

# Property Acquisition and Residential Relocation Handbook



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# Property Acquisition and Residential Relocation Handbook

Your rights and benefits as a displaced  
residential occupant

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## Declaration of Policy

In order for Sound Transit to build and operate a regional transit system made up of Sounder commuter trains, Link light rail trains, ST Express regional buses, HOV (High Occupancy Vehicle) lane improvements, transit centers, and park-and-ride lots, the agency must occasionally acquire real property.

In some cases, acquiring real property results in the relocation of the occupants. Sound Transit's intent is to treat such occupants fairly, to minimize hardships through equitable treatment, and to seek cooperative settlements of property acquisitions. Sound Transit's Real Property Acquisition & Relocation Policy, Procedures & Guidelines ("Procedures") were adopted to provide the agency with the ability to uniformly accomplish these goals.

Sound Transit's Procedures encourage the acquisition of real property in a cooperative manner to avoid prolonged disputes and litigation where possible. All properties acquired under this program are acquired under the threat of condemnation.

## Introduction

To provide uniform and equitable treatment for persons displaced by federally funded public projects, the federal government passed the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. This regulation, together with Chapter 8.26 Revised Code of Washington (RCW), Chapter 468-100 Washington Administrative Code (WAC), and Sound Transit's Procedures, are the foundation for the information contained in this handbook.

Displaced owners and tenants may be eligible for relocation advisory services and payments. If you are required to move, a relocation agent will contact you, answer your questions, and provide additional information about relocation assistance advisory services and relocation payments eligibility. However, all properties obtained under this program, whether acquired cooperatively or through eminent domain litigation, are acquired under threat of condemnation.

This handbook is intended to provide general information about real property acquisition and relocation assistance for eligible property owners and/or tenants. Specific information about relocation assistance is contained in the laws stated above. While every effort has been made to assure the accuracy of this handbook, it does not have the force and effect of the law. Should any difference or error occur in this handbook, the laws will take precedence.

# Definitions

## **Displaced person**

Any person who moves from the real property or moves their personal property from the real property as a direct result of:

- A. Sound Transit's acquisition of, or initiation of negotiations for, such real property in whole or in part for the project; or
- B. A written order from Sound Transit to vacate such property for the project; or
- C. A voluntary transaction by the owner (not considered displaced), thereby displacing a tenant; or
- D. Sound Transit's rehabilitation or demolition of the project.

## **Displacement dwelling**

A dwelling that is acquired by the agency.

## **Dwelling**

The permanent or customary and usual residence of a person, according to local custom or law, including a single-family house; a single-family unit in a two-family, multifamily or multi-purpose property; a condominium unit or cooperative housing project; a non-housekeeping unit; a mobile home; or any other fixed or installed residential unit.

## **Initiation of negotiations**

The date the initial written offer from Sound Transit is delivered to the owner or the owner's representative to purchase real property, or an interest in real property for the project for the amount determined to be just compensation.

## **Just compensation**

An amount paid to a property owner for property acquired for public purposes that is not less than the market value of the property acquired, including damages or benefits to the remaining property.

**Person**

Any individual, family, partnership, corporation, or association.

**Procedures**

Sound Transit's Real Property Acquisition & Relocation Policy, Procedures & Guidelines.

**Program**

Sound Transit's real property acquisition and relocation program, comprised of the procedures and any administratively adopted procedures and policies regarding real property acquisition and relocation.

**Project**

Sound Transit's plan for building and operating a regional high-capacity transit system in the Central Puget Sound region.

**Replacement dwelling**

The dwelling to which the displaced person moves.

**Tenant**

A person who has temporary legal use and occupancy of real property owned by another person.

**Uneconomic remnant**

A parcel of real property in which the owner is left with an interest after the partial acquisition of the owner's property and which the agency has determined has little or no value or utility to the owner.

# Section I: Real Property Acquisition

## **Acquiring Real Property**

Sound Transit was approved by voters to meet the region's needs for a high-capacity transit system. In order to build and operate the system, Sound Transit must acquire real property.

Guided by federal and state regulations, Sound Transit's Procedures are designed to provide consistent and equitable treatment of all affected property owners and tenants.

## **Public Meetings and Community Outreach Program**

Sound Transit has a complex and highly proactive public outreach program designed to address the project impacts on a relatively broad basis.

Public meetings are held during the project's location determination and design stages. Those meetings provide the opportunity for public participation and ensure that the location and design of transit facilities are consistent with federal, state, and local goals and objectives. Any person contacted by Sound Transit is offered the option of having an interpreter present at any meetings. Sound Transit will pay for the interpreter.

