETING SUBJECT
8/22/2023	Air Alliance; Link Houston; Texas Appleseed	NHHIP Discussion
8/22/2023	City of Houston	Grant Application for NHHIP cap extensions and garden bridges
8/24/2023	City of Houston	Project 3B and Midtown Water Line Replacement Project coordination
8/28/2023	METRO, City of Houston	Wheeler LRT Station Site Plan, ROW needs, and LRT/Fannin Bridge Cap (including City of Houston)
8/29/2023	City of Houston, HCFCD, METRO, TIRZ #5	South Canal coordination
8/29/2023	Greater Houston Business Procurement Forum	NHHIP Update
8/29/2023	JMJ	NHHIP Overview
9/5/2023	BCYCLE	St. Emanuel Street BCycle Coordination Meeting
9/7/2023	METRO	60% Comments Coordination
9/7/2023	Central Houston	NHHIP Update meeting
9/11/2023	Eugene Lee and Jon Deal	NHHIP Projects along I-10 and Nance Street Connectivity
9/12/2023	METRO, CenterPoint Energy	Transmission Line impacts for combined NHHIP and METRO Inner Katy BRT
9/15/2023	City of Houston	Signal Warrant Analysis - Jefferson Street
9/19/2023	CenterPoint Energy	NHHIP Project 3B (3B-1 and 3B-2)
9/20/2023	City of Houston	St. Emanuel Street Lighting
9/20/2023	City of Houston	Arch Bridges
9/21/2023	OST/Alameda Corridors Redevelopment Authority; TIRZ #7; TIRZ #15; Midtown Redevelopment Authority; Greater Southeast Management District; City of Houston; METRO	Multi-Agencies monthly coordination meeting for Projects 3A and 3B
9/26/2023	CenterPoint Energy	CenterPoint Cage Street and Greg Street facility adjustments

MEETING DATE	THIRD PARTY	MEETING SUBJECT
9/27/2023	Carolyn Sumners	Property Discussion
9/28/2023	FHWA	NHHIP VRA
9/29/2023	City of Houston, Department of Homeland Security	Department of Homeland Security Cameras
10/5/2023	City of Houston	City parking along St. Emanuel Street
10/5/2023	METRO	Coordination Meeting
10/12/2023	Descendants of Olivewood	TxDOT Field visit
10/17/2023	CenterPoint Energy	NHHIP Project 3B (3B-1 and 3B-2)
10/18/2023	OST/Alameda Corridors Redevelopment Authority; TIRZ #7; TIRZ #15; Midtown Redevelopment Authority; Greater Southeast Management District; City of Houston; METRO	Multi-Agencies monthly coordination meeting for Projects 3A and 3B
10/24/2023	METRO	CCB Presentation
10/24/2023	FHWA	NHHIP VRA
10/26/2023	METRO, City of Houston	Wheeler Station Workshop
10/26/2023	Central Houston	NHHIP Update meeting
10/27/2023	City of Houston	NHHIP Third-Party Estimated Costs for caps and garden bridge opportunities
10/31/2023	Descendants of Olivewood	Field visit and discussion of NHHIP VRA Commitment
10/31/2023	City of Houston, TIRZ #15	St. Emanuel Street Trees / Pedestrian Realm
11/2/2023	METRO	Coordination Meeting
11/2/2023	Shaun Sharma	Property Discussion
11/3/2023	City of Houston, METRO	Wheeler Transit Center Coordination



MEETING DATE	THIRD PARTY	MEETING SUBJECT
11/6/2023	Union Pacific Railroad	NHHIP Coordination
11/9/2023	City of Houston Transportation, Technology & Infrastructure Committee	NHHIP Discussion
11/9/2023	City of Houston	Parcel 502
11/9/2023	EaDo Investments	Parcels 324, 500, and 401 - Timing/Project Discussion
11/10/2023	Elected Officials	NHHIP Briefing
11/14/2023	FHWA	NHHIP VRA
11/16/2023	OST/Alameda Corridors Redevelopment Authority; TIRZ #7; TIRZ #15; Midtown Redevelopment Authority; Greater Southeast Management District; City of Houston; METRO	Multi-Agencies monthly coordination meeting for Projects 3A and 3B
11/21/2023	CenterPoint Energy	Project 3B-1 and 3B-2 coordination meeting
11/27/2023-11/30/2023	FHWA	Cost Schedule Risk Assessment Workshop
12/6/2023	Verizon	Opportunities for DBE Subcontractors onm NHHIP
12/7/2023	Houston Police	Police Station Offer and Relocation at corner of Chartres Street and Gray Street
12/11/2023	University of Houston Downtown	NHHIP Coordination and MOU Discussion
12/13/2023	EaDo TIRZ #15	Board Meeting - Project 3B-1 discussion
12/13/2023	Independence Heights	NHHIP Updates
12/19/2023	CenterPoint Energy	Project 3B-1 and 3B-2 coordination meeting
12/20/2023	Houston Sports Authority	Property Acquisition
12/20/2023	FHWA	NHHIP VRA
12/21/2023	City of Houston, TIRZ #15	Roundtable Discussion

