



Stuart Drive
11742 Stuart Drive Garden Grove, CA 92843

RELOCATION PLAN

Prepared for Developer:

American Family Housing (AFH)
Midway City, CA

In connection with a Proposed Project of:
AFH and Garden Grove Housing Authority (GGHA)

Prepared by:

Overland, Pacific & Cutler, LLC
Long Beach, CA

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I. INTRODUCTION

American Family Housing (“AFH”) is a California non-profit public benefit corporation that currently owns an existing 10-unit apartment complex called the Stuart Apartments, located at 11742 Stuart Drive, Garden Grove, CA 92843 (“Property”). The Property is currently not an affordable housing project, albeit AFH has owned, operated and managed the Property leasing the units to tenants at below-market rents in line with their mission to “support homeless and low-income families and adults to secure a stable home, to be an active part of their community, and to achieve a self-sustaining way of life.”

AFH and the Garden Grove Housing Authority, a public body corporate and politic (“GGHA”), desire to cause the substantial rehabilitation of the Property and restrict and operate the housing units under certain conditions, covenants and restrictions, with: (i) one (1) unit reserved for occupancy by an onsite property manager, (ii) one (1) unit restricted to occupancy by a Very Low Income person or household at an affordable rent, and (iii) eight (8) units restricted to occupancy by Extremely Low Income persons or households who have been homeless or were at-risk of becoming homeless at an affordable rent. AFH and GGHA have negotiated an affordable housing agreement (“AHA”), under which, if approved by the GGHA in its sole discretion at a public meeting, GGHA will provide AFH a loan of federal HOME Program funds, AFH will undertake and complete the substantial rehabilitation of the Property, GGHA will issue eight (8) mainstream vouchers to assist non-elderly persons with disabilities to occupy the eight Extremely Low Income units, and then AFH will operate, manage, and maintain the Stuart Apartments as a permanent supportive housing project for a 55-year affordability period (together, “Proposed Project”). In implementation of the AHA, if approved by the GGHA in its sole discretion, AFH will execute an Agreement to Enter into Housing Assistance Payment Contract (“AHAP”) and after completing the substantial rehabilitation will enter into a Housing Assistance Payment Contract (“HAP”) by which GGHA will provide the eight mainstream vouchers under the United States Department of Housing and Urban Development (“HUD”) mainstream voucher program that is administered using the same rules as the HUD Housing Choice Voucher Program (“HCV”). In addition under the AHA, if approved by the GGHA in its sole discretion, AFH will borrow from GGHA, and GGHA will loan to AFH, \$1,400,000 of HOME Program funds allocated to the City of Garden Grove (“City”) through a cooperation agreement between the City and GGHA. The Proposed Project is consistent with the City’s housing element and the goals and objectives of the GGHA, as a public housing authority under HUD, as a California housing authority under Health and Safety Code Section 34200, *et seq.*, and as the housing successor under Health and Safety Code Section 34170, *et seq.*, in particular Section 34176.1.

If the AHA is approved in the sole discretion of the GGHA, the planned substantial rehabilitation and implementation of the Proposed Project by AFH and GGHA will require all existing tenant households to permanently relocate from the Property, which relocation will be implemented in compliance with this Relocation Plan (“Plan”) and the Relocation Law (defined below) and other applicable federal, state and local laws and regulations.

Overland, Pacific & Cutler, LLC (“OPC”), an experienced relocation consulting firm, has been retained to prepare this Plan to evaluate the present circumstances and identify the replacement housing requirements of the existing tenant households who will be permanently displaced due to implementation of the Proposed Project. And, this Plan describes GGHA and AFH’s relocation program and solutions intended to minimize possible adverse impacts to the displaced households due to relocation from the Property to comparable replacement housing.

This Plan has been prepared in compliance with and conforms to the requirements of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“URA”), as amended, HUD Handbook 1378, Section 104(d) of the Housing and Community Development Act of 1974, California Relocation Assistance Law, Government Code Section 7260, *et seq.* (“CRAL”), the implementing Relocation Assistance and Real Property Acquisition Guidelines adopted by the State of California, Department of Housing and Community Development (“HCD”), Title 25 California Code of Regulations Section 6000, *et seq.* (“Guidelines”), and the local guidelines adopted by the Garden Grove City Council that implement the CRAL and Guidelines and the federal Residential Anti-Displacement and Relocation Assistance Plan (“RARAP”) also adopted by the City Council. Together, the URA, Handbook 1378, CRAL, Guidelines, local guidelines and RARAP are referred to in this Plan as the “Relocation Law”. The AHA and implementation of the Proposed Project by AFH is a public program and public project funded in part by the GGHA. The Relocation Law, among other provisions, requires (i) preparation of this Plan, (ii) distribution of this Plan to the existing tenant households, (iii) making the Plan available for public review and comment for a 30-day period, (iv) consideration and action on this Plan by the City Council, (v) if this Plan is approved, implementation of this Plan in accordance with the Relocation Law, and (vi) transmittal of this Plan to HCD.

In implementation of the AHA, if approved by the GGHA in its sole discretion, based on OPC and the Displacing Agency’s evaluation of the Property, six (6) tenant households will be required to move and permanently displaced from the Property in order to implement the Proposed Project. Permanent relocation requirements, including the relocation advisory assistance and payment of monetary benefits available to the households displaced by the Project, are included and detailed throughout this Plan.

A. One-for-One Replacement Unit Requirement

Section 104(d) of the Housing and Community Development Act of 1974, as amended (see 42 USC 5304(d)) (“Section 104(d)”) is a section of federal law that applies to certain HUD programs including the HOME Investment Partnerships Program (HOME). Key requirements of Section 104(d) include: (i) the RARAP, (ii) Relocation Assistance for Displaced Lower-Income Persons, and (iii) One-for-One Replacement of Lower-income Dwelling Units.

In implementation of the AHA, if approved by the GGHA, AFH will not be demolishing or reconfiguring any units as part of the Proposed Project, but the added affordable housing conditions, covenants, and restrictions and program requirements as set forth in the AHA and a Regulatory Agreement to be recorded against the Property, and the substantial rehabilitation of the Housing Units, may trigger Section 104(d) benefits, if the HOME agreement would restrict similarly situated tenants from the existing households from applying.

This Plan is organized in five sections:

1. Project description (**SECTION I**);
2. Assessment of the relocation needs of persons subject to displacement (**SECTION II**);
3. Assessment of available replacement housing units within proximity to the Project site (**SECTION III**);
4. Description of AFH’s relocation program (**SECTION IV**);
5. Description of AFH’s outreach efforts, Project timeline and budget (**SECTION V**).

II. PROJECT DESCRIPTION

A. Property Location

The Property is located in south Garden Grove, which is located generally between Anaheim and Santa Ana in Orange County. Figure 1 below displays the location of the Property (*Figure 1 – Project Location*).

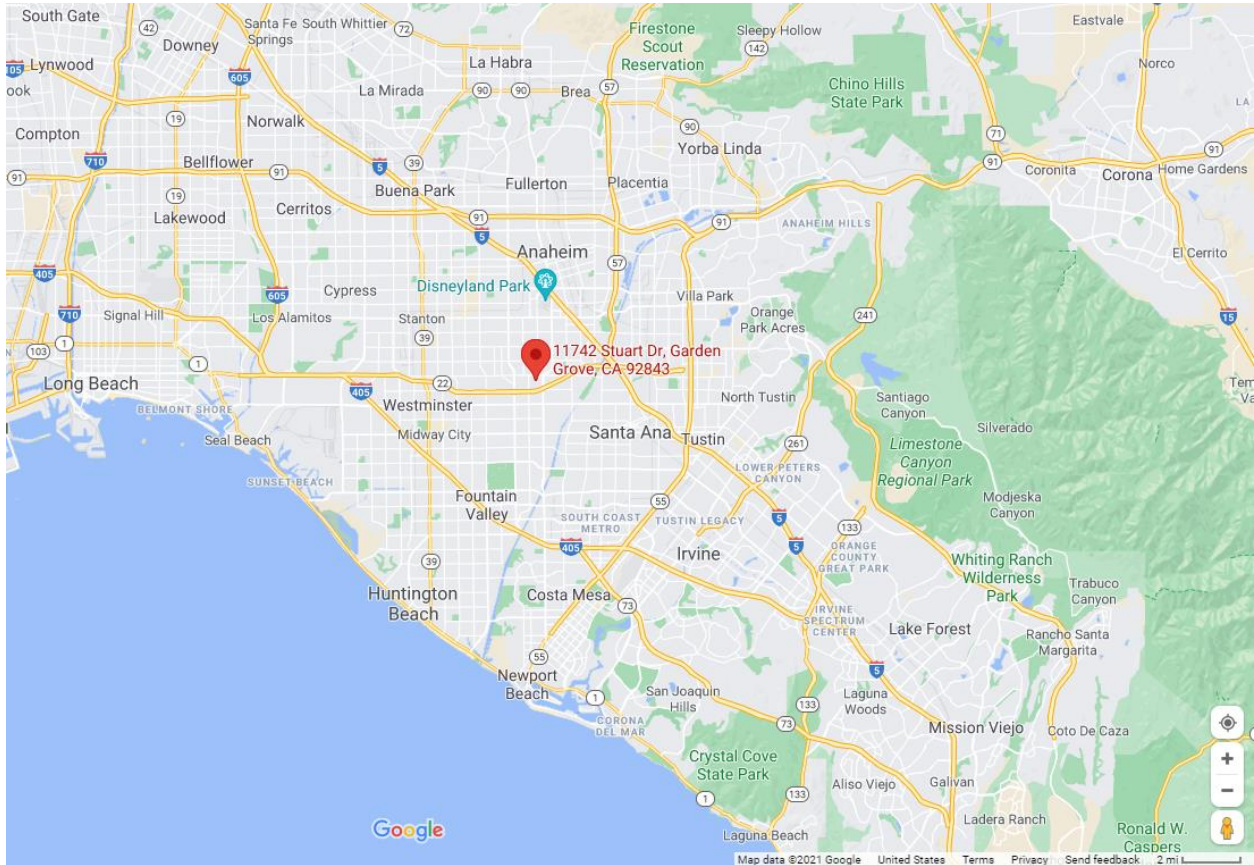


Figure 1: Project Location

B. Project Site Location and Description

The Project Site is located at 11742 Stuart Drive, Garden Grove, CA 92843 at the intersection of Stuart Drive and Rockingham Road. The Property is located in a residential neighborhood consisting primarily of similar small multi-family properties, within walking distance of Peters Elementary School. The Property is within one mile of Orange County Transportation Authority bus lines 43 and 56 (*Figure 2: Project Site Location*).