## **Just Compensation**

Owners of real property required for a project are offered Just Compensation for their land and improvements. Just Compensation is based on an appraisal completed by an experienced and qualified, independent appraiser under contract with Sound Transit. If only a portion of a property is acquired, Just Compensation will include any measurable loss in value, and/or benefits accruing to the remaining property due to the partial acquisition.

The independent appraiser will conduct a detailed inspection of the property during the appraisal process. Property owners are given the opportunity and are encouraged to accompany the appraiser during the inspection.

The value of the real property will be determined using applicable appraisal methodology. Methods used may include analysis of recent comparable sales, analysis of income and expenses, and/or consideration of the cost to rebuild a comparable replacement property. When determining the property's value prior to Sound Transit's acquisition, any increase or decrease in the value of the property caused by public knowledge or influence of the upcoming transit project will not be considered.

The appraisal report will be reviewed for completeness and accuracy by a review appraiser and Just Compensation will be established by Sound Transit based on the reviewed appraisal. Sound Transit will offer to purchase the property in full if the agency determines the acquisition of only a portion of the property would leave an uneconomic remainder parcel that has little or no value or utility to the property owner.

Alternately, in cases where Sound Transit's proposed acquisition is uncomplicated and low-value, Just Compensation may be estimated using a waiver valuation. The waiver valuation, which is not an appraisal, will be prepared by a qualified individual and will be reviewed by Sound Transit staff for accuracy.

## Acquisition Procedure

The acquisition agent who presents the offer to the property owner will have studied Sound Transit's valuation of the needed property. Sound Transit's offer will be confirmed in writing and will include an acquisition summary statement and an appraisal describing the basis for the amount. Owners are provided a reasonable opportunity to consider and respond to Sound Transit's offer.

In addition to Just Compensation, Sound Transit may reimburse you for certain expenses as described below. In order to be considered for reimbursement, documentation of the services received, detailed invoices, and proof of payment must be provided to Sound Transit. If granted, reimbursement of approved expenses will occur at or after closing for voluntary transactions. Fees and expenses incurred to challenge or litigate Sound Transit's right to acquire the property interests needed, the scope of acquisition, or Just Compensation will not be reimbursed.

If you decide to enlist a certified appraiser to attain your own appraisal or have Sound Transit's appraisal reviewed, Sound Transit may reimburse your reasonable appraisal evaluation expenses up to a maximum of \$5,000.00. If you decide to have an attorney evaluate the offer, Sound Transit may reimburse you for reasonable attorney fees up to a maximum of \$7,500.00. If you enlist a certified public accountant or other licensed tax professional to evaluate the potential tax implications of selling your property, Sound Transit may reimburse you for reasonable professional fees up to a maximum of \$2,500.00.

## Acquisition Payment

When the purchase and sale agreement has been signed by the property owner and authorized and executed by Sound Transit, an escrow account will be opened. The escrow officer will obtain all necessary releases and, with the assistance of the acquisition agent, prepare all documents for transfer of title.

Sound Transit will pay for all normal sale expenses including escrow fees, title insurance, pre-payment penalties, mortgage release fee, recording fees, and all typical costs related to conveying title. The sale will be exempt from real estate excise tax. No real estate commissions will be involved.

The transaction will close at the earliest possible time. Funds remaining after payment of mortgages, judgments, taxes, and other liens will be released to the seller(s) of the acquired property at the close of escrow.

If a condemnation action has been filed, the amount established by Sound Transit as Just Compensation will be deposited with the court for distribution in accordance with the order of the court.

## Possession

Owners are not required to transfer possession of their property until they have been paid the agreed purchase price, or an amount equal to Sound Transit's established estimate of Just Compensation has been deposited with the court.

Owners and tenants will not be required to move from their home without first being provided at least one comparable dwelling and given at least 90 days' written notice by Sound Transit.

The relocation section of this handbook provides additional information regarding relocation advisory services assistance, replacement housing payments, and moving benefits provided to eligible residential owners and tenants by Sound Transit.

**Section II: Relocation Assistance  
Advisory Services**



Households displaced by a Sound Transit program are provided relocation assistance advisory services. Qualified relocation agents are assigned to work with displaced owners and tenants throughout the process of relocating and transitioning to a replacement residence. The goal of the relocation agents is to facilitate a smooth transition to the replacement dwelling.

Displaced households are advised to make full use of the relocation services offered by Sound Transit. Owners and tenants are encouraged to ask questions so they fully understand all their rights and benefits.

