

FACILITIES PLANNING **(Relocation Assistance)**

In accordance with law and Board policy, the superintendent will utilize the following procedures to assist persons displaced by the district's use of eminent domain to acquire real property.

Definitions

Business Relocation/Re-establishment Costs – Actual costs of moving including costs for packing, crating, disconnecting, dismantling, reassembling and installing all personal equipment; costs for relettering similar signs; stationary replacement; and up to an additional \$10,000 for re-establishment. Re-establishment expenses are limited to the costs of physical improvements to accommodate the business.

Decent, Safe and Sanitary Dwelling – A dwelling that meets applicable housing and occupancy codes and is structurally sound, has a safe electrical wiring system and adequate heating system.

Displaced Person – Any person who moves from real property or moves his or her personal property from the real property permanently and voluntarily as a direct result of the acquisition, rehabilitation or demolition of real property, or the written notice of intent to acquire such real property, in whole or in part by eminent domain. A person is any individual, family, partnership, corporation or association that has a legal right to occupy the property including, but not limited to, month-to-month tenants.

Residential Relocation Costs – Actual moving costs, utility deposits, key deposits, storage of personal property up to one (1) month, utility transfer and connection fees and initial rehousing deposits including first and last month's rent and security deposit. Relocation costs do not include the cost of replacement property or any capital improvements thereto.

Notice

Immediately after the Board authorizes acquisition by eminent domain, the superintendent will provide potentially displaced persons notice that the property may be condemned for public purposes. A notice of relocation eligibility that informs the occupants of their eligibility for relocation assistance and the nature of that assistance will be provided as soon as is feasible.

Displaced persons will be notified at least 90 days in advance of the date they must vacate the property.

Eligibility

Displaced persons are ineligible for payments in accordance with this procedure unless they occupied the property at least 90 days prior to the initiation of negotiations between the district and the property owner.

Identification

Each person displaced by the acquisition of property through eminent domain must provide the superintendent with the following information in writing:

1. Name
2. Current address
3. Length of time at current address and, if less than one (1) year, the previous address
4. Phone number or other appropriate contact information
5. Monthly net income
6. Number of persons living in the property, their ages and relationships
7. Special needs of any occupants
8. Place of employment and available transportation
9. If a business, the nature of the business

Given this information, the superintendent or designee will ascertain the availability of suitable replacement facilities and the vacancy rates of affordable facilities. The superintendent will then provide referrals to at least three (3) decent, safe and sanitary housing options for residential persons and three (3) suitable referral sites for displaced businesses at least 90 days prior to the date the property must be vacated. The superintendent or designee will arrange for transportation of displaced persons to referral sites, if necessary.

Payments

Eligible displaced persons will be provided either a fixed amount or an amount reflecting the actual reasonable cost of relocation, at the option of the displaced person. Tenants must file claims for relocation costs in writing to the superintendent within six (6) months after the date of displacement, and property owners must file claims in writing to the superintendent by the later of the date of displacement or the date of the last payment for acquisition of the property. The claimant will provide required documentation in support of relocation costs. All payments will be made within 30 days following receipt of sufficient documentation.

The superintendent or designee will request advance relocation payments from the Board if the displaced person can demonstrate a need. Whenever possible, advance payments will be made to

the individual or company who will be the ultimate recipient, such as the landlord or utility, rather than the displaced person.

Owners can waive relocation payments as part of the negotiation for acquisition of the property. Any such waiver must be provided to the superintendent in writing and include the owner's statement that he or she is entitled to payment but has knowingly chosen to waive it.

No relocation benefits will be provided to any person who purposely resides in or chooses a business location solely for the purpose of receiving relocation benefits.

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Note: The reader is encouraged to review policies and/or forms for related information in this administrative area.

Implemented: 01/18/2007

Cole County R-I School District, Russellville, Missouri