MEETING DATE	THIRD PARTY	MEETING SUBJECT
12/21/2023	OST/Alameda Corridors Redevelopment Authority; TIRZ #7; TIRZ #15; Midtown Redevelopment Authority; Greater Southeast Management District; City of Houston; METRO	Multi-Agencies monthly coordination meeting for Projects 3A and 3B
1/4/2024	METRO	Project 3B-1 and 3B-2 Coordination Meeting
1/5/2024	City of Houston	Arch Bridges Follow Up Discussion
1/11/2024	City of Houston, and Landowner	Parcel 438
1/12/2024	Harris County Flood Control District	90% St. Emanuel 3B-1 and 60% Interchange 3B-2 coordination meeting
1/12/2024	City of Houston Councilmember	NHHIP Rehousing Briefing with Councilmember Thomas
1/16/2024	City of Houston, and Landowner	1409 St. Emanuel Street property
1/16/2024	Houston Sports Authority	Follow up to meeting on 1/4/2024
1/16/2024	Downtown Houston, City of Houston	NHHIP Presentation
1/16/2024	CenterPoint Energy	Project 3B-1 and 3B-2 coordination meeting
1/17/2024	City of Houston, and Landowner	319 St. Emanuel Street property
1/18/2024	Union Pacific Railroad	Field Diagnostic Inspection
1/18/2024	OST/Alameda Corridors Redevelopment Authority; TIRZ #7; TIRZ #15; Midtown Redevelopment Authority; Greater Southeast Management District; City of Houston; METRO	Multi-Agencies monthly coordination meeting for Projects 3A and 3B
1/19/2024	City of Houston	St. Emanuel Street Lighting
1/22/2024	FHWA	NHHIP VRA
1/22/2024	City of Houston, George R. Brown Convention Center	GRB Convention Center Expansion Project
1/26/2024	City of Houston	Essential Services

MEETING DATE	THIRD PARTY	MEETING SUBJECT
1/30/2024	City of Houston, and Landowner	Parcel 317
1/31/2024	City of Houston, IKE Kiosk	Coordination Meeting
1/31/2024	City of Houston, Houston First	1360 Hamilton Parking Lot
1/31/2024	City of Houston, George R. Brown Convention Center, CenterPoint Energy	Coordination Meeting
2/1/2024	Harris County	Air Monitoring 3B Projects
2/6/2024	Union Pacific Railroad	Bell Line Shoofly 30% Track Design Site visit
2/6/2024	Harris County Engineering Department, Harris County Flood Control District	Status Update Coordination Meeting
2/7/2024	FHWA	Weatherization Program
2/9/2024	City of Houston, Shell Energy Stadium	Project 3B-1 Coordnation Meeting
2/12/2024	FHWA	NHHIP VRA
2/12/2024	University Place Super Neighborhood, Boulevard Oaks Civic Association, Museum Park, Museum Area Municipal Association, Greater Southeast Management District	NHHIP Update with focus on 3A and 3B projects.
2/13/2024	City of Houston, Harris County Flood Control District	North Canal Project Coordination Meeting
2/15/2024	OST/Alameda Corridors Redevelopment Authority; TIRZ #7; TIRZ #15; Midtown Redevelopment Authority; Greater Southeast Management District; City of Houston; METRO	Multi-Agencies monthly coordination meeting for Projects 3A and 3B
2/16/2024	Descendants of Olivewood Cemetary	Meeting with TxDOT Cultural Resources staff to discuss National Register support with Descendants of Olivewood
2/20/2024	City of Houston, TIRZ #15	St. Emanuel Street Business Owner's Meeting, Project 3B-1 Outfall construction
2/20/2024	Connect Downtown Committee	NHHIP Update
2/20/2024	City of Houston, Harris County Flood Control District	North Canal Project Coordination Meeting