A relocation agent from Sound Transit will contact you personally to explain relocation assistance, eligibility, and entitlements. During the initial interview, your housing needs are determined as well as your need for assistance. You cannot be required to move unless at least one comparable replacement dwelling is made available to you and you have been given a written assurance at least 90 days prior to the date when you will be required to vacate the property.

## **The relocation agent will personally interview you to:**

- Determine any special needs and requirements
- Explain the relocation process, entitlements, and payments
- Offer relocation advisory assistance
- Offer transportation if necessary
- Assure the availability of at least one comparable property in advance of displacement
- Provide referral to comparable properties

- Provide the maximum replacement housing entitlement and the basis for the determination in writing 90 days or more before the required vacate date
- Inspect replacement houses for decent, safe, and sanitary (DSS) acceptability
- Supply information on other federal, state, and local programs offering assistance to displaced persons
- Minimize hardship to persons adjusting to relocation by providing reimbursement of counseling services and advice as to other sources of assistance that may be available
- Advise obtaining a professional home inspection when purchasing a replacement dwelling

## Eligibility

Eligibility for relocation assistance begins on the date of initiation of negotiations or notice of intent to acquire the real property you occupy.

Displaced persons are urged to contact their relocation agent prior to moving or making arrangements to move to avoid jeopardizing their rights and benefits under the program.

# Section III: Relocation Entitlements



**Sound Transit provides displaced residential occupants with two basic monetary benefits:**

1. Moving Expenses
2. Replacement Housing Payment

### **Moving Expenses**

If you qualify as a displaced person, you are entitled to reimbursement of your moving costs and certain related expenses incurred in moving up to a 50-mile distance.

Moving expenses are based on one or a combination of the following:

- Commercial Move
- Self-Move Options
  1. Fixed residential move cost schedule
  2. Move estimate (Agent or Commercial)
  3. Actual Cost move based on documentation

**To assure your eligibility, the amount of moving expenses, and prompt payment, do not move before you have discussed your moving plans with your relocation agent and have signed a Moving Expense Agreement.**

### **Commercial Move**

You may be reimbursed for your actual reasonable moving costs and related expenses when the move is performed by a commercial mover approved by Sound Transit.

Related expenses may include:

- Packing and unpacking
- Disconnecting and reconnecting household appliances
- Reconnect fees for utilities at the replacement site (e.g. phone, cable, power)
- Moving insurance while property is in transit

**1. Self-Move Fixed Cost**

You may choose to be paid on a fixed moving cost schedule approved by the Federal Highway Administration. The payment amount is based on the number of eligible rooms in your dwelling as determined by Sound Transit.

The schedule is designed to include all of the expenses incurred in moving, including those services that must be purchased from others. If you select this option, your relocation agent will notify you of the amount you are eligible to receive.

FHWA: Fixed Cost Moving Schedule for relocating personal property located in a dwelling, or a seasonal residence, or dormitory style room:

| Number of Eligible Rooms | Payment to Occupants Who Own Furnishings |
|--------------------------|------------------------------------------|
| 1                        | \$800                                    |
| 2                        | \$1,100                                  |
| 3                        | \$1,400                                  |
| 4                        | \$1,700                                  |
| 5                        | \$2,000                                  |
| 6                        | \$2,300                                  |
| 7                        | \$2,600                                  |
| 8                        | \$2,900                                  |

- Plus \$300 for each additional room
- Includes \$400 dislocation allowance for utility hookups and other miscellaneous moving expenses
- Furnished dwelling is \$500 plus \$100 for each additional room
- Dormitory style room shared by two or more unrelated persons is limited to \$100 per person

## **2. Move Estimate**

If you choose to move yourself, the amount that Sound Transit pays you could be based on either a Commercial Move Estimate or an estimate prepared by a qualified Sound Transit agent. In most instances, Sound Transit will secure two moving estimates from professional movers to determine the reasonable and necessary amount for moving your personal property. In some cases, a relocation agent can develop a move estimate if the move is considered uncomplicated and less than \$10,000 in total move costs.

## **3. Self-Move Actual Cost**

You may be reimbursed for your documented actual moving and related expenses that Sound Transit determines to be reasonable and necessary, based on receipted bills for labor and equipment. Hourly labor rates must be preapproved by Sound Transit, but cannot exceed the cost paid by a commercial moving company to an employee. Equipment rental fees should be based on the actual cost of renting the equipment.

### **Storage Costs**

Temporary storage may be reimbursed for up to 12 months, if determined by Sound Transit to be reasonable and necessary. Requests for storage must be in writing and pre-approved by Sound Transit.

