



RESIDENTIAL

RELOCATION ASSISTANCE and Payment Program

Missouri Department of
Transportation



Design and Right of Way Division

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RESIDENTIAL RELOCATION ASSISTANCE GUIDE**

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RESIDENTIAL
RELOCATION ASSISTANCE AND PAYMENT GUIDE
MISSOURI DEPARTMENT OF TRANSPORTATION

The Missouri Department of Transportation (MoDOT or Department) offers a Relocation Assistance Program to all individuals and families who are either partially or totally displaced by a state highway project.

WHAT IS THE PURPOSE OF THE PROGRAM?

The program is designed to provide advisory assistance to all relocatees, both property owners and tenants, and under many circumstances, as explained in this guide, to also make actual payments available to help offset some of the expenses that will be experienced by those who are displaced.

Advisory assistance, but not payments, is also available to persons occupying property immediately adjacent to a highway project, if the property is caused substantial economic injury, even though no part of the property is acquired by the Department.

WHO IS CONSIDERED A “RELOCATEE”?

The term “relocatee” refers to and includes any person or family who is either partially or totally displaced by a state highway project.

WHAT IS THE DIFFERENCE BETWEEN BEING “PARTIALLY DISPLACED” AND “TOTALLY DISPLACED”?

You are “partially displaced” if only a portion of your property is acquired by the Department and the acquisition does not require you to move from the property but does cause you to remove items of your personal property that are located within the new right of way limits.

If the acquisition of your property by the Department causes you to move from your residence, you are considered to be “totally displaced” so far as the Relocation Program is concerned, even though the Department does not acquire your entire property.

WILL I BE PERSONALLY CONTACTED CONCERNING THE RELOCATION PROGRAM?

A right of way specialist from MoDOT will contact you, explain the Relocation Program in detail and help you in any way he/she can concerning any relocation programs that may be troubling you. Ask the specialist any questions you may have concerning the program and be sure that you understand the eligibility requirements necessary to enable you to receive the relocation payments that may be available to you.

The right of way specialist who contacts you will provide a business telephone number and a mailing and/or email address where he/she can be contacted should you have additional questions or problems at a later date. The addresses and telephone numbers of the district offices are listed at the end of this guide. The counties are also listed to enable you to determine which district serves your area.

WHAT ADVISORY SERVICES CAN I EXPECT?

Advisory services are provided upon request. In any case, you are eligible to be provided referrals of available replacement properties, help in filing payment claims, and other reasonable assistance needed to assure your successful relocation. (Advise your right of way specialist if you need transportation to inspect housing that you are referred.)

ARE THERE “BASIC PAYMENT ELIGIBILITY REQUIREMENTS THAT ARE APPLICABLE TO ALL RELOCATEES”?

Yes, to be eligible for any relocation payment you must at least meet each of the following basic requirements:

1. You must, with the following noted exception, be in legal occupancy of the property being acquired by the Department at the initiation of negotiations for the particular property, unless you have personally received a written notice from the Department advising that it is the intent of the Department to acquire the property. (Negotiations will be initiated on the date that MoDOT representatives present a written offer for the property owners or to their designated representative.)

EXCEPTION: You can qualify for a moving cost payment, but normally **no other** type of relocation payment, if you were not in occupancy at the initiation of negotiations and if you did not personally receive a written notice of intent to acquire **PROVIDED THAT** you were in legal occupancy at the time the property was actually acquired (paid for) by the Department.

You should never, whether you are a tenant or an owner, vacate or move from any property scheduled for acquisition by MoDOT prior to receiving a written vacancy notice from the Department (even though you may have a written notice of the Department’s intent to acquire the property) without first checking with Department officials to see if you can do so without losing your eligibility for relocation payments that would otherwise be entitled to receive. In every case, unless you are a property owner who entered into an escrow agreement, you will be given 90-days’ written notice prior to the date you will be required to vacate the property. If you are a property owner who enters into an escrow agreement with the Department, you will be advised, usually by certified mail, when your right of way payment is delivered to the escrow agent and the date what vacancy or possession is required. You will, therefore, jeopardize your eligibility if you move any time after your right of way payment is delivered to your escrow agent.

If you are being displaced from a residential dwelling unit, you will not be required to move until a comparable decent, safe, and sanitary replacement unit is available to you.

2. You must actually move from the property being acquired, or if a partial displacement is involved, move items of personal property from the area included within the new right of way, **after** the initiation or negotiations or **after** receiving a “Notice of Intent to Acquire-Relocation” by the Department.
3. You must also meet the specific requirements outlined later in this guide for each of the various relocation payments that may be available to you.

WHAT SPECIFIC PAYMENTS AM I ENTITLED TO RECEIVE?

All relocatees who may be eligible for relocation payments can be placed in one of the following categories:

Relocatee Category I – Residential property owners who will be totally displaced from dwelling units they owned and occupied for at least 90 days prior to the time negotiations were initiated for the property.

If you fit into this category and purchase a decent, safe, and sanitary replacement property, you may be eligible for the following payment(s). (Please understand that, in every case, you must meet specific eligibility requirements for each type payment that may be available to you, as will be explained later in this guide, as well as the basic requirements that have already been discussed.)

1. A Residential Moving Cost Payment
2. A Replacement Housing Payment
3. An Incidental Closing Cost Payment
4. An Increased Interest Payment

If you care to do so, you can rent instead of purchasing a replacement dwelling. If you rent a decent, safe, and sanitary replacement, you may be eligible for the following payments, in lieu of those listed above:

1. Residential Moving Cost Payment
2. A Rental Subsidy Payment

All of the payments listed above, and others listed in the following paragraphs, are discussed in detail on the following pages under easily identifiable headings.

Relocatee Category II – Residential property owners who are being totally displaced from dwelling units they owned and/or occupied for less than 90 days prior to the initiation of negotiations.

If you are in this category, and occupied the property at the initiation of negotiations, you will normally be eligible for a Residential Moving Cost Payment. (If you were not in occupancy at the initiation of negotiations, see Category VII, page 5.)

Relocatee Category III – Residential tenants who are being totally displaced from a dwelling unit they occupied for at least 90 days prior to the initiation of negotiations.