The Property was built in 1958 and is made up of one two-story apartment building. Currently, the Property consists of 10 apartment units ranging in size from one to two bedrooms. Four units are currently vacant. The Project will require up to six (6) existing households to permanently relocate. (*Figure 3 below includes photos of the Property.*)

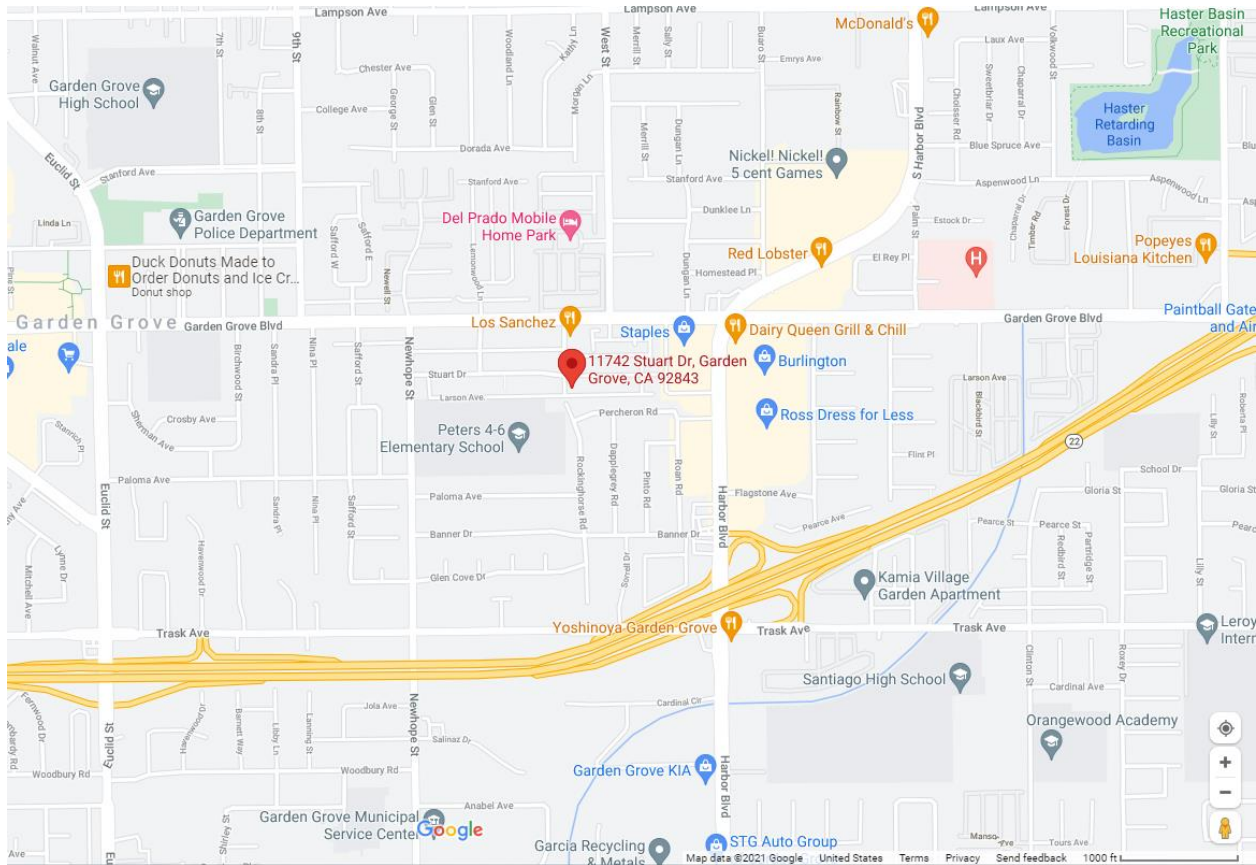


Figure 2: Project Site Location



Figure 3: Property Photos

C. General Demographic and Housing Characteristics

According to the U.S. Census Bureau American Community Survey (ACS) 2019 Five-Year Estimates, the population of Orange County is approximately 3,175,692 and the population of Garden Grove is 171,670 (see **Table 1**). Corresponding ACS data concerning race and ethnicity is shown in **Table 1**, and ACS housing data is shown in **Table 2**.

Population	Garden Grove	%	Orange County	%
Total Population	171,670	100.0%	3,175,692	100.0%
White (not Hispanic or Latino)	29,395	17.1%	1,260,906	39.7%
Black or African American (not Hispanic or Latino)	802	0.5%	52,029	1.6%
American Indian or Alaska Native	440	0.3%	5,382	0.2%
Asian	75,108	43.8%	668,434	21.0%
Native Hawaiian or Other Pacific Islander	406	0.2%	9,712	0.3%
Some Other Race	628	0.4%	5,727	0.2%
Two or More Races	3,025	1.8%	89,315	2.8%
Hispanic or Latino (of Any Race)	61,866	36.0%	1,081,091	34.0%

Source: U.S. Census Bureau, American Community Survey 5-Year Estimates Table DP05: 2019

Type	Garden Grove	%	Orange County	%
Total Housing Units	49,069	100.0%	1,118,148	100.0%
Total Occupied Units	47,378	96.6%	1,044,280	93.4%
Owner-Occupied	25,679	54.2%	596,413	57.1%
Renter-Occupied	21,699	45.8%	447,867	42.9%
Vacant Housing Units	1,691	3.4%	73,868	6.6%

Source: U.S. Census Bureau, American Community Survey 5-Year Estimates Table DP04: 2019

III. ASSESSMENT OF RELOCATION NEEDS

A. Survey Method

Personal interviews were conducted by OPC in June 2021 with all impacted households to ascertain the households’ composition, yearly income, current housing costs, preferred area to relocate, and special needs including those related to physical, mental and emotional impairment, medical requirements, and transportation. The results of these interviews are detailed below (*B. Household Data*).

B. Household Data

1. Current Occupants. There are six (6) tenant households in occupancy at the Stuart Apartments that will be permanently displaced and relocated for the Proposed Project that may

be eligible for relocation assistance and are the subjects of this Plan. The Property is not designated for occupancy by any special groups such as seniors, veterans, or homeless youth. It is a typical family property made up of families with children and senior households. There are 18 residents living at the Property, including an estimated five (5) children under the age of 18.

2. Replacement Housing Needs. Replacement housing needs, as expressed in this Plan, are defined by the total number of required replacement units and distribution of those units by bedroom size. The projected number of required units by bedroom size is calculated by comparing current data for household size with AFH's replacement housing occupancy standards. These standards, generally, allow for up to one person in a studio unit, three persons in a one-bedroom unit, five persons in a two-bedroom unit, seven persons in a three-bedroom unit and nine or more persons in a four-bedroom unit.

Based on available household data, there are no overcrowded units. The comparable replacement housing units required for the current population include one and two-bedroom apartments for rent.

3. Income. Verbal income data was provided by the interviewed households, although it was incomplete in one case. According to HUD income limits for Orange County (**Exhibit A**) adjusted for family size, five households qualify as Extremely Low income (30% or less of AMI), and the total income of one household is unknown. One of the households presently holds a Section 8 portable voucher that provides housing assistance through the HUD Housing Choice Voucher Program ("HCV").

4. Ethnicity/Language. Five of the existing tenant households are made up of Hispanic or Latino/a occupants, and the other household is made up of White occupants that do not identify as Hispanic or Latino/a. Three households prefer Spanish, and the other three households speak English.

5. Senior/Handicapped Households. One of the occupants is a senior (62 years or older), and four households reported having member(s) with one or more disabilities. Four occupants have physical disabilities and four have mental disabilities. One occupant requires the use of a wheelchair. Appropriate steps will be taken to accommodate mobility challenges when considering potential replacement housing options.

6. Preferred Relocation Area. All of the households indicated a desire to stay nearby, but most were open to communities other than Garden Grove, such as Anaheim, Santa Ana, Westminster, Huntington Beach, Costa Mesa, and Seal Beach. Referrals to available comparable replacement dwellings will be focused on Garden Grove and surrounding communities within 15 miles of the Property.

IV. RELOCATION RESOURCES

A. Methodology

For listings of available residential housing, a resource survey was conducted to identify comparable homes for rent in proximity to the Property.