### **Application Expenses and Credit Report fees**

Residential tenants/renters are eligible for reimbursement of actual costs for rental replacement dwelling application and credit report fees up to a maximum of \$1,000.

### **Mobile Homes**

Mobile homes, as defined in WAC 468-100-002(17), may be determined to be either real property or personal property during the appraisal process.

Owners and/or occupants of mobile homes that are displaced may be eligible for different types of relocation replacement housing payments depending on different situations in relation to ownership and occupancy. Ownership and occupancy requirements for receiving any replacement housing entitlement as a mobile home owner/tenant are the same as for a traditional residential housing situation. The requirements for an owner/tenant occupant in a typical, constructed residential dwelling applies to the occupant of a mobile home in all respects.

### **Mobile Homes Considered Real Estate**

The mobile home will be acquired through the acquisition process as real estate according to Sound Transit acquisition procedures.

### **Mobile Home Considered Personal Property**

The mobile home will not be acquired. You will be eligible for the reasonable costs of moving the mobile home, including disassembling, moving, reassembling, anchoring the unit, and utility "hook up" charges.

All occupants of a mobile home being displaced are eligible for the cost to move their personal property located inside the mobile home and outside on the site of the mobile home using the move option described.

Please do not move before you have discussed your move plans with your relocation agent and have signed a Moving Expense Agreement with Sound Transit.

### **Replacement Housing Payments**

A replacement housing payment is the amount of money necessary to relocate to a decent, safe, and sanitary comparable replacement dwelling. As a displaced person, you will be provided with a written notice that includes the maximum replacement housing payment you are eligible to receive and a 90-day assurance providing the earliest date by which you may be required to move. You cannot be required to move unless at least one comparable replacement dwelling is made available.

You must purchase and/or rent and occupy a decent, safe, and sanitary replacement dwelling within one year from the date you receive payment for the displacement dwelling or the date you vacate the displacement dwelling, whichever is later, and make claim for your replacement housing payments within 18 months.

Replacement Housing Payments can be better understood if you become familiar with the definitions of “Comparable” and “Decent, Safe, and Sanitary.”

### **Comparable Replacement Dwelling**

A comparable dwelling must be decent, safe, and sanitary (DSS) and functionally similar to your present dwelling. While not necessarily identical to your present dwelling, the comparable should have certain attributes.

1. Decent, safe, and sanitary.
2. Functionally equivalent to the displacement dwelling with particular attention to the number of rooms and living space, meaning the replacement dwelling should perform the same function and provide the same utility. In determining functional equivalency, Sound Transit may consider reasonable tradeoffs for

specific features when the replacement unit is equal to or better than the displacement dwelling.

3. Adequate in size to accommodate the occupants.
4. Located in an area that is not subject to unreasonable adverse environmental conditions, is not generally less desirable than the location of the displaced person's dwelling with respect to public utilities and commercial and public facilities, and is reasonably accessible to the person's place of employment.
5. On a site that is typical in size for residential development with normal site improvements, including customary landscaping. The replacement site need not include a special improvement or a major exterior attribute of the displacement site.
6. Currently available to the displaced person on the private market. A comparable replacement dwelling for a person receiving government housing assistance before displacement, however, may reflect similar government housing assistance.
7. Within the financial means of the displaced person.

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

Decent, safe, and sanitary refers to a dwelling that meets applicable housing and occupancy codes. Any of the following standards that are not met by an applicable code will apply, however, unless waived for good cause by the applicable federal funding agency.

### **The dwelling will:**

1. Be structurally sound, weather tight, and in good repair;
2. Contain a safe electrical wiring system adequate for lighting and other devices;
3. Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees), except in those areas where local climatic conditions do not require such a system;
4. Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person. The number of persons occupying each habitable room used for sleeping purposes shall not exceed that permitted by local housing codes;
5. Include 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 will be a kitchen area that contains a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator;
6. Contains unobstructed egress to safe, open space at ground level; and
7. For a displaced person with a disability, be free of any barriers that would preclude reasonable ingress, egress, or use of the dwelling for a displaced person.

# Replacement Housing Payment Types

Replacement housing payments are separated into three basic types:

- Price Differential for owner occupants of 90 days or more
- Rent Supplement for owner occupants and tenants of 90 days or more
- Down Payment Assistance tenants of 90 days or more

## Price Differential

Owners who have occupied their homes for 90 days or more immediately prior to the initiation of negotiations for the acquisition of their property, may be eligible for a price differential. The price differential payment is in addition to the acquisition price paid for your property. If you receive more than the appraised value for your dwelling in the form of an administrative settlement, your price differential may be reduced dollar for dollar received. In order to become eligible for a replacement housing payment, you must vacate the displacement dwelling and purchase and occupy a decent, safe, and sanitary replacement dwelling within one year to be eligible and make claim for your price differential within 18 months.