Relocates in this category who rent a decent, safe, and sanitary replacement dwelling unit may be eligible for the following payments:

1. A Residential Moving Cost Payment
2. A Rental Subsidy Payment

If you are in this category, you can, if you desire, purchase a decent, safe, and sanitary replacement dwelling instead of renting, in which case, you may be eligible for the following payments, in lieu of those listed above:

1. A Residential Moving Cost Payment
2. An Incidental Closing Cost Payment
3. Down Payment Assistance

Relocatee Category IV –tenants who are being totally displaced from dwelling unit they occupied for less than 90 days prior to the initiation of negotiations.

If you fit into this category, and occupied the property at the initiation of negotiations, you will normally be eligible for a Residential Moving Cost Payment. (If you were not in occupancy at the initiation of negotiations, see Category VII, page 5.)

Relocatee Category V – Residential owners and residential tenants who will be partially displaced.

If you are in this category and meet the basic eligibility requirements, you will normally be eligible for reimbursement of the actual costs you experience in the moving of items of personal property involved as discussed later in this guide under the heading “Residential Moving Cost Payments.”

Relocatee Category VI – Students who are displaced from “temporary” housing they are occupying during a school year (those who return to their permanent homes during summer vacations) are normally entitled to moving cost payments but are normally not eligible for rental subsidy or down payment assistance. (Moving cost payments will normally be based on actual costs; however, under certain circumstances, which will be explained by your right of way specialist, students can qualify for a moving cost payment based on the Department’s Fixed Payment Moving Cost Schedule.)

Students who occupy housing on a full-time, “year around” basis and establish such housing as their permanent and legal residence shall be entitled to the same relocation payments as any other displaced person.

Relocatee Category VII – Relocatees who move to and legally occupy parcels scheduled for acquisitions by MoDOT, or who move personal property thereon, **after** negotiations have been initiated for the subject property.

If the relocatees are still in occupancy at the time the property is actually acquired (paid for) by MoDOT, they will normally be eligible for a moving cost payment.

IF I PURCHASE A REPLACEMENT DWELLING IN PARTNERSHIP WITH SOMEONE ELSE, WILL I BE ELIGIBLE FOR RELOCATION PAYMENTS?

You will probably be eligible for the same types of relocation payments that you would have received had you purchased the entire interest in your replacement dwelling; **however**, the amount you will receive may be affected by this action. It is highly recommended that you check with MoDOT officials before purchasing a replacement dwelling in partnership with other parties to see just what effect such action will have on your relocation payments.

IF I LIVE IN A MOBILE HOME, WILL I BE ELIGIBLE FOR RELOCATION PAYMENTS?

Yes, under most circumstances you will be eligible for the same relocation payments as relocatees who live in conventional dwellings. However, there are procedures that apply specifically to mobile homes and you should discuss your particular situation with your right of way specialist so there will be no misunderstandings.

WHAT IS MEANT BY “DECENT, SAFE, AND SANITARY REPLACEMENT DWELLING”?

Before any replacement housing, rental subsidy, down payment, incidental closing, or increased interest payments can be made to you, the Department must determine that you have moved into living quarters that meet the following decent, safe, and sanitary standards:

1. Conform with all applicable provisions for existing structures that have been established under state or local building, plumbing, electrical, housing, and occupancy codes and similar ordinances or regulations. (Mobile homes used as replacement housing must also meet minimum tie-down requirements as specified by the Missouri Division of Health pursuant to state law.)
2. Be structurally sound, weather tight, and in good repair.
3. Contain a safe electrical wiring system adequate for lighting and other electrical devices.

4. Contain a heating system capable of sustaining a healthful temperature (of approximately 70 degrees) for a displaced person except in those areas where local climate conditions do not require such a system).
5. Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person. There shall be a separate, well-lighted, and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system. In the case of a housekeeping dwelling, there shall be a kitchen area that contains a fully usable sink, properly connected to portable, hot and cold water, and to a sewage drainage system and adequate space and utility service connections for a stove and refrigerator.
6. Contain unobstructed egress to a safe open space at ground level. If the replacement dwelling unit is on the second story or above, the access directly from or through a common corridor, the common corridor must have at least two means of egress.
7. For a disabled relocatee, be free of any barriers that would preclude reasonable ingress and egress or use the dwelling by the displaced person who is disabled.

If any doubt exists as to whether or not a replacement dwelling that you plan to rent or purchase meets the above decent, safe, and sanitary standards, you should ask your right of way specialist to inspect it and make a determination prior to making a firm commitment to the landlord or seller. Due to the time required in making decent, safe, and sanitary inspections, MoDOT personnel will not be able to inspect various dwellings that you are merely considering as replacements; therefore, you should not ask your right of way specialist to make an inspection for you until you have decided on a specific dwelling.

Please understand that the decent, safe, and sanitary inspection conducted by MoDOT personnel is for the sole purpose of determining your eligibility for a relocation payment. Therefore, you must not interpret the Department's approval of a dwelling to provide any assurance or guarantee that there are not deficiencies in the dwelling or in its fixtures and equipment that may develop at a later date.

It is your responsibility to protect your best interest and investment in the purchase or rental of your replacement property, and you must clearly understand that MoDOT will assume no responsibility or blame if structural, mechanical, legal, or any unforeseen problems develop after you purchase or rent the property.

WHAT AFFECT WILL RELOCATION PAYMENTS HAVE ON WELFARE PAYMENT ELIGIBILITY?

Probably none. However, if you are receiving welfare payments, it is recommended that you contact your local welfare representative or case worker to determine what effect, if any, your relocation payments could possibly have on your welfare eligibility.

WILL MY RELOCATION PAYMENTS BE CONSIDERED TAXABLE INCOME AND WILL THEY AFFECT MY SOCIAL SECURITY PAYMENT ELIGIBILITY?

The Federal Uniform Relocations Act specifically provides that no payment received under this title shall be considered as income for the purposes of the Internal Revenue Code of 1954 that has been re-designated as the Internal Revenue Code of 1986, or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law, except for any Federal law providing low-income housing assistance.

If you receive any contradictory information or instruction from any governmental agency, you should contact MoDOT and request assistance.

WILL FAIR HOUSING REGULATIONS BE CONSIDERED IN THE SELECTION OF AVAILABLE REPLACEMENT HOUSING?