B. Replacement Housing Availability

1. *Residential Replacement Housing.* The replacement housing survey was conducted in June 2021 over a one-week period and considered available one- and two-bedroom apartments for rent in Garden Grove and expanding to surrounding communities within Orange County. The survey identified 12 one-bedroom units and 18 two-bedroom units within 10-15 miles of the Property. All properties identified accept Section 8 portable vouchers. This data is summarized in **Table 3** below.

Table 3: Availability and Cost of Replacement Housing		
	1 Bedroom	2 Bedroom
# Found/# Needed	12 (1)	18 (5)
Rent Range	\$1,441-2,330	\$961-\$2,755*
Median Rent	\$2,040	\$2,188

*The rent range for the 2-bedroom units is the total market rent, not the portion the tenant would be responsible for when utilizing a Section 8 voucher.

The median listing amount shown in the table is among the figures used to make benefit and budget projections for the Plan. **This amount is, naturally, subject to change according to the market rates prevailing at the time of displacement.**

Listings identified are located in Garden Grove and neighboring cities including Santa Ana, Westminster, Orange, Anaheim, Long Beach, and Buena Park. The listings were in areas similar to the Property in proximity to schools, parks, public services and transportation, medical facilities, retail and service providers.

2. *Summary.* Considering the above-described availability of replacement housing resources gathered, it appears there should be an adequate number of comparable replacement units for the residential occupants in Garden Grove or the surrounding areas. However, it is expected that it may be difficult for the households to remain in the immediate area.

Considering the above-described availability of replacement housing resources gathered, it appears that there are more than adequate replacement units for the residential occupants. But, while adequate replacement resources exist, based on survey results of rental opportunities, the unsubsidized resident may likely have an increase in monthly rent. Possible increases, if any, will be met through AFH’s obligation under the relocation regulations, including Last Resort Housing (“LRH”) requirements. (See Section IV, E.)

C. Related Issues

1. *Concurrent Residential Displacement.* There are no known public projects anticipated in the area of the Proposed Project that will cause significant displacements during the timeframe of anticipated displacements due to the Proposed Project. No residential displacee will be required to move without both adequate notice and access to available, comparable, affordable, decent, safe and sanitary housing.

V. THE RELOCATION PROGRAM

AFH’s Relocation Program is designed to minimize hardship, be responsive to unique circumstances of the Proposed Project, emphasize maintaining personal contact with all affected individuals,

consistently apply all regulatory criteria to formulate eligibility and benefit determinations and conform to all applicable requirements. The relocation program to be implemented by AFH in consultation and cooperation with GGHA pursuant to the AHA and will conform to the standards and provisions of the Relocation Law as identified previously.

AFH has retained OPC to administer the Relocation Program for the permanent displacees. OPC has worked on more than 60,000 public acquisition and relocation projects over the past 41 years.

OPC staff will be available to assist any relocated person and/or household with questions about the relocation process, relocation counseling and/or assistance in relocating. Relocation staff can be contacted at **(562) 304-2000** or toll-free at **(800) 400-7356** from 8:00 am to 5:00 pm Monday through Friday and are available via voicemail and/or cellular phones after hours. The Relocation Office is located at 3750 Schauffele Ave. Suite 150, Long Beach, CA 90808.

The Proposed Project is anticipated to involve the permanent relocation of households in accordance with the Relocation Law; additionally, under the AHA GGHA will provide a loan to AFH that will be sourced from HOME Program funds, thus Section 104(d), if applicable, will restrict the property to providing housing to those at risk of homelessness. Eligibility for permanent relocation assistance under these programs is detailed below.

Eligible persons, who will be permanently displaced from the Property, will receive relocation assistance and benefits. The relocation program consists of two principal components: advisory assistance and financial assistance (Relocation Benefits).

A. Advisory Assistance

Advisory assistance services are intended to:

- Inform displacees about the relocation program;
- Help in the process of finding appropriate replacement accommodations;
- Facilitate claims processing;
- Maintain a communication link with AFH and GGHA; and
- Coordinate the involvement of outside service providers.

To follow through on the advisory assistance component of the relocation program and assure that AFH meets its obligations under the Relocation Law, OPC staff will perform the following functions:

1. Distribute appropriate written information concerning AFH and GGHA's relocation program;
2. Inform eligible project occupants of the nature of, and procedures for, obtaining available relocation assistance and benefits (See **Exhibit B**);
3. Determine the needs of each displacee eligible for assistance;
4. Provide the residential displacees with at least three referrals to comparable replacement housing within a reasonable time prior to displacement. Generally, a comparable replacement dwelling must satisfy the following criteria:
 - a. The unit is decent, safe and sanitary - electrical, plumbing and heating systems are in good repair - no major, observable hazards or defects. The unit is adequate in size and

is comparable to the acquired dwelling with respect to number of rooms, habitable living space and type and quality of construction, but not lesser in rooms or living space as necessary to accommodate the displaced person. The unit is functionally equivalent, including principle features.

b. The unit is located in an area not subjected to unreasonable adverse environmental conditions from either natural, or man-made sources, and not generally less desirable with respect to public utilities, transportation, public and commercial facilities, including schools and municipal services and reasonably accessible to the displaced person's place of employment.

c. The unit is available both on the private market and to all persons regardless of race, color, sex, marital status, religion or, national origin.

d. The unit is within the financial means of the displaced residential household.

5. Maintain an updated database of available housing resources, and distribute referral information to displacees for the duration of the project;

6. Provide transportation to the residential displacee, if necessary, to inspect replacement sites within the local area;

7. Inspect replacement housing to assure it meets decent, safe and sanitary standards as described in the Relocation Law;

8. Supply information concerning federal and state programs and other governmental programs providing assistance to displaced persons;

9. Assist eligible occupants in the preparation, and submission, of relocation assistance claims;

10. Provide additional reasonable services necessary to successfully relocate occupants;

11. Receive claims, make benefit determinations and remit payments in accordance with applicable Relocation Law;

12. Assure that no occupant is required to move without a minimum of 90 days written notice to vacate;

13. Inform all persons subject to displacement of Garden Grove's policies with regard to eviction and AFH's policies with regard to property management;

14. Establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of GGHA's decisions with respect to relocation assistance; and

15. Provide assistance that does not result in different or separate treatment based on or due to an individual's sex, marital status, race, color, religion, ancestry, national origin, physical handicap, sexual orientation, and domestic partnership status.

B. Relocation Benefits

Specific eligibility requirements and benefit plans will be detailed on an individual basis with all displacees. In the course of personal follow-up visits, each displacee will be counseled as to available options and the consequences of any choice with respect to financial assistance.

Benefits will be paid to eligible displaced persons upon submission of required claim forms and documentation in accordance with the Relocation Law.

If a household chooses to rent a replacement dwelling, AFH and GGHA will process advance payment requests to mitigate hardships for households who do not have access to sufficient funds to pay move-in costs such as first month's rent and/or security deposits. Approved requests will be processed expeditiously to help avoid the loss of desirable, appropriate replacement housing.

1. *Residential Moving Expense Payments.* All eligible residential occupants to be permanently relocated will be eligible to receive a payment for moving expenses. Moving expense payments will be made based upon the actual cost of a professional move or a fixed payment based on a room-count schedule.

a. *Actual Cost (Professional Move).* Displacees may elect to have a licensed professional mover perform the move. The actual cost of the moving services, based on at least two acceptable bids, will be compensated by AFH in the form of a direct payment to the moving company upon presentation of an invoice. Transportation costs are limited to a distance of 50 miles in either case. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement.

b. *Fixed Payment (based on Room Count Schedule).* An occupant may elect to receive a fixed payment for moving expenses which is based on the number of rooms occupied in the displacement dwelling or ancillary structures on the property. In this case, the person to be relocated takes full responsibility for the move. The fixed payment includes all utility connections as described in a., above.

(i) The current schedule for fixed moving payments is set forth in **Table 4** on the next page:

TABLE 4: Schedule of Fixed Moving Payments, State of California (effective as of 2015)	
Unfurnished Dwelling	
One room	\$725
Two rooms	\$930
Three rooms	\$1,165
Four rooms	\$1,375
Five rooms	\$1,665
Six rooms	\$1,925
Seven rooms	\$2,215
Eight rooms	\$2,505
each additional room	\$265
Furnished Dwelling	
First Room	\$475
Each additional room	\$86
	\$85

2. Rental Assistance for Tenant Occupants

a. *Rental Assistance under the Relocation Law.* To be eligible to receive rental assistance benefits, the displaced tenant household has to rent or purchase and occupy a decent, safe, and sanitary replacement dwelling within one year from the date they move from the displacement dwelling.

Based upon the available data regarding Project displacees, the displaced households may qualify for, and may be eligible to apply for, relocation benefits under URA/CRAL provisions.

Except in the case of Last Resort Housing situations, payments to households exceeding 80% AMI will be payable over a 42-month period and limited to a maximum of \$7,200 as stated under the Relocation Law.

Table 3 on the next page portrays an example of a benefit determination under the Relocation Law (URA/CRAL):

TABLE 3: Example Computation of URA Rental Assistance Payments		
1. Old Rent	\$250	Old Rent and Utilities
Or		
2. Ability to Pay	\$700	30% of the Gross Household Income (for Low Income Households - URA) or 30% of the Adjusted Gross Income (CRAL)
3. Lesser of lines 1 or 2	\$250	Base Monthly Rental
Subtracted From:		
4. Actual New Rent	\$450	Actual New Rent and Utilities
Or		
5. Comparable Rent	\$475	Determined by AFH (includes utilities)
6. Lesser of lines 4 or 5	\$450	
7. Yields Monthly	\$200	Subtract line 3 from line 6
Rental Assistance	\$8,400	Multiply line 7 by 42 months

Rental Assistance Payment amounts under the Relocation Law are equal to 42 times the difference between the base monthly rent and the lesser of:

- (i) The monthly rent and estimated average monthly cost of utilities for a comparable replacement dwelling; or
- (ii) The monthly rent and estimated average monthly cost of utilities for the decent, safe, and sanitary replacement dwelling actually occupied by the displaced person.