MEETING DATE	THIRD PARTY	MEETING SUBJECT
2/20/2024	CenterPoint Energy	Project 3B-1 and 3B-2 coordination meeting
2/21/2024	City of Houston	St. Emanuel Street Lighting
2/21/2024	City of Houston	Elgin Bridge Utility Cover
2/22/2024	City of Houston	Coordination Meeting
2/23/2024	Houston Police Department	I-45 Corridor Project Discussion
2/26/2024	World Cup 2026 Host Committee	NHHIP and World Cup 2026

**NHHIP VRA PROGRESS REPORT**

**February 29, 2024**

**APPENDIX H**

**JUNE 27, 2023 LEP TRAINING SESSION  
ATTENDEES**

Appendix H  
June 27, 2023 NHHIP LEP Training -List of Attendees

NHHIP LEP Training June 27, 2023	
1	Abby Lopez
2	Adam Wood
3	Celeste Adorno
4	Lorena Ajie
5	Alfonso Villafuerte
6	Allien Dessalines
7	Jana L. Alvarez
8	Amanda Austin
9	Andrew Leske
10	Andy Ngo
11	Angelica Sizemore
12	Anil Chaudhary
13	Annette Muhammad
14	Ashique Ahmed
15	Ba Trinh
16	Dalton Baker
17	Kody Barker
18	Ben Regner
19	Bonnie Haytcher
20	Clara Castaneda
21	Preston Chan
22	Chance Norman
23	Christa Bell
24	Chuck Shine
25	Clara Davidson
26	Spencer Cocheu
27	Cyndi Hernandez
28	Brittney Daniels
29	Darrell Dooley
30	David Jamar
31	Dawn Smith
32	Debra Medellin
33	Melissa DeLeon
34	Dalra Dunaway
35	Elizabeth Moreau
36	Emad Naser
37	Charles Finicum

Appendix H  
June 27, 2023 NHHIP LEP Training -List of Attendees

NHHIP LEP Training June 27, 2023	
38	Robb Fishman
39	Talia Fuentes
40	Grady Mapes
41	David Gornet
42	Shenelle Graves
43	Rodney Heard
44	Julissa Hernandez
45	Danna Hobbs
46	Kellen Hope
47	Ila Caraway
48	Jason Holloman
49	Jennifer Jimenez
50	Jessica Gray
51	Jessica Nakagawa
52	Jorge Nevares
53	Patrick D. Joseph
54	Julie Beaubien
55	Kayla Wetsel
56	Joseph Khammash
57	Roy Knowles, Jr.
58	Kristie King
59	KyleMaru Benauro
60	Loretta Lau
61	Amanda Lesikar
62	Mallory Kesterson
63	Angela Marrero Longoria
64	Lisa M. Meredith
65	Michael Meroney
66	Milad Ajir
67	Moe Kuchak
68	Monica Ligon
69	Yolanda Morris
70	Lauren A. Munoz
71	Nena Calvin
72	Nicolle Kord
73	Lisa Norris
74	Pam Thomas

Appendix H  
June 27, 2023 NHHIP LEP Training -List of Attendees

NHHIP LEP Training June 27, 2023	
75	Mindy Pittman
76	Rachel Whitaker
77	Ray Armstrong
78	Rebecca Scono
79	Reina Gonzalez
80	Richard Henderson
81	Robel Sintayehu
82	Suzette Romoser-Broadway
83	Amabeli Salinas
84	Samuel Ainabe
85	Wendy Schwienteck
86	Sheila Rhodes
87	Shianne Blease-Staine
88	Darlene Snow
89	Christina Squires
90	Stanley Cooper
91	Stephanie Guillot
92	Stephanie Hawkins
93	Robin Sterry
94	Steve Hrcir
95	Suraj Chapagain
96	Susan Howard
97	Susan Lovell
98	Susanna Scott
99	Terri Dedhia
100	Thien Nguyen
101	Thomas Walden
102	Marisella Thompson
103	Tim Medrano
104	Lisa Tovey
105	Tracey Farris
106	Tracy Bendele
107	Katherine J. Trent
108	Leila Valenzuela
109	Varuna Singh
110	Boone Waters
111	LaTanya Whitaker



Appendix H  
June 27, 2023 NHHIP LEP Training -List of Attendees

NHHIP LEP Training June 27, 2023	
112	Samuel L. Wilson
113	Yoana Quintero
114	Yvette Campa
115	Zaineb Walkabout