Yes. The selection of potential replacement housing will be in accord with applicable State and Federal regulations on Fair Housing and in compliance with Title VIII of the 1989 Civil Rights Act.

The term “fair housing” as used above relates to Federal and State laws that require that rental and sale of housing be made available to all persons without regard to race, color, religion, creed, national origin, sex, ancestry, or disability.

Violations of either Fair Housing Regulations or of the Civil Rights Act should be reported in writing to MoDOT.

NOTE:

The balance of this guide describes the various relocations payments that have been mentioned in the preceding paragraphs, as well as the specific payment eligibility requirements for each type of payment.

You are invited to read all of the information provided, and you are urged to give careful attention to those payments that you may be eligible to receive, as listed under the Relocatee Category.

RESIDENTIAL MOVING COST PAYMENTS

WHAT IS THE DEFINITION OF “RESIDENTIAL MOVING COST PAYMENTS”?

Residential moving cost payments relate to the cost of moving all personal property generally classified as household goods, furniture, appliances, and any other items used in the establishment and maintenance of a home.

This term can also be defined as relating to all personal property that is not used in the operation of a business, farm, or nonprofit organization. (The cost of moving items used in the conduct of a part-time individual or family occupation in the home can be included in residential moving cost claims.)

WHAT ARE THE PAYMENT ELIGIBILITY REQUIREMENTS?

You will be eligible to receive a Residential Moving Cost Payment:

1. When your personal property is legally located on real property that is in the process of being acquired by the Department for right of way purposes, either as an entire or partial taking, or
2. When your personal property is legally located on remaining land not acquired but is legally and/or physically landlocked and inaccessible to you, and
3. When you are in legal occupancy of the real property on which the personal property is located (or your items of personal property are located thereon) at
 - a. The time negotiations are initiated for the subject property, or
 - b. At the time you are served a “Notice of Intent to Acquire-Relocation” or
 - c. At the time the subject real property is acquired (paid for) by the Department, and
4. When you actually move, or cause to be moved, your personal property from the area being acquired or landlocked by the Department (see following NOTE), and
5. When you provided paid receipts and/or other required documentation to prove the actual cost of your move, when such receipts and/or documentation is required for the moving cost payment option you select, and
6. When you file a claim for your moving cost payment (on a claim form that will be furnished to you by the Department) within 18 months after the latter of the following dates:
 - a. The date that your move is completed, or
 - b. The date that the Department acquired (paid for) the property from which you are being displaced.

NOTE:

Those in occupancy at the initiation of negotiations and/or at the time they receive a “Notice of Intent to Acquire-Relocation” will not be eligible for a moving cost payment if they moved the personal property involved prior to the initiation of negotiations date or prior to receipt of the referenced notice, whichever date is earliest. Those who first occupy the subject real property after the initiation of negotiations will not be eligible for the payment if they move their personal property prior to the time the Department acquires (pays for) the real property.

DOES THE DISTANCE I MOVE AFFECT MY PAYMENT ELIGIBILITY?

There is no limitation on the distance you move your personal property; however, moving cost payments cannot normally include the expenses involved in moving your personal property more than 50 miles distance.

HOW WILL THE AMOUNT OF MY PAYMENT BE DETERMINED?

One of the following three options are available to you:

1. You can elect to receive a predetermined amount based on a “Fixed Payment Moving Cost Schedule” and conduct your move in a manner you desire, or
2. You can employ a commercial moving company to conduct the move and be reimbursed for the actual reasonable cost of your move, not to exceed a pre-approved moving cost bid, or
3. You can accomplish the move yourself as a “self-move” as explained on page 12.

FIXED PAYMENT MOVING COST SCHEDULE

If you are totally or partially displaced from your residential unit, you can elect to receive a moving cost payment based on the Department’s “Fixed Payment Moving Cost Schedule.”

The fixed payment schedule allowance is intended to be sufficient to cover your entire moving expenses, and when a moving cost payment is based on this option, no other incidental moving cost payment will be made by the Department.

A copy of the “Fixed Payment Schedule” is provided at the end of this guide.

RESIDENTIAL MOVE BY COMMERCIAL MOVER

This moving cost payment option will apply if you employ and pay someone (normally a moving company or trucking firm) to move your personal property from the dwelling unit acquired by the Department to a replacement unit. If you take this course of action, you can claim reimbursement from the Department for your actual and reasonable moving expense, not to

exceed a pre-approved moving cost bid. Normally, applicable incidental moving expenses that you pay will also be available for reimbursement under this moving payment option.

The following procedure must be followed if you choose this moving payment option:

Arrangements for making the move are your responsibility.

Step One – Advise your right of way specialist that you have selected this moving cost option. You (in consultation with your right of way specialist) will then obtain at least two lump sum moving cost bids from commercial movers who are qualified to conduct your move. You will be given a reasonable opportunity to help select the moving firms who bid on your move. Please understand that you are in no way obligated to employ either of the moving firms that submit bids on your move; however, your moving cost payment will be for your actual reasonable cost, **not to exceed** the lowest of these bids.

Step Two – You will provide copies of both bids to the Department. Your right of way specialist will then provide you with a “Moving Cost Agreement”. Complete your portion of the agreement and return it to your right of way specialist for execution by the Department. Do not begin your move until you receive a copy of the agreement that has been approved and executed by the Department.

Step Three – After the approved “Moving Cost Agreement” is returned to you by the Department, you should cause the move to be completed (including all necessary incidental actions), pay all moving and incidental costs and obtain paid receipts for each separate expenditure. You will not be reimbursed for your own labor or for any costs that were not actual “out-of-pocket” expenses.

Arrangements for making the move are your responsibility. The Department will not contact or employ the mover on your behalf and will not supervise the move unless you are physically or mentally incapable of such actions and do not have anyone else who is willing and able to do it for you.

Step Four – After the move is complete and all applicable costs paid, you should file a claim for reimbursement using a claim form that will be furnished by the Department. No other claim form will be acceptable under this payment option. (Keep in mind that your claim must be submitted for payment within the previously discussed 18-month time limitation.)

Mobile Homes

If you are the owner of a mobile home that has been classified as personal property, you will be eligible to receive the actual and reasonable cost of moving the unit to a location within a 50-mile distance.

You must follow the same four steps outlined in the preceding paragraphs to obtain reimbursement for the move. Moving cost bids will be obtained from qualified bidders who are equipped and capable of moving mobile homes.