The base monthly rent for the displacement dwelling is the lesser of:

- (i) The average monthly cost for rent and utilities at the displacement dwelling for reasonable period prior to displacement, as determined by AFH; or
- (ii) Thirty percent (30%) of the displaced person’s average monthly gross household income if the amount is classified as “low income” by HUD’s Annual Survey of Income Limits for the Public Housing and Section 8 Programs (under the URA). If a displacee refuses to provide appropriate evidence of income or is a dependent, the base monthly rent shall be determined to be the average monthly cost for rent and utilities at the displacement dwelling; or
- (iii) The total of the amount designated for shelter and utilities if receiving a welfare assistance payment from a program that designated the amounts for shelter and utilities.

b. *Rental Assistance under Section 104(d):*

Under Section 104(d), Rental Assistance Payments will be calculated based upon the monthly housing need over a 60-month period for eligible occupants whose income level does not exceed 80% of MFI. Recipients of 104(d) benefits would also be eligible to receive reimbursement for a security deposit and credit check fees.

Table 4 provides an example of how a Section 104(d) rental assistance eligibility amount is determined:

Table 4: Example Computation of Rent Differential Payment 104(d) *

1. Adjusted Gross	\$600	30% of Household's Monthly Adjusted Gross
-or-		
2. Gross Income	\$300	10% of Gross Monthly Household Income
3. Greater of lines 1 and 2	\$600	Total Tenant Payment
Subtracted from the lesser of:		
4. Actual New Rent	\$795	Actual New Rent (includes utilities)
-or-		
5. Comparable Rent	\$815	Set by AFH (includes utilities)
6. Lesser of lines 4 and 5	\$795	
7. Monthly Need	\$195	Subtract line 3 from line 6
Rental Assistance	\$11,700	Multiply line 7 (Monthly Need) by 60 months

**Adjusted gross income means the total annual income of an individual household less the following: (1) a deduction of \$480 for each dependent; (2) a deduction of \$400 for an elderly household; (3) a deduction for recurring extraordinary medical expenses; defined for this purpose to mean medical expenses in excess of 3% of total income, where not compensated for, or covered by insurance or other sources; (4) a deduction of reasonable amounts paid for the care of children or sick or incapacitated family members when determined to be necessary to employment of the head of household or spouse, except that the amount deducted shall not exceed the amount of income received by the person who would not otherwise be able to seek employment in the absence of such care.*

3. *Downpayment Assistance to Tenants Who Choose to Purchase*

The displaced household may opt to apply the entire benefit amount for which they are eligible toward the purchase of a replacement unit (CFR 24.402(b) and HUD 1378).

Residential tenants, who are otherwise eligible to receive the Rental Assistance Payment described above, may choose to receive a lump sum payment equal to forty-two months of rental subsidy (including Last Resort Housing benefits) to purchase a new home. Displacees who qualify for the 60-month calculation, and who want to convert their rental assistance entitlement to down payment assistance, must purchase a cooperative or mutual housing-type replacement home. If a conventional

home is purchased, the rental assistance/down payment assistance payment is converted to a 42-month calculation per the URA.

A displaced household, who chooses to utilize up to the full amount of their rental assistance eligibility (including any Last Resort benefits) to purchase a home, will have the funds deposited in an open escrow account, provided that the entire amount is used for the downpayment and eligible, incidental costs associated with the purchase of a decent, safe, and sanitary replacement home. A provision shall be made in the escrow arrangements for the prompt return of the Developer funds, in the event escrow should fail to close within a reasonable period of time.

Final determination about the type of relocation benefits and assistance for which the household is eligible will be determined upon verification of the household's occupants and income.

C. Program Assurances and Standards

Adequate funds are available to relocate all displaced households. Relocation assistance services will be provided to ensure that displacement does not result in different or separate treatment of households based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability or any other basis protected by the federal Fair Housing Amendments Act, the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the California Fair Employment & Housing Act, and the Unruh Act, as well as any other arbitrary or unlawful discrimination.

D. General Information Regarding the Payment of Relocation Benefits

Claims and supporting documentation for relocation benefits must be filed with AFH and GGHA no later than 18 months from the date the household moves from the displacement dwelling.

The procedure for the preparation and filing of claims and the processing and delivery of payments will be as follows:

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance;
2. OPC, AFH and GGHA staff will review all necessary documentation including, but not limited to, scopes-of-service, invoices, lease documents and escrow material before reaching a determination as to which expenses are eligible for compensation;
3. Required claim forms will be prepared by OPC staff and presented to the claimant for review. Signed claims and supporting documentation will be returned to relocation staff and submitted to AFH and GGHA;
4. AFH in consultation with GGHA will review and approve claims for payment, or request additional information;
5. AFH will issue benefit checks to be disbursed to the claimants via personal delivery;
6. Final payments to residential displacees will be issued after confirmation that the Property and premises have been completely vacated, and actual residency at the replacement unit is verified;
7. Receipts of payment and all claim material will be maintained in the relocation case file.

E. Last Resort Housing

Based on data derived from the Property occupants and costs of replacement housing resources, it is anticipated that Last Resort Housing will be required in five cases as part of the implementation of the Proposed Project due to the high cost of housing in the area. The other household is not expected to require Last Resort Housing payments as they currently receive Section 8 housing assistance. Last Resort Housing is required when “comparable replacement housing” may not be available as required for the households. Specifically, for renters, when the computed replacement housing assistance eligibility exceeds \$7,200.00, Last Resort Housing will have to be provided.

Therefore, if the Proposed Project proceeds, AFH will pay for and provide housing of last resort. Funds will be used to make payments in excess of the monetary limit specified in the statute (\$7,200.00); hence, satisfying the requirement that “comparable replacement housing” is available.

A displaced tenant-occupant household will be entitled to consideration for supplementary benefits in the form of Last Resort Housing assistance when the computed replacement housing assistance eligibility exceeds \$7,200.00 or when a tenant fails to meet the 90-day occupancy requirement and comparable replacement housing is not available within the displaced person’s financial means. AFH will make Last Resort Housing payments in three installments.

F. Relocation Tax Consequences

In general, relocation payments are not considered income for the purpose of Division 2 of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986 (Title 26, U. S. Code), or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act (42 U. S. Code 301 et seq.) or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of the Revenue and Taxation Code, or the Bank and Corporation Tax Law, Part II (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. The above statement on tax consequences is not intended as tax advice by AFH or OPC. Displacees are responsible for consulting with their own tax advisors concerning the tax consequences of relocation payments.

VI. ADMINISTRATIVE PROVISIONS

A. Notices

Each notice, which AFH is required to provide to occupants at the Property, shall be personally delivered or sent by certified or registered first-class mail, return receipt requested and documented in the case file. Each notice will be written in plain, understandable language. Each notice will indicate the name and telephone number of a person who may be contacted for answers to questions or other needed help.

There are four principal notices to be issued to the tenants):

- 1) General Information Notice
- 2) Information Statement
- 3) Notice of Relocation Eligibility
- 4) 90-Day Notice to Vacate

AFH and GGHA plan to issue a General Information Notice (GIN) to all households in about **August or September 2021 (Exhibit B)**. This notice advises the household not to move until they receive further notice. Any household or person who vacates after receiving this notice and prior to receiving the Notice of Eligibility or notice of ineligibility will not be eligible to receive relocation assistance.

The Informational Statement is intended to provide potential displaces with a general written description of the relocation program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights (**Exhibit B**).

A Notice of Relocation Eligibility (NOE) will be distributed to each residential relocate (**Exhibit B**). The NOE to the residential displace contains a determination of eligibility for relocation assistance and a computation of maximum entitlements based on information provided by the affected household and the analysis of comparable replacement properties identified by the OPC staff.

No lawful occupant will be required to move without having received at least 90 days advance written notice of the earliest date by which the move will be necessary. The 90-day vacate notice will either state a specific date as the earliest date by which the occupant may be required to move or state that the occupant will receive a further notice indicating, at least 60 days in advance, the specific date of the required move. The 90-day notice will not be issued to any residential displacee before a comparable replacement dwelling has been made available.

In addition to the four principal notices, OPC staff will issue timely written notification in the form of a Reminder Notice, which discusses the possible loss of rights and sets the expiration date for the loss of benefits to those persons who:

- 1) are eligible for monetary benefits,
- 2) have moved from the subject property, and
- 3) have not filed a claim for benefits.

A Reminder Notice will be issued to all non-responsive relocatees no later than within the last six months prior to the filing expiration date.

B. Privacy of Records

All information obtained from displacees is considered confidential and will not be shared without the consent of the displacee or AFH and GGHA. Developer staff will comply with Relocation Law concerning the safeguarding of relocation files and their contents.

C. Grievance Procedures

A person who is dissatisfied with a determination as to eligibility for benefits, a payment amount, the failure to provide comparable housing, or AFH's property management practices may file a Relocation Assistance Appeal Form or any other written form of appeal with AFH and GGHA and has the right of administrative review. GGHA's appeal policies will follow the standards described in Article 5, Section 6150, *et seq.*, Title 25, Chapter 6, State of California, Department of Housing and Community Development Program guidelines.