The Department will reimburse you for applicable incidental expenses related to the move, including disconnection and hookup of utilities and appliances. The cost of disconnecting water and sewer services is also available for reimbursement, as well as reconnection to public or private water and sewer systems that are available at the replacement site. (The cost of extending utilities to or on the replacement site that is actually a capital improvement to the site, and is not applicable to reimbursement as an incidental moving cost.)

INCIDENTAL MOVING COSTS

Incidental moving costs referred to above include the following expenditures:

Storage

When the Department determines that it is necessary for displaced persons to store their personal property for a reasonable time, not to exceed twelve months, the cost of such storage can be included in their moving cost claim. The cost of storing personal property on the real property being acquired, or on other property owned or leased by the relocatees, is not eligible for payment under the Relocation Program.

Moving cost claims that include storage costs must be accompanied by a paid receipt showing the amount paid as storage accompanied by a paid receipt showing the amount paid as storage cost, length of storage period, where the personal property was stored and, if applicable, a breakdown of storage costs.

Insurance

The cost of insurance premiums covering loss and damage of personal property while in transit or storage can be included in a moving cost claim that is based on actual expenses. Such insurance coverage must not exceed the reasonable replacement value of the personal property involved.

Claims including insurance premiums must be supported by paid receipts showing the amount paid for such insurance and the amount of insurance coverage involved. (The receipt must be prepared in a manner that will relate it to the subject move.)

Losses in Moving

The reasonable replacement value of property lost, stolen, or severely damaged (not caused by the fault or negligence of the displaced persons, their agents, or employees) in the process of moving is reimbursable **when insurance to cover such loss or damage was not available.**

Removal and Reinstallation Expenses

The expenses of removal and reinstallation of appliance and other items of personal property, including reconnection of utilities, can be included in moving cost claims.

When costs of this type are not included in the commercial mover's bill, the relocatees must attach paid receipts to their moving cost claims showing the separate cost related to each item involved.

Cost of Transportation, Meals, and Temporary Lodging

When a total displacement is involved, the cost of transportation of individuals and families to the replacement location are eligible for reimbursement up to a distance of 50 miles. Such costs can be on a mileage basis, computed as one trip from the property acquired to the replacement property, or actual costs if commercial transportation is used. Transportation costs must be reasonable. If an automobile is used, only one trip (via the most direct route, at the current rate per mile allowed by the Internal Revenue Service) will be authorized unless the family or number of individuals involved is too large to make the trip in one automobile, in which case the necessary additional trips will be authorized. Transportation costs can include special services, such as the cost of an ambulance to transport invalid relocatees, up to a 50 mile distance.

The actual reasonable cost of meals and lodging can be paid if it is **reasonably necessary** for the relocatees to "eat out" or spend a night in motel or hotel because of the move. Meals "eaten out" and time spent in a motel or hotel merely for the convenience of the relocatee **are not** eligible for reimbursement. Meals "eaten out" during the time the relocatees' kitchen appliances and/or utilities are disconnected and overnight commercial lodging during the time the relocatees' bedroom furniture is not available at either location shall be considered reasonable. Lodging costs must not exceed routine rates charged in the area and meals must not exceed the per diem rates as identified by Office of Administration.

Receipts will be required to prove that such expenditures were made as well as the amounts of the actual costs involved.

RESIDENTIAL SELF-MOVE

Residential-Self Moves cannot be based on the lower of two bids or estimates.

You may conduct a self-move, without employment of a commercial moving company, if you so desire. All costs submitted for payment under this moving option, labor, transportation, equipment rental, etc. must be documented. There is also a maximum hourly rate that can be charged for labor. This amount is established by MoDOT and must be determined to be reasonable and necessary to accomplish the moving of personal property from the displacement unit to the replacement.

The self-move option is also available to owners of mobile homes that have been designated as personal property. All incidental costs discussed in the preceding paragraphs are also available under this option. Please understand that losses in moving and damages incurred in moving will not be paid if insurance covering such losses was available (though not purchased by you) and also when such losses are your fault due to negligence, inexperience, or because proper moving equipment was not used. Compensable losses must be **well-documented** when self-moves are involved.

PARTIAL DISPLACEMENT RESIDENTIAL MOVING COSTS PAYMENTS

If the owners of personal property included in a partial displacement employ a commercial mover to move the items involved, the procedures outlined in the preceding paragraphs relating to moves conducted by commercial movers is applicable. If they elect to move their items of personal property themselves, the procedure outlined in the preceding paragraph for self-moves is applicable. The “Fixed Payment Moving Cost Schedule” is also applicable when partial displacements are involved if the total cost is \$1,000 or less.

CAN THE OWNERS OF A FURNISHED SINGLE OR MULTI-FAMILY DWELLING, THAT THEY DO NOT OCCUPY, BE REIMBURSED FOR THE COST OF MOVING THE FURNISHINGS AS A ROUTINE BUSINESS MOVE?

Yes.

CAN WE BE REIMBURSED FOR MOVING COSTS BASED ON OVERTIME CHARGES?

All moving cost payments must be based on “straight time” rates and not on overtime rates caused by moves having been conducted at night or weekends and holidays **except** in cases where it is essential that the move be conducted during “off duty” hours; in which case, the Department would pay the total reasonable cost, including overtime rates. Prior approval from the Department is required before a move involving overtime rate will be approved.

REPLACEMENT OF HOUSING PAYMENT

WHAT IS A REPLACEMENT HOUSING PAYMENT?

Generally speaking, a replacement housing payment is an amount paid to eligible displaced owner-occupants of a residential dwelling unit that is equal to the difference between the final amount they received from the Department in payment for their dwelling and the actual amount paid by them for a decent, safe, and sanitary replacement dwelling, or the difference between the final amount received from the Department and the amount determined by the Department as necessary for them to purchase the most nearly comparable (functionally equivalent) decent, safe, and sanitary replacement dwelling available, **whichever is lesser**. The payment together with authorized incidental closing costs related to the purchase of the replacement dwelling and

increased interest costs (both of which are discussed later in this guide) cannot normally exceed \$31,000.

NOTE: COMPARABILITY WILL BE BASED PRIMARILY ON FUNCTIONAL RATHER THAN PHYSICAL SIMILARITY.

WHAT ARE THE PAYMENT ELIGIBILITY REQUIREMENTS?

Eligibility requirements are as follows:

1. You must have owned and occupied your dwelling for at least 90 consecutive days immediately prior to the initiation of negotiations for the property.
2. You must have owned and been in occupancy of the property from which you are being displaced at the initiation of negotiations for that particular parcel.
3. Your property must be acquired by the Department. Should you sell to another party, and not directly to the Department, you will not be eligible for this type of payment. Nor will the “other party” who purchases it normally be eligible for the payment.
4. Your displacement must be **necessary** (not by choice) due to the actual acquisition of your dwelling by the Department, or due to it being rendered legally or physically landlocked and uninhabitable by the right of way acquisition.
5. The dwelling acquired as right of way by the Department (or landlocked) must be your principal and legal place of residence.
6. You must purchase and occupy a replacement dwelling that meets decent, safe, and sanitary standards, within a one-year period after the latter of:
 - a. The date of which you or your escrow agent received your right of way payment from the Department when negotiated settlements are involved, or in the case of condemnation, the date the final judgment is paid into court, or
 - b. The date you move from your dwelling.
7. Your replacement housing claim must be filed with the Department no later than six months after the expiration of the one-year period discussed in preceding paragraph. The payment must also be claimed on a form provided by the Department. It will be necessary for you to provide proof that you purchased a replacement dwelling and document the price paid for it. This can normally be accomplished by attaching a “closing statement” covering the purchase of your replacement dwelling to your claim form. You should require a completed closing statement from the sellers or their Realtor.

ARE THE OWNER-OCCUPANTS OF MOBILE HOMES ELIGIBLE FOR THIS TYPE OF PAYMENT?

Yes, if the mobile home is considered to be real property (real estate). If the mobile home is considered to be personal property, a replacement housing payment will not normally be available to the owner.

If you are the owner-occupant of a mobile home, your right of way specialist will explain whether or not you are eligible for this type of payment.

IF I OWN A PROPERTY THAT CONTAINS BOTH MY RESIDENCE AND BUSINESS, WILL I BE ENTITLED TO A REPLACEMENT HOUSING PAYMENT?

Yes, based on the portion of the Department's payment for your property that is chargeable to the residential unit. The portion of the payment chargeable to the residential unit will be deducted from the amount necessary to acquire a decent, safe, and sanitary replacement dwelling unit, functionally equivalent to the extent possible under the circumstances, to determine the maximum replacement housing payment available.

CAN THE OWNER OF A MULTI-UNIT DWELLING COMPLEX BEING ACQUIRED BY THE DEPARTMENT (DUPLEX OR APARTMENT BUILDING), WHO OCCUPIES ONE OF THE UNITS, BE PAID REPLACEMENT HOUSING PAYMENTS?

Yes, based on the part of the Department's right of way payment chargeable to the dwelling until occupied by the owner.

IF I RETAIN MY EXISTING DWELLING IN THE RIGHT OF WAY SETTLEMENT AND MOVE IT TO A NEW LOCATION, AM I ELIGIBLE FOR A REPLACEMENT HOUSING PAYMENT?

It is difficult, though not impossible, to qualify for a replacement housing payment in this situation. Your right of way specialist will explain the payment computation procedure and eligibility requirements if you desire to follow this course of action.

HOW ARE REPLACEMENT HOUSING PAYMENTS COMPUTED?

In most cases a study will be made to locate the most nearly comparable (functionally equivalent replacement dwelling unit available to you for purchase within the area.)

The maximum replacement housing payment that you can receive will be computed by subtracting the amount offered by the Department for your dwelling unit from the amount necessary to acquire the available replacement.

Under no circumstance can you be paid a replacement housing payment that, when added to the right of way payment received for your residential unit (dwelling, building lot and supporting

residential improvements), exceeds the amount actually expended by you in obtaining a replacement dwelling.

For example, if you are paid \$50,000 for your residential property and your maximum replacement housing payment is computed as \$5,000, you must actually spend at least \$55,000 in the purchase of a replacement, not including incidental costs. Should you only spend \$52,000, your replacement housing payment will be reduced by \$2,000, and if you spend \$50,000 or less, you would not qualify for any replacement housing payment.

Replacement housing payments, in most cases, will be computed as explained above. However, under some unusual circumstances, such payments may be based on the cost of constructing a new functionally equivalent dwelling. Your right of way specialist will explain the procedure used in computing your specific payment.

PLEASE UNDERSTAND that you will not be entitled to any replacement housing payment if a comparable (functionally equivalent) decent, safe, and sanitary replacement dwelling is available for a price that does not exceed the amount paid to you by the Department for your existing dwelling.

IF MY RESIDENTIAL PROPERTY IS ACQUIRED BY CONDEMNATION, MUST I WAIT UNTIL MY CASE IS FINALLY SETTLED BEFORE RECEIVING MY REPLACEMENT HOUSING PAYMENT?

No, you will be given an opportunity to enter into a “Condemnation Agreement” and receive your replacement housing payment as soon as you meet all eligibility requirements and prior to final settlement of your condemnation case.

Should condemnation become necessary in the acquisition of your dwelling, your right of way specialist will make a “Condemnation Agreement” available to you and/or your attorney, if you decide to request your payment prior to final settlement of your condemnation case.

INCIDENTAL CLOSING COSTS

WHAT IS AN INCIDENTAL CLOSING COST PAYMENT?

An incidental closing cost payment is the amount necessary for the Department to reimburse you for the actual (and reasonable) costs incurred by you in the purchase of your replacement dwelling.

Such costs may include the following items if normally paid by the buyer:

1. Legal, closing and related costs including title search, preparing conveyance contracts, notary fees, surveys, preparing drawings or plats, and charges incident to recordation,
2. Lender, FHA, or VA appraisal fee,

3. Lender, FHA, or VA application fee,
4. Certificate of structural soundness when required by lender,
5. Credit report,
6. Title insurance (with limitations) or abstract title,
7. Escrow agent's fee,
8. Sales or transfer tax (not to exceed the cost for a comparable replacement dwelling),
9. Loan origination or assumption fees that do not represent prepaid interest,
10. Professional home inspection, and
11. Other costs the Department agrees are incidental to the purchase.