Requests for administrative review and informal hearings will be directed to Ryan Lehman with AFH and Monica Covarrubias and Nate Robbins with the City and GGHA. All requests for review will receive written responses from AFH and GGHA within three weeks of their receipt. If an informal appeal is denied, appellants will be entitled to file a written request for a formal hearing before an impartial and independent hearing officer.

The appellant does not have to exhaust administrative remedies first; the appeal/grievance can either go directly to the GGHA, directly to HCD, or directly to the Superior Court. Any person and/or organization directly affected by the relocation plan may petition the Department of Housing and Community Development (HCD), located at 2020 West El Camino Ave., Sacramento, CA 95833 to review the relocation plan.

More detail concerning the appeals process will be provided upon request. Appellants will retain their appeal rights for up to 18 months following the date of displacement from the Property as a direct result of the Proposed Project or receipt of final payment for relocation benefits, whichever is later.

D. Eviction Policy

1. Eviction for cause may result in the forfeiture of a displacee's right to relocation assistance or benefits. Relocation records will be documented to reflect the specific circumstances surrounding eviction action(s), if any.

2. Eviction may be undertaken for one, or more of the following reasons:

a. Failure to pay rent, except in those cases where the failure to pay is due to AFH's failure to keep the premises in habitable condition; is the result of harassment or retaliatory action; or, is the result of discontinuation, or a substantial interruption of services;

b. Performance of a dangerous, and/or illegal act in the unit;

c. A material breach of the rental agreement, and failure upon notification to correct said breach within 30 days of Notice;

d. Maintenance of a nuisance, and failure to abate such nuisance upon notification within a reasonable time following Notice;

e. Refusal to accept one of a reasonable number of offers of replacement dwellings; and/or

f. A requirement under State, or local law or emergency circumstances that cannot be prevented by reasonable efforts on the part of the Displacing Agency.

E. Citizen Participation

As the process for the Proposed Project moving forward, AFH will observe the following protocol:

1. Provide affected households with full and timely access to documents relevant to the relocation program;

2. Encourage meaningful participation in reviewing the relocation plan and monitoring the relocation assistance program; including the project area occupants, neighborhood groups and community organizations forming a relocation committee, if applicable;

3. Provide technical assistance necessary to interpret elements of the Relocation Plan and other pertinent materials;

4. Issue a general notice concerning the availability of the Plan for public review, as required, 30 days prior to its proposed approval; and

5. Include written or oral comments concerning the Plan as an attachment (**Exhibit C**) when it is forwarded to City Council for consideration and action.

F. Projected Date of Displacement

AFH anticipates that the Informational 90-Day Vacate Notices (not date-specific) will be issued to the Project occupants in **September 2021**. However, in no event a date-specific 90-Day Notice to Vacate will not be able to be issued until after the approval process for this Plan is complete, if approved in the sole discretion of the Garden Grove City Council. The earliest expected possible vacate date is about **December 2021**.

G. Estimated Relocation Costs

The total budget estimate for relocation-related payments for this Project, including a 10% contingency, is **\$406,000**. If households are eligible to receive assistance under Section 104(d), the budget is expected to increase and is currently estimated to be **\$591,000**.

The estimated relocation budget does not include any payments related to property acquisition. In addition, the budget does not consider the cost of any services necessary to implement the Plan and complete the relocation element of the Proposed Project.

If the Proposed Project is implemented, and circumstances arise that should change either the number of residential occupants and/or the amount of relocation benefits' entitlements estimated, AFH will authorize any additional funds that may need to be appropriated. AFH pledges to appropriate, on a timely basis, the funds necessary to ensure the successful completion of the Proposed Project, including funds necessary for LRH as indicated in Section IV, E, of this Plan to meet its obligation under the Relocation Law.

**EXHIBIT A
HUD INCOME LIMITS – ORANGE COUNTY**

The following figures are approved by the U.S. Department of Housing and Urban Development (HUD) and published by HCD for use in Orange County to define and determine housing eligibility by income level.

Area Median Income: \$106,700 (Based on 4 Persons)				
	2 Persons	3 Persons	4 Persons	5 Persons
Extremely Low	32,300	36,350	40,350	43,600
Very Low	53,800	60,550	67,250	72,650
Low Income	86,050	96,800	107,550	116,200
Median Income	85,350	96,050	106,700	115,250
Moderate Income	102,450	115,250	128,050	138,300

Figures are per the Department of Housing and Urban Development (California), **updated in April 2021.**

EXHIBIT B
NOTICES AND RESIDENTIAL INFORMATIONAL BROCHURE



General Information Notice

Residential Occupant to Be Displaced

[DATE]

«Name» and All Other Occupants
«Address» Unit «Unit»
«City_State_Zip»

Dear Occupants:

As you know, **American Family Housing**, a nonprofit public benefit corporation ("AFH") owns and manages the 10-unit apartment complex called the **Stuart Apartments** located at **11742 Stuart Drive, Garden Grove, CA 92843** ("Property"), and you and your household occupy one of the units at the Property. The **Garden Grove Housing Authority**, a California housing authority and public entity ("GGHA"), and **AFH** (together, called the "Displacing Agency") are negotiating the terms of an affordable housing agreement ("AHA"). If the AHA is approved by the GGHA governing board in its sole discretion at a public meeting, GGHA will provide AFH a loan of federal HOME Program funds, AFH will undertake and complete the substantial rehabilitation of the Property, and the housing units will be converted and covenanted for operation by AFH as a permanent supportive housing project ("Proposed Project").

This notice is to inform you of your rights under Federal and or State law. If the Displacing Agency enters into AHA and implements the Proposed Project, you may be required to move from the Stuart Apartments and may be permanently displaced for the Proposed Project. If you are required to move as a direct result of the Proposed Project, you will be eligible for relocation assistance and benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended and California Relocation Assistance Law (Sec 7260, *et. seq.* of the CA Government Code, and local guidelines.

HOWEVER, YOU DO NOT HAVE TO MOVE NOW.

This is not a notice to vacate the premises and is not a notice of relocation eligibility.

AFH has retained the professional firm of **Overland, Pacific & Cutler, LLC (OPC)** to represent the Displacing Agency and assist in the relocation process.

As a renter of the unit you occupy, you should continue to pay your monthly rent to your landlord, AFH, because failure to pay rent and meet your obligations as a tenant may be legal cause for eviction and potential loss of eligibility for relocation assistance and benefits. You are urged not to move or sign any agreement to lease or purchase other housing before receiving a formal notice of eligibility for relocation assistance. If you move out or are evicted before receiving this formal notice of eligibility, you will not be eligible to receive relocation assistance. Please contact us before you make any moving plans.

After the AHA is approved by the GGHA, if it is approved at all in its sole discretion, you receive a formal notice of eligibility for relocation assistance. After that notice is issued, you will be given relocation advisory services, including referrals to comparable replacement housing, and will be

provided at least 90 days advance written notice of the date you will be required to move from the Property. And, you will be eligible to receive a payment for moving expenses and may be eligible for financial assistance to help you rent or buy a replacement dwelling. Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by GGHA in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the GGHA.

Again, **this is not a notice to vacate** and does not establish eligibility for relocation advisory assistance, or monetary benefits, or other relocation assistance. If the AHA is not approved and the Proposed Project is not implemented, you will be notified in writing.

You will be contacted soon so that we can provide you with more information about the Proposed Project. If the Proposed Project is approved, we will make every effort to accommodate your needs. If you have any questions about this or any other relocation issues, please contact me at the address and the phone number below.

Maggie Harry

Maggie Harry
Project Manager
Overland, Pacific & Cutler, LLC
3750 Schauffele Ave., Suite 150
Long Beach, CA 90808
Phone (916) 600-1114

Received by

Delivered on/by: _____/_____

X _____
Recipient's Signature

Posted on/by: _____/_____

Date

Mailed/receipt received on: _____/_____

**Relocation Assistance
Informational Statement
for Families and Individuals**

(Federal – Section 104(d))

Developer:

American Family Housing (AFH)

Public Entity:

Garden Grove Housing Authority (GGHA)

Project Name:

Stuart Drive

Displacing Agency Representative:

**Overland, Pacific & Cutler, LLC
2750 Schauffele Ave. Suite 150
Long Beach, CA 90808
949-307-1323**

Informational Statement Content:

1. General Information
2. Assistance In Locating A Replacement Dwelling
3. Moving Benefits
4. Replacement Housing Payment
5. Current Housing Choice Voucher Tenants
6. Qualification For And Filing Of Relocation Claims
7. Rental Agreement
8. Evictions
9. Appeal Procedures – Grievance
10. Tax Status of Relocation Benefits
11. Lawful Presence Requirement
12. Non-Discrimination and Fair Housing
13. Additional Information And Assistance Available

Spanish speaking agents are available. Si necesita esta información en español, por favor llame a su agente.

Informational Statement for Families and Individuals

(Federal – Section 104(d))

1. GENERAL INFORMATION

The dwelling in which you now live is a property to be improved by AFH, with a loan provided to AFH by the GGHA using federal funds. If and when the Proposed Project proceeds, and it is necessary for you to move from your dwelling, you may be eligible for certain benefits. You will be notified in a timely manner as to the date by which you must move. Please read this information, as it will be helpful to you in determining your eligibility and the amount of the relocation benefits you may receive under the federal law. You will need to provide adequate and timely information to determine your relocation benefits. The information is voluntary, but if you don't provide it, you may not receive the benefits or it may take longer to pay you. We suggest you save this informational statement for reference.

AFH has retained the professional firm of **Overland, Pacific & Cutler, LLC (OPC)** to provide relocation assistance to you. The firm is available to explain the program and benefits. Their address and telephone number is listed on the cover.

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING. However, if you desire to move sooner than required, you must contact your relocation agent at OPC, so you will not jeopardize any benefits. This is a general informational brochure only, and is not intended to give a detailed description of either the law or regulations pertaining to the relocation assistance program to be implemented by AFH for GGHA.

AFH is the current owner of the Property. Please continue to pay your rent to your current landlord, AFH, otherwise you may be evicted and jeopardize the relocation benefits to which you may be entitled to receive. If the proposed Affordable Housing Agreement (AHA) is approved by GGHA, in its sole discretion at a public meeting, and

AFH proceeds with the Proposed Project, you will continue to pay rent to AFH until you move from the Property.

This brochure describes the relocation payments and other relocation assistance provided under **section 104(d) of the Housing and Community Development Act of 1974** (section 104(d)) to eligible persons displaced from their homes. Persons eligible for assistance have the option of declining the section 104(d) assistance and receiving assistance under the **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)**, if they decide that it is in their best interest.

To be eligible for relocation assistance under section 104(d), you must qualify as a **lower income person** (individual, family, or household) and must move as a direct result of the "**conversion**" or **demolition** of your dwelling unit for a project in which Federal Community Development Block Grant (CDBG), Section 108 Loan Guarantee, or HOME Investment Partnerships funds are used.

The term "lower income" means that your annual gross household income does not exceed 80% of the median income for the area as established by the U.S. Department of Housing and Urban Development (HUD).

Generally, "conversion" means that before the project, your unit had a "market rent" at or below the HUD Fair Market Rent (FMR) standard, and, after the Proposed Project is completed, the market rent exceeds the FMR, or the unit was converted to a nonresidential use. HUD determines the FMRs for use in its programs. The levels vary by metropolitan area and by the size of the unit.

AFH in consultation with GGHA will determine whether you and the members of your household qualify as a lower income household and if your housing unit will be demolished or "converted." If you do not qualify for section 104(d) assistance, you may be eligible for relocation assistance under the URA.

2. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

AFH (and GGHA) through their representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate and available housing units. You are encouraged to actively seek such housing yourself. When a suitable replacement dwelling unit has been found, your relocation agent will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit provides adequate space for its occupants, proper weatherproofing and sound heating, electrical and plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

3. MOVING BENEFITS

If you must move as a result of displacement by AFH and GGHA, you will receive a payment to assist in moving your personal property. The actual, reasonable and necessary expenses for moving your household belongings may be determined based on the following methods:

- A Fixed Moving Payment based on the number of rooms you occupy (see below); **or**
- A payment for your Actual Reasonable Moving and Related Expenses based on at least two written estimates and receipted bills; **or**
- A combination of both (in some cases); **and**
- Other Moving Expenses depending on program requirements

For example, you may choose a Self-Move, receiving a payment based on the Fixed Residential Moving Cost Schedule shown below, plus contract with a professional mover to transport your grand piano and /or other items that require special handling. In this case, there may be an adjustment in the number of rooms which qualify under the Fixed Residential Moving Cost Schedule.

A. Fixed Moving Payment (Self-Move)

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by AFH, and ranges, for example, from \$475.00 for one furnished room to \$2,505.00 for eight rooms in an unfurnished dwelling. (For details see the table). Your relocation agent will inform you of the amount you are eligible to receive, if you choose this type of payment. If you select a fixed payment, you will be responsible for arranging for your own move, and AFH will assume no liability for any loss or damage of your personal property. A fixed payment also includes utility hook-up and other related moving fees.

Fixed Moving Schedule CALIFORNIA (Effective 2015)	
Occupant Owns Furniture:	
1 room	\$725
2 rooms	\$930
3 rooms	\$1,165
4 rooms	\$1,375
5 rooms	\$1,665
6 rooms	\$1,925
7 rooms	\$2,215
8 rooms	\$2,505
Each additional room	\$265
Occupant does NOT Own Furniture:	
1 room	\$475
Each additional room	\$90

B. Actual Moving Expense (Commercial Move)

If you wish to engage the services of a licensed commercial mover and have AFH pay the bill, you may claim the ACTUAL cost of moving your personal property up to 50 miles. Your relocation agent will inform you of the number of competitive moving bids (if any) which may be required and assist you in developing a “mover” scope of services for Developer approval.

C. Other Moving Expenses

Under the Section 104(d) program, payment of a security deposit required to rent a replacement dwelling and any credit check required to rent or purchase a replacement unit are eligible expenses. Also, interim living costs, when required as a result of the planned relocation program are eligible.

4. REPLACEMENT HOUSING PAYMENT

You may be eligible for a payment to assist in renting or purchasing a comparable replacement dwelling. If so, you may choose assistance under section 104(d) or under the URA. For most lower-income tenants, the amount of assistance provided under section 104(d) is greater.

A. Section 104(d) Rental Assistance

If you are eligible, you will receive assistance based on estimated needs for a period of 60 months. The Agency may offer you that assistance in cash or under the Housing Choice Voucher (HCV) Program. The Agency will tell you which option it is providing to you.

- **Cash Rental Assistance.** A household’s “need” for rental assistance is computed by subtracting the highest of the following calculations from the rent and estimated average monthly utility costs for your new home (or a comparable replacement home, if that cost is lower):

1. 30 percent of the household's monthly adjusted income,
2. 10 percent of the household's monthly gross income, or
3. The welfare rent allowance (where designated).

That monthly need, if any, is multiplied by 60, to determine the total amount that you will receive. This amount will be paid directly to you in monthly installments or other periodic payments.

Example: Let's say that your family's adjusted monthly income is \$600, and the monthly rent and estimated average utility costs for the comparable replacement home to which you move are \$350. In this case, your monthly need would be \$170 [$\$350 - \180 (30 percent of \$600)]. Multiplying this amount by 60 results in \$10,200 of rental assistance.

- **Housing Choice Voucher (HCV) (section 104(d)).** You may be offered a portable HCV. If so, you will also be referred to comparable replacement homes where the owner/landlord will accept the portable voucher. If the rent and estimated average monthly utility costs for both the comparable replacement home and the unit to which you relocate exceed the voucher "payment standard," you will qualify for cash assistance to cover the gap for 60 months.

Advantages of HCV Assistance. The HCV assistance may continue for as long as you have a need and qualify. Unlike cash assistance, HCV assistance is recomputed each year to reflect changes in your income, rent or the cost of utilities. While cash assistance will terminate at the end of 60 months, HCV assistance may continue to be available after the 60-month period ends if you still qualify as a lower income household.

B. **URA Rental Assistance**

URA rental assistance is computed by subtracting the "base monthly rent" for your present home from the rent and average monthly cost of utilities for your new home (or a comparable replacement home, if that cost is lower). That monthly need, if any, is multiplied by 42, to determine the total amount that you will receive. This amount will be paid directly to you in monthly installments or other periodic payments. Generally, the base monthly rent for your present home is the *lesser* of: (1) the monthly rent and average monthly cost for utilities, or (2) thirty (30) percent of your gross monthly household income (if you are low-income based on HUD income limits).

Examples: Let's say that the monthly rent and average cost for utilities for your present home are \$250; the monthly rent and estimated average utility costs for a comparable replacement home are \$350; and your monthly gross income is \$700. In this case, your "base monthly rent" would be \$210 because you are low-income and that amount (30 percent of your income) is less than the monthly cost of rent and utilities at your present home (\$250).

- If you rent a replacement home for \$360 per month, including estimated average monthly utility charges, you will receive \$5,880. That amount is 42 times \$140 (the difference between the "base monthly rent" for your present home (\$210) and the cost for a comparable replacement home (\$350)).
- If you rent a replacement home for \$310, including estimated average monthly utility charges, you will receive \$4,200. That amount is 42 times \$100 (the difference between the "base monthly rent" for your present home (\$210) and the actual cost of your new home (\$310)).

C. Purchase Assistance

If you buy, rather than rent, a replacement home, you may be eligible for assistance to make a down payment. The amount depends on the type of housing that you buy. Section 104(d) purchase assistance is limited to mutual housing and cooperative housing. If you wish to purchase a house that is not mutual or cooperative housing, your purchase assistance would be provided under the URA.

Section 104(d) Purchase Assistance.

If you buy a replacement home which is mutual or cooperative housing, you may be eligible for assistance based on the present value of the monthly payments you would receive if you rented a comparable replacement home for 60 months. Remember, the monthly payment is generally determined by subtracting 30 percent of your adjusted income from the monthly rent and estimated average monthly utility costs for a comparable replacement home.

Example: Assuming the information in the prior section 104(d) example and a 4 percent return on passbook savings, the purchase assistance would be \$9,231. Remember, your net monthly contribution is \$180, and the monthly rent and estimated average monthly cost of utilities for a comparable replacement home total \$350. The monthly difference is \$170. The present value of 60 monthly payments of \$170, discounted at 4 percent, is \$9,231. The full amount of the payment must be applied to the purchase of the mutual or cooperative housing that you buy.

URA Purchase Assistance for Renters.