Incidental closing cost payments cannot include any prepaid taxes, prepaid insurance, prepaid interest, or refundable deposits.

WHAT ARE THE PAYMENT ELIGIBILITY REQUIREMENTS?

Any relocatee who is eligible for either a replacement housing payment as previously discussed, or down payment assistance, which will be discussed under the heading "Down Payment Assistance section," will normally be entitled to an incidental closing cost payment.

Should you otherwise meet the eligibility requirements for a replacement housing payment, but not receive a payment due to the fact that you are able to obtain a comparable (functionally equivalent) decent, safe, and sanitary replacement dwelling for an amount that does not exceed the Department's right of way payment to you for your residential improvements and supporting land area, or because you did not pay an amount for your replacement that exceeded such right of way payment, you may still be eligible for an incidental closing cost payment.

Your incidental closing costs must be included on either your Replacement Housing Payment Claim Form or your Down Payment Claim Form, whichever is applicable. (Your right of way specialist will explain how to prepare the proper claim form.)

It will also be necessary for you to document your expenditures, either by attaching paid receipts to your claim or by attaching a closing statement that specifically sets out the incidental closing cost expenditures being claimed.

CAN I BE REIMBURSED FOR LOAN POINTS AND LOAN SERVICE FEES THAT I AM REQUIRED TO PAY IN OBTAINING A LOAN OR MY REPLACEMENT DWELLING?

If you own and occupy the property for 90 days or more, you can be reimbursed the amount that you are required to pay in loan points and/or loan service fees, if such fees are normal to real estate transactions in the area. However, reimbursement for loan points and service fees cannot exceed the amount you would have been required to pay if only your original (existing) mortgage balance had been refinanced.

If you are a property owner or tenant who is being paid down payment assistance, you can be reimbursed for such points and fees provided that such charges are normal to real estate transactions in the area. (When down payment assistance is involved, reimbursement for points and fees is subject to limitation, which will be explained by your right of way specialist).

INCREASED INTEREST PAYMENTS

WHAT ARE INCREASED INTEREST PAYMENTS?

Increased interest payments are those payments available under the Relocation Program to displaced property owners to compensate for the additional expense they may encounter by paying higher interest rate for a new mortgage on a replacement property than they were paying on an existing mortgage on the property acquired from them by the Department.

WHAT ARE THE PAYMENT ELIGIBILITY REQUIREMENTS?

The following conditions must exist before you can qualify for an increased interest payment.

1. You must meet all basic eligibility requirements necessary to be eligible for a replacement housing payment as previously discussed.
2. Your residential property being acquired by the Department must have been encumbered by a bona fide mortgage that was a valid lien on such property for not less than a 90-day period established in the same manner as outlined in this guide for a replacement housing payment.
3. Your replacement dwelling must also be encumbered by a bona fide mortgage that bears a higher interest rate than the mortgage on the property being acquired by the Department.
4. You must prove that you qualify for this type of payment by providing the following documents to the Department:

- a. A copy of all existing notes and deeds of trust on the property being acquired by the Department,
- b. A copy of all notes and deeds of trust on your replacement dwelling, and
- c. A copy of the closing statement covering the replacement property purchase.

Your increased interest payment claim must be included on your Replacement Housing Payment Claim Form. (Your right of way specialist will explain how to prepare a proper claim form including both payments.)

HOW WILL MY PAYMENTS BE COMPUTED?

The exact procedure for computing increased interest payments is somewhat complicated and can best be explained in person by your right of way specialist.

CAN I QUALIFY FOR THIS TYPE OF PAYMENT IF I RETAIN AND MOVE MY EXISTING HOUSE OR IF I BUILD A REPLACEMENT DWELLING?

Yes, in either situation, if you meet all eligibility requirements.

WHAT IF I PURCHASE A MOBILE HOME AS A REPLACEMENT DWELLING?

You will normally be eligible, however, before committing yourself; it is highly recommended that you discuss your particular situation with your right of way specialist as the manner of computing payments sometimes differs when mobile homes are involved.

RENTAL SUBSIDY PAYMENTS

WHICH CATEGORY OF RELOCATEES CAN RECEIVE A RENTAL SUBSIDY PAYMENT?

Individuals and families displaced from dwelling units they have rented and occupied for not less than 90 consecutive days prior to the initiation of negotiations, as well as owners, who rent rather than purchase replacement housing, are entitled to a rental subsidy payment if they meet the payment eligibility requirements outlined in the following paragraphs.

WHAT WOULD BE A GENERAL EXPLANATION OF THIS TYPE OF PAYMENT?

Generally speaking, when displaced tenants are involved, payments of this type are based on the increased rental and utility fees that such tenants will have to pay, over a 42-month period, for the most nearly comparable (functionally equivalent) replacement dwelling unit available **over and above** the rental and utility fee they were paying for the unit acquired by the Department. (If the actual rental fee paid by the tenants for the unit acquired by the Department is less than its economic rental fee, their payment will normally be based on the economic fee.)

When owners are involved who elect to rent rather than purchase replacement dwellings, the same principle is applied, based on the difference between the economic rental fee applicable to the dwelling being acquired by the Department and the fee such relocatees will have to pay for the most nearly comparable replacement dwelling available.

In either case the actual rental subsidy payment amount will normally be based on the difference between the relocatees' existing monthly rental fee plus utilities (actual rental fee or economic rental fee, whichever is applicable) and the actual rental fee plus utilities paid by them for a decent, safe, and sanitary replacement dwelling, or the difference between such existing fee and the rental fee determined by the Department as being necessary to rent the most nearly comparable (functionally equivalent) decent, safe, and sanitary replacement unit available, **whichever is the lesser.**

Rental subsidy payments normally do not exceed a maximum of \$7,200.

NOTE: COMPARABILITY WILL BE BASED PRIMARILY ON FUNCTIONAL RATHER THAN PHYSICAL SIMILARITY.

IF I AM A TENANT, WHAT ARE THE APPLICABLE ELIGIBILITY REQUIREMENTS?

If you are a tenant, the following eligibility requirements apply:

1. Prior Occupancy Requirements

You must have rented and legally occupied the dwelling unit being acquired for at least 90 consecutive days immediately prior to the initiation of negotiations for property.

2. Occupancy Required at Initiation of Negotiations

You must have been in legal possession and occupancy of the dwelling unit being acquired at the initiation of negotiations for that particular parcel.

3. Decent, Safe, and Sanitary Replacement Must Be Rented and Occupied Within One Year

You must rent and occupy a decent, safe, and sanitary replacement dwelling unit within one year after you move from your existing dwelling unit.

IF I AM A PROPERTY OWNER, WHAT ARE THE APPLICABLE ELIGIBILITY REQUIREMENTS?

Generally speaking, the eligibility requirements for a property owner are the same as for a tenant except that the one-year period allowed for renting and occupying a replacement unit will be measured from the latter of the following dates:

- a. The date on which you or your escrow agent received your right of way payment from the Department when negotiated settlement are involved, or in the case of condemnation, the date the award is deposited into the court, or
- b. The date you move from your dwelling.

WHAT ARE THE APPLICABLE ELIGIBILITY REQUIREMENTS IF I AM A PROPERTY OWNER WHO ELECTS TO RENT RATHER THAN PURCHASE REPLACEMENT HOUSING?

You must meet the eligibility requirements for a replacement housing payment, as previously discussed under that heading, and also actually rent and occupy a decent, safe, and sanitary replacement within the required one-year period. The rental subsidy payment would be paid in lieu of the replacement housing payment.

The provision that a rental subsidy payment cannot exceed a maximum of \$7,200, or the amount of the replacement housing payment, whichever is the lesser will apply if you elect to rent in lieu of purchasing a replacement dwelling.

If you later decide to purchase a replacement, **within** the original one-year period, you can do so and claim a replacement housing payment; however, the amount of any rental subsidy payment previously paid must be deducted from such replacement housing payment.

WHAT IS THE DEADLINE FOR FILING RENTAL SUBSIDY CLAIMS?

Rental subsidy claims must be filed with the Department, on an approved claim form, within six months after the end of the applicable one-year period allowed for obtaining and occupying a replacement dwelling, as discussed in the preceding paragraphs.

IF I RECEIVE LESS THAN THE FULL AMOUNT OF MY RENTAL SUBSIDY PAYMENT OFFER, DUE TO MOVING INTO A UNIT THAT RENTS FOR LESS THAN THE COMPARABLE ON WHICH MY OFFER WAS BASED, CAN I LATER MOVE TO A HIGHER PRICED DECENT, SAFE, AND SANITARY RENTAL UNIT AND CLAIM THE BALANCE OF MY PAYMENT OFFER?

Yes, provided that:

1. You move to the second replacement unit within the previously discussed one-year period, and
2. The rental fee for your second replacement is equal to or exceeds the replacement rental fee that was used in your payment offer computations.

CAN RENTAL SUBSIDY PAYMENTS BE PAID IF I OCCUPY A MOBILE HOME?

Normally they can, check your particular situations with your right of way specialist to determine your payment eligibility.

DO I QUALIFY IF I ONLY OCCUPY A SLEEPING ROOM?

Yes, if you meet the previously discussed payment eligibility requirements.

HOW WILL THE AMOUNT OF MY RENTAL SUBSIDY PAYMENT BE COMPUTED?

Normally your payment will be determined by multiplying 42 times the difference between the base monthly rental plus utilities you pay for the unit you now occupy (or if applicable, its economic rental fee) and the **lessor of:**

1. The monthly rental plus estimated utilities of the most nearly comparable decent, safe, and sanitary replacement rental unit available, or
2. The monthly rent plus utilities you pay for the replacement decent, safe, and sanitary dwelling unit you actually rent and occupy.

PLEASE UNDERSTAND that you will not be entitled to a rental subsidy payment if you can rent a comparable (functionally equivalent) decent, safe, and sanitary replacement dwelling for an amount that does not exceed the existing economic rental rate applicable to your existing dwelling.

The base monthly rental for the displacement dwelling is the lessor of:

1. The average monthly cost for rent and utilities at the displacement dwelling for a reasonable period prior to displacement, as determined by the Department, or
2. Thirty percent of the displaced person's average monthly gross household income if the amount is classified as "low income" by the U.S. Department of Housing and Urban Development's Annual Survey of Income Limits for the Public Housing and Section 8 programs, or
3. The replacement housing payment is previously described.

HOW WILL MY PAYMENT BE COMPUTED IF I AM NOT BEING CHARGED A RENTAL FEE FOR THE DWELLING UNIT I NOW OCCUPY?

Your payment will be based on the amount that would be applicable for the unit you occupy if you were being charged a reasonable rental, based on amount charged for similar dwellings in the area.

WHEN WILL I RECEIVE MY RENTAL SUBSIDY PAYMENT?

You have the option of receiving your entire payment in one lump sum as soon as you meet all of the eligibility requirements, or if you prefer and the Department agrees, you can be paid in four installments on an annual basis.

DOWN PAYMENT ASSISTANCE

WHAT IS THE GENERAL POLICY CONCERNING DOWN PAYMENT ASSISTANCE?

Qualified tenants and property owners who purchase in lieu of renting a decent, safe, and sanitary replacement dwelling unit can be paid the amount computed for the rental subsidy payment as a down payment to enable them to make a down payment on a decent, safe, and sanitary replacement dwelling of their choice if they meet all applicable payment eligibility requirements.

The relocatees may be eligible for reimbursement of actual expenses incident to the purchase of their replacement dwelling.

The total down payment assistance, including incidental expenses, normally cannot exceed \$7,200.

WHAT ARE THE PAYMENT ELIGIBILITY REQUIREMENTS?

Eligibility requirements for down payment assistance include all requirements previously stated for rental subsidy payments (except, of course, when a down payment is involved, a decent, safe, and sanitary replacement must be purchased under the same rules that are applicable when a replacement housing payment is involved) plus the following additional requirements.

- a. The full amount of any down payment assistance made to you by the Department **must** be applied to the purchase price of a decent, safe, and sanitary replacement. In other words, you must make a down payment on the replacement equal to or exceeding the amount paid to you by the Department as down payment assistance.

It is **not** required that you borrow money or make a loan for the purchase of your replacement. You can pay the full purchase price, or any part thereof, from your own resources without the necessity of borrowing money on the property without affecting your payment eligibility.