URA assistance to make a down payment is equal to the amount you would receive if you had rented a comparable replacement home (42 times the amount obtained by subtracting the "base monthly rent" for your present home from the monthly rent and estimated average monthly cost of utilities for a comparable replacement home). Remember, URA assistance is not limited to mutual housing or cooperatives.

Example: Assuming the information in the prior URA examples, the assistance for a down payment would be \$5,880. That amount is 42 times \$140 (the difference between the "base monthly rent" for your present home (\$210) and the monthly rent and estimated average monthly utility costs for a comparable replacement home (\$350)). The full amount of the payment must be applied to the purchase of your new home.

5. CURRENT HOUSING CHOICE VOUCHER TENANTS

If you are currently using a portable Housing Choice Voucher (HCV), when you do move, you may be eligible to transfer your HCV portable voucher eligibility to a replacement site. In such cases, a comparable replacement dwelling will be determined based on your household composition at the time of displacement and the current housing program criteria. This may not be the size of the unit you currently occupy. Your relocation agent will provide counseling and other advisory services along with moving benefits. If the rent and estimated average monthly utility costs for both the comparable replacement home and the unit to which you relocate exceed the portable voucher "payment standard," you will qualify for cash assistance to cover the gap based on the assistance option chosen (URA or Section 104(d)).

6. QUALIFICATION FOR, AND FILING OF, RELOCATION CLAIMS

To qualify for a Replacement Housing Payment, you must rent or purchase and occupy a comparable replacement unit **within one year from the following:**

- For a tenant, the date you move from the displacement dwelling.
- For an owner-occupant, the latter of:
 - a. The date you receive final payment for the displacement dwelling, or, in the case of condemnation, the date the full amount of estimated just compensation is deposited in court; **or**
 - b. The date AFH fulfills its obligation to make available comparable replacement dwellings.

All claims for relocation benefits must be filed with AFH **within eighteen (18) months** from the date on which you receive final payment for your property, or the date, on which you move, whichever is later.

7. RENTAL AGREEMENT

AFH currently owns the Property and will continue to be the owner/landlord if the GGHA approves the AHA. You must continue to comply with your rental or lease agreement with AFH, including payment of monthly rent, when rent payments are due, where they are to be paid and other pertinent information.

8. EVICTIONS

Eviction for cause must conform to applicable State and local law. Any person who occupies the real property and is not in unlawful occupancy on the date of initiation of negotiations, is presumed to be entitled to relocation benefits, unless AFH determines that:

- The person received an eviction notice prior to the initiation of negotiations and, as a result, was later evicted; or
- The person is evicted after the initiation of negotiations for serious or repeated violation of material terms of the lease; and
- The eviction was not undertaken for the purpose of evading relocation assistance regulations.

Except for the causes of eviction set forth above, no person lawfully occupying property as of the date of approval by GGHA of the AHA (if approved) will be required to move without having been provided with at least 90 days written notice from AFH.

9. APPEAL PROCEDURES - GRIEVANCE

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by this Relocation Assistance Program may have the appeal application reviewed by AFH and GGHA in accordance with the appeals procedure. Complete details on appeal procedures are available upon request from GGHA.

10. TAX STATUS OF RELOCATION BENEFITS

California Government Code Section 7269 indicates no relocation payment received shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 170 01) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11 (commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. Furthermore, federal regulations (49 CFR Part 24, Section 24.209) also indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986. The preceding statement is not tendered as legal advice in regard to tax consequences, and displaced should consult with their own tax advisor or legal counsel to determine the current status of such payments.

(IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting marketing or recommending to another party any matters addressed herein)

11. LAWFUL PRESENCE REQUIREMENT

Under federal law, in order to be eligible to receive relocation benefits in federally-funded relocation projects under the URA, all members of the household to be displaced must provide information regarding their lawful presence in the United States. Any member of the household who is not lawfully present in the United States or declines to provide this information may be denied relocation benefits, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child, any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by AFH to negatively affect the alien's spouse, parent or child. Relocation benefits will be prorated to reflect the number of household members with certified lawful presence in the US. (Section 104(d) is not subject to this requirement.)

12. NON-DISCRIMINATION AND FAIR HOUSING

No person shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under AFH's relocation assistance program pursuant to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and other applicable state and federal anti-discrimination and fair housing laws. You may file a complaint if you believe you have been subjected to discrimination. For details contact AFH.

13. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

Those responsible for providing you with relocation assistance hope to assist you in every way possible to minimize the hardships involved in relocating to a new home. Your cooperation will be helpful and greatly appreciated. If you have any questions at any time during the process, please do not hesitate to contact your relocation agent at OPC.



Residential 90-Day Notice to Vacate

DATE

<<TENANT>> and All Other Occupants
Stuart Apartments
11742 Stuart Drive, #<<unit>>
Garden Grove, CA 92843

Your OPC Relocation Agent	
Name:	Maggie Harry
Phone:	916-600-1114

Dear Occupant:

American Family Housing and the **Garden Grove Housing Authority** (together, "Displacing Agency") are proceeding with a project known as **Stuart Apartments Project**. It has been determined that you no longer meet the affordable housing household income requirements to reside at the Property.

Notice is hereby given that the Displacing Agency elects to terminate your tenancy in ninety (90) days beginning <<90DAY START>> and ending <<90DAY END>> and you are hereby to quit and deliver up possession of the property you occupy on or before <<90DAY END>>. If you do not vacate the Premises by that date, the Displacing Agency will initiate legal proceedings to recover possession of the Premises, along with any rents and damages.

During this period, **Overland, Pacific & Cutler, LLC** will be available to provide assistance with referrals to replacement sites, coordination with movers and other vendors, the processing of relocation benefit claim forms, and other tasks to help facilitate your relocation. Please contact your relocation agent listed below if you have any questions regarding this notice or the relocation process. Upon vacating your unit, you are responsible for removing all of your personal property, delivering the Premises in satisfactory condition and turning in the keys to your property management.

Sincerely,

Maggie Harry
Project Manager
Overland, Pacific & Cutler, LLC
3750 Schauffele Ave., Suite 150
Long Beach, CA 90808

Received by

Delivered on/by: _____/_____

X _____
Recipient's Signature

Posted on/by: _____/_____

_____ Mailed/receipt received on: _____/_____

Notice of Eligibility

<<DATE>>

<<NAME>>

<<ADDRESS>>

<<ADDRESS>>

Your OPC Relocation Agent	
Name:	
Phone:	(800) 400-7356

Dear <<NAME>>:

American Family Housing and the **Garden Grove Housing Authority** (together, "Displacing Agency") are proceeding with the project known as the Stuart Apartments (**Project**). To carry out this Project, it will be necessary for you to move and relocate from your dwelling located at 11742 Stuart Drive, <<**Unit**>>, Garden Grove, CA 92843 ("Property").

You will not be required to move without at least 90 days advance written notice of the day by which you must vacate. However, you can contact us at any time for assistance with your move and to receive the benefits for which you are eligible.

This is a notice of eligibility for relocation assistance. You are eligible for relocation assistance and benefits under the Displacing Agency's Relocation Assistance Program.

When you do move, and depending on your eligibility for specific programs, you may choose assistance under **either** the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), **or** Section 104(d) of the Housing and Community Development Act of 1974, as amended (Section 104(d)), if applicable, **or** the California Code of State Regulations Title 25, Division 1, Chapter 6 (Title 25).

Due to the federal funding of this Project with HOME Program funds loaned by the GGHA to AFH, under the URA, persons not lawfully present in the United States are not eligible for relocation payments or advisory assistance, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the Displacing Agency to negatively affect the alien's spouse, parent or child. Under Section 104(d) and Title 25, this requirement does not apply.

Therefore, the entitlements stated below under the URA will reflect the number of legally present persons that have been identified in the Certification of Lawful Presence in the U.S. form provided by you, and/or persons for whom a hardship exemption has been approved. Under the URA, there are ___ household members out of the total of ___ who are entitled to assistance and benefits. These eligible household members are <<NAMES>>.

Additional information about your benefits was previously provided to you in the Informational Statement. You are eligible to receive the following benefits:

- RELOCATION ADVISORY ASSISTANCE** provided by Overland, Pacific & Cutler, LLC (OPC), a professional firm hired by AFH to provide relocation assistance to you, such as referrals to replacement housing and help with filing for benefits.

2. **MOVING EXPENSES:** You will receive a payment to assist in moving your personal property. You may select one of the following payments:

Under Section 104(d)

- A. A Fixed Moving Payment based on the number of rooms you occupy (from Informational Statement). Your entitlement under this option for ___ rooms is \$ _____; **or**
- B. A payment for your Actual Reasonable Moving and Related Expenses based on at least two written estimates and receipted bills; **or**
- C. A combination of both (in some cases).

Under the URA

- A. A Fixed Moving Payment based on the number of rooms you occupy (from Informational Statement). Your pro-rated entitlement under this option for ___ rooms is \$ _____ (x/x of \$ _____) **or**
- B. A payment for your Actual Reasonable Moving and Related Expenses based on at least two written estimates and receipted bills; prorated to reflect the number of eligible household members (X/X); **or**
- C. A combination of both (in some cases).

Under Title 25

- A. A Fixed Moving Payment based on the number of rooms you occupy (from Informational Statement). Your entitlement under this option for ___ rooms is \$ _____; **or**
- B. A payment for your Actual Reasonable Moving and Related Expenses based on at least two written estimates and receipted bills; **or**
- C. A combination of both (in some cases).
3. **SECURITY DEPOSIT AND CREDIT CHECKS (Not provided under the URA or Title 25):** AFH will pay the cost of any security deposit required to rent a replacement dwelling unit and for required credit checks related to a replacement unit.
4. **REPLACEMENT HOUSING ASSISTANCE:** You are eligible for a replacement housing payment to rent or purchase a replacement home. The payment will be based on several factors, including the cost of a "comparable replacement dwelling" and your average household income or Total Tenant Payment.