It is permissible for you to borrow all or any part of the required down payment **provided** that the replacement dwelling is not used as security for such loan; however, the cost of the additional financing can in no way be paid or reimbursed by the Department.

- b. You must file a claim, on a claim form provided by the Department, within six months after the end of the applicable one-year period allowed for purchasing and occupying a replacement dwelling.

TENANT – If you are a tenant, the one-year period begins on the date you actually move from your existing dwelling unit.

PROPERTY OWNER – If you are a property owner, the one-year period begins on the latter of the following dates:

1. The date either you or your escrow agent received your right of way payment from the Department when negotiated settlements are involved or in the case of condemnation, the date the final judgment is paid into court, or
 2. The date you move from your dwelling.
- c. You must attach a copy of your closing statement covering the purchase of your replacement dwelling, showing the amount of the actual down payment made by you, and a copy of any “sales agreement” that was used in the transaction. All incidental costs claimed must either be shown in the closing statement or supported by paid receipts.

WILL I BE ELIGIBLE FOR DOWN PAYMENT ASSISTANCE IF I BUILD A REPLACEMENT DWELLING?

Your basic eligibility will not be affected if you build your replacement dwelling.

WILL I BE ELIGIBLE IF I PURCHASE A MOBILE HOME AS A REPLACEMENT DWELLING UNIT?

This fact has no influence on your eligibility to receive down payment assistance; provided the mobile home meets decent, safe, and sanitary standards. This is true whether you purchase both a mobile home and site or mobile home only.

Again, it would be mandatory that you apply the entire down payment on the purchase of the mobile home and site. (You can normally consider money spent in providing water, utility and/or sewer services to a replacement site as having been applied in the purchase price when such expenditures are properly documented.)

ALIENS UNLAWFULLY PRESENT IN THE UNITED STATES

Any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments, unless such ineligibility would result in exceptional

and extremely unusual hardship to a qualifying spouse, parent, or child as defined in 49 Code of Federal Regulations (CFR) 24.208 (h).

WHAT IF I AM NOT SATISFIED WITH MY RELOCATION PAYMENT OFFERS?

If you are not satisfied with a relocation payment offer, you have the right to request a MoDOT administrative review of the offer and to explain why you feel it is inadequate. If you do so and are still not satisfied after our case has been reviewed and discussed, you have the right to file a formal appeal. You will be provided a form to assist you in filing a formal appeal if you desire to take this course of action. (The same procedure is applicable if you are not satisfied with a payment eligibility determination.)

An appeal relating to an eligibility determination or the rejection of a relocation claim must be filed within 60 days after you have been advised in writing that your claim has been rejected or that you are not eligible to receive a payment. (If you submit a relocation claim that is paid by the Department, both you and the Department are prohibited from later disputing the amount of such payment and from appealing any decision relating to the payment involved.)

If the relief requested in your appeal to the Department is not granted, you have the right to seek judicial review.

Northwest District	Counties
3602 North Belt Highway PO Box 287 St. Joseph, MO 64506 (816) 387-2350 or 1-888-ASK-MODOT	Andrew, Atchison, Buchanan, Caldwell, Carroll, Chariton, Clinton, Daviess, Dekalb, Gentry, Grundy, Harrison, Holt, Linn, Livingston, Mercer, Nodaway, Putnam, Sullivan, and Worth
Northeast District	Counties
1711 South Highway 61 PO Box 1067 Hannibal, MO 63401 (573) 248-2490 or 1-888-ASK-MODOT	Adair, Audrain, Clark, Knox, Lewis, Lincoln, Macon, Marion, Monroe, Montgomery, Pike, Ralls, Randolph, Schuyler, Scotland, Shelby, and Warren
Kansas City District	Counties
600 NE Colbern Road Lee's Summit, MO 64086 (816) 622-6500 or 1-888-ASK-MODOT	Cass, Clay, Jackson, Johnson, Lafayette, Pettis, Platte, Ray, and Saline
Central District	Counties
1511 Missouri Blvd. PO Box 718 Jefferson City, MO 65102 (573) 751-3322 or 1-888-ASK-MODOT	Boone, Callaway, Camden, Cole, Cooper, Crawford, Dent, Gasconade, Howard, Laclede, Maries, Miller, Moniteau, Morgan, Osage, Phelps, Pulaski, and Washington
St. Louis District	Counties
1590 Woodlake Drive Chesterfield, MO 63017 (314) 275-1500 or 1-888-ASK-MODOT	Franklin, Jefferson, St. Charles, St. Louis, and St. Louis City
Southwest District	Counties
3025 East Kearney St. PO Box 868 Springfield, MO 65803 (417) 895-7600 or 1-888-ASK-MODOT	Barry, Barton, Bates, Benton, Cedar, Christian, Dade, Dallas, Greene, Henry, Hickory, Jasper, Lawrence, McDonald, Newton, Polk, St. Clair, Stone, Taney, Vernon, and Webster
Southeast District	Counties
2675 North Main St. Sikeston, MO 63801 (573) 472-5333 or 1-888-ASK-MODOT	Bollinger, Butler, Cape Girardeau, Carter, Douglas, Dunklin, Howell, Iron, Madison, Mississippi, New Madrid, Oregon, Ozark, Pemiscot, Perry, Reynolds, Ripley, Scott, Shannon, St. Genevieve, St. Francois, Stoddard, Texas, Wayne, and Wright

FIXED-PAYMENT MOVING COST SCHEDULE
MISSOURI DEPARTMENT OF TRANSPORTATION
MOVING COST SCHEDULE

A.	Unfurnished Units (occupant owns furniture)								
	1 Room	2 Rooms	3 Rooms	4 Rooms	5 Rooms	6 Rooms	7 Rooms	8 Rooms	Each Additional Room
	\$800	\$900	\$1,000	\$1,100	\$1,200	\$1,300	\$1,400	\$1,500	\$200
B.	Furnished Units, Including Sleeping Rooms (occupant does not own furniture)								
	1 Room	Each Additional Room							
	\$400	\$100							
C.	Person Whose Residential Move is Performed by Agency						\$100		
	Occupant of Dormitory						\$100		
D.	Partial Displacement Occupant								
	Partial or Total Displacement Non-Occupant								
	\$100 Per Room or Equivalent (maximum \$1,000)								

Form 236.8.6.8(c)
07/19