You are entitled to choose a replacement housing payment under the URA, Section 104(d), or Title 25. These three options are explained below.

A. Replacement Housing Assistance Under Section 104(d)

If you choose assistance under the Section 104(d) and rent a comparable replacement dwelling, your entitlement for a **RENTAL ASSISTANCE** payment is equal to the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling, identified above, and your Total Tenant Payment, multiplied by 60 months. Total Tenant Payment is the highest of:

- (1) 30% of monthly household adjusted income; **or**
- (2) 10% of monthly household gross income.

A study was completed to determine the cost of a comparable replacement dwelling most nearly representative of your current dwelling. The study indicated that the dwelling located at

<<**ADDRESS**>>, with a monthly rent and estimated utilities of \$_____ (rent of \$_____ and utilities of \$_____) was the most representative of your current dwelling.

Based on the information you provided us about your income and the comparable replacement dwelling, your maximum replacement housing payment under Section 104(d) guidelines is calculated as follows:

Maximum 104d Rental Assistance Payment Calculation		
1	Comparable Dwelling Cost	\$
2	Total Tenant Payment	\$
3	Monthly Difference (Line 1 minus Line 2)	\$
4	Maximum payment (difference times 60 months)	\$

Please find attached a listing of available comparable replacement dwellings that you may want to consider renting that reflect replacement housing needs under 104(d). If you need any assistance or transportation to inspect these referrals, please contact the relocation agent identified below.

B. Replacement Housing Assistance Under the URA

If you choose assistance under the URA and rent replacement housing, you may file a claim for a **RENTAL ASSISTANCE** payment, equal to the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling (as determined by the Displacing Agency) and the base monthly rent, multiplied by 42 months (see table below).

A study was completed to determine the cost of a comparable replacement dwelling for eligible occupants most nearly representative of your current dwelling. The study indicated that the dwelling located at <<**ADDRESS**>> with a monthly rent and estimated utilities of \$_____ (rent of \$_____ and utilities of \$_____) was the most representative of your current dwelling.

Base monthly rent is defined as the lesser of:

- (1) \$_____, which represents the average monthly rent (\$_____) and average monthly utilities (\$_____) at your displacement dwelling (if you are paying little or no rent, the amount is based on the economic rental value of your dwelling); **or**
- (2) \$_____, which represents thirty (30) percent of your gross monthly household income if your household income is classified as "low income" by the U. S. Department of Housing and Urban Development's Annual Survey of Income Limits for the Public Housing and Section 8 Programs. (If "N/A", income was not used in the calculation because you have been determined to not be "low income" and/or are a dependent, or the income information provided was insufficient evidence of income.)

Based on the above, your base monthly rent amount is \$_____, and your maximum rental assistance payment is calculated as follows:

Maximum URA Rental Assistance Payment Calculation		
1	Comparable Dwelling Cost	\$

2	Base Monthly Rent	\$
3	Monthly Difference (Line 1 minus Line 2)	\$
4	Maximum payment (difference times 42 months)	\$

Your actual payment depends on the cost of the replacement dwelling you decide to rent. If you rent and occupy a replacement dwelling that rents for **less** than the comparable dwelling, your rental assistance payment will be based on the actual cost of your replacement dwelling. If you rent and occupy a replacement dwelling that rents for **more** than the comparable dwelling, your rental assistance payment will be limited by the cost of the comparable dwelling.

Please find attached a listing of available comparable replacement dwellings that you may want to consider renting that reflect replacement housing needs under the URA. If you need any assistance or transportation to inspect these referrals, please contact the relocation agent identified below.

C. Replacement Housing Assistance Under Title 25

If you choose assistance under the State Regulations and rent replacement housing, you may file a claim for a **RENTAL ASSISTANCE** payment, equal to the difference between the monthly rent and utilities necessary to rent a comparable replacement dwelling (as determined by AFH) and the base monthly rent, multiplied by 42 months.

A study was completed to determine the cost of a comparable replacement dwelling for eligible occupants most nearly representative of your current dwelling. The study indicated that the dwelling located at <<ADDRESS>> with a monthly rent and estimated utilities of \$_____ (rent of \$_____ and utilities of \$_____) was the most representative of your current dwelling.

Base monthly rent is defined as the lesser of:

- (1) \$_____, which represents the average monthly rent (\$_____) and average monthly utilities (\$____) at your displacement dwelling (if you are paying little or no rent, the amount is based on the economic rental value of your dwelling); **or**
- (2) \$_____, which represents thirty (30) percent of your gross monthly adjusted household income (If "N/A", income was not used in the calculation because it has been determined the income information provided was insufficient evidence of income.)

Based on the above, your base monthly rent amount is \$_____ and your maximum rental assistance payment is calculated as follows:

Maximum Rental Assistance Payment Calculation		
1	Comparable Dwelling Cost	\$
2	Base Monthly Rent	\$
3	Monthly Difference (Line 1 minus Line 2)	\$
4	Maximum payment (difference times 42 months)	\$

Your actual payment depends on the cost of the replacement dwelling you decide to rent. If you rent and occupy a replacement dwelling that rents for **less** than the comparable dwelling, your rental assistance payment will be based on the actual cost of your replacement dwelling. If you rent and occupy a replacement dwelling that rents for **more** than the comparable dwelling, your rental assistance payment will be limited by the cost of the comparable dwelling.

D. If you BUY replacement housing (Downpayment Assistance)

You may use the amount of your rental assistance payment under either Section 104(d), the URA or Title 25 for down payment assistance. Should you choose to buy (rather than rent) a decent, safe and sanitary replacement home under the URA or Title 25, you may use the full amount of your rental assistance payment (\$_____), as calculated above for a down payment and incidental expenses (typically known as "closing costs") associated with the purchase of a replacement dwelling. Under the URA or Title 25, you are not limited in the type of home you choose.

Should you choose to use Section 104(d) assistance for a down payment, this choice is available only for purchasing an interest in a housing cooperative or mutual housing association. The Section 104(d) payment will equal the capitalized value of 60 monthly installments, discounted at the rate of interest paid on passbook savings deposits by a federally insured bank or savings and loan conducting business in your jurisdiction. We estimate that you are eligible for a down payment of (\$_____) under Section 104(d) for purchasing an interest in a housing cooperative or mutual housing association.

If you have received any amount as rental supplements, then those amounts will be deducted from all eligible down payment calculations. Let us know if you would prefer to buy a replacement home, and we will help you find such housing.

To be eligible for a replacement housing payment described above, you must rent or purchase and occupy a decent, safe and sanitary replacement dwelling **within 12 months**, as well as file claims for replacement housing or moving payments **within 18 months** from the date you move from your displacement dwelling. **Failure to occupy the replacement dwelling or to submit claims within the above time limits could result in loss of moving and/or replacement housing benefits.**

You do not have to accept any dwelling referred to you by the Displacing Agency. You may choose your own replacement housing unit, but to qualify for relocation assistance payments it must first be inspected to assure that it meets the "decent, safe and sanitary" standards.

For this reason, **DO NOT MOVE from your home and DO NOT CONTRACT to rent or purchase a replacement dwelling without first contacting your relocation agent.** The “decent, safe and sanitary” inspection is **not** a substitute for a professional housing inspection.

You must continue to pay your rent to AFH for the period of your tenancy, as well as meet all other conditions stated in your lease or rental agreement.

The Relocation Assistance Program is very complex. It is important that you carefully read and understand the matters explained in this notice and in the Informational Statement which was provided to you.

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency’s Relocation Assistance Program may have the appeal application reviewed by AFH and GGHA in accordance with the appeals procedure. Complete details on appeal procedures are available upon request from your relocation agent.

If at any time you have questions or need assistance, please contact your OPC relocation agent:

<<NAMES>>
Overland, Pacific & Cutler, LLC
<<ADDRESS>>
Phone (800) 400-7356

Sincerely,

<<NAME>>
<<TITLE>>
Overland, Pacific & Cutler, LLC

Attachment (referrals)

ACKNOWLEDGMENT BY OCCUPANTS

I was personally contacted by the Relocation Agent for AFH and GGHA. I have been given a copy of this notice and I have had the available services and entitlements explained to me. I have been advised that the Relocation Agent will be available to assist me if any questions arise or assistance is needed.

Name:	Signature:	Date:
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I (We) elect to receive relocation benefits under Section 104(d). I understand my 104(d) benefits include a Notice of Eligibility and Conditional Entitlement Letter (NOE) that states a maximum relocation benefit payment of \$ **RAP and \$** **FMP.**

Signature:	Date:
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I (We) elect to receive relocation benefits under the Uniform Relocation Act (URA). I understand my URA benefits include a Notice of Eligibility and Conditional Entitlement Letter (NOE) that states a maximum relocation benefit payment of \$ **RAP and \$** **FMP.**

Signature:	Date:
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I (We) elect to receive relocation benefits under the State Regulations. I understand my State benefits include a Notice of Eligibility and Conditional Entitlement Letter (NOE) that states a maximum relocation benefit payment of \$ **RAP and \$** **FMP.**

Signature:	Date:
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VII. EXHIBIT C: PUBLIC COMMENTS & RESPONSES

(to be attached if/when received)