## Mortgage Interest Differential Payment (MIDP)

You may be eligible to receive an increased mortgage interest differential payment (MIDP) if the interest rate on your new mortgage exceeds your present mortgage. Your displaced dwelling must be encumbered by a bona fide mortgage which was a valid lien for at least 180 days prior to the initiation of negotiations.

## Incidental Purchase Expenses

You may also be eligible to receive a reimbursement for other expenses such as reasonable costs incurred for home inspection, title search, recording fees, and certain other closing costs normally paid by a purchaser, but not including prepaid expenses such as real estate taxes and property insurance. Some expenses are reimbursed based on the

outstanding balance of your current mortgage at the displacement site.

**Example of a price differential payment computation**

The price differential payment depends on how much is actually spent on a replacement dwelling. Assume that Sound Transit purchases your property for \$100,000. After a thorough study of the available comparable residential properties available on the open market, Sound Transit determines that a DSS comparable replacement property will cost \$116,500.

Relocation payments are considered reimbursable; you must spend it to receive it.

**Sound Transit’s Maximum Price Differential computation**

|                                    |                   |
|------------------------------------|-------------------|
| Price of comparable home           | \$116,500         |
| Acquisition price of your property | <u>-\$100,000</u> |
| Maximum price differential payment | \$16,500          |

**Example A**

|                                     |                   |
|-------------------------------------|-------------------|
| Actual cost of replacement property | \$116,500         |
| Acquisition price of your property  | <u>-\$100,000</u> |
| Actual price differential payment   | \$16,500          |

**Example B**

|                                     |                   |
|-------------------------------------|-------------------|
| Actual cost of replacement property | \$120,000         |
| Acquisition price of your property  | <u>-\$100,000</u> |
| Difference                          | \$20,000          |
| Maximum price differential payment  | <u>-\$16,500</u>  |
| You are responsible for this amount | \$3,500           |

**Example C**

|                                                                     |                   |
|---------------------------------------------------------------------|-------------------|
| Actual cost of replacement property                                 | \$110,000         |
| Acquisition price of your property                                  | <u>-\$100,000</u> |
| Actual price differential payment<br>(payment based on actual cost) | \$10,000          |

As an owner occupant of your displacement dwelling, if you decide not to purchase a replacement dwelling and elect to rent instead, you may be eligible for a rent supplement payment. Your relocation agent will discuss this with you if you are interested in this option.

### **Rent Supplement**

Owner occupants and tenants of 90 days or more may be eligible for a rental assistance payment. To be eligible for a rental assistance payment, tenants and owners must have been in actual and lawful occupancy at least 90 days prior to the initiation of negotiations for the acquisition of the property.

This payment is designed to enable you to rent a comparable DSS replacement dwelling for a three- and one-half-year period (42 months). The amount of your gross monthly income may influence the amount of your rent supplement payment. If you are paying little or no rent, your rent supplement payment will be calculated based on market rent. Sound Transit will determine the maximum rent supplement payment you may be eligible to receive in accordance with established procedures.

In order to become eligible for a replacement housing payment, you must vacate the displacement dwelling and rent and occupy a decent, safe, and sanitary replacement dwelling within one year to be eligible and make claim for your rent supplement within 18 months.

### **Tenants**

As an example of how Sound Transit prepares a rental assistance computation, let's assume that you've been paying \$1,000 per month (\$850 rent plus \$150 utilities). After a study of the rental market, Sound Transit determines that a comparable DSS replacement dwelling is available for \$1,100 per month (\$950 rent plus \$150 utilities). The maximum rental assistance payment you may receive is \$100 per month for a 42-month period, or a total of \$4,200.

The term “utilities” means expenses for electricity, gas, other heating and cooking fuels, water, and sewage. Garbage costs are not considered a utility and are not eligible for reimbursement.

**Sound Transit’s Maximum Rent Supplement computation**

|                                            |          |
|--------------------------------------------|----------|
| Rent plus utilities of comparable home     | \$1,100  |
| Rent plus utilities of your property       | -\$1,000 |
| <hr/>                                      |          |
| Maximum rent supplement                    | \$100    |
| Maximum rent supplement equals 42 times    |          |
| \$100 monthly rent supplement difference = | \$4,200  |

**Example A**

|                                          |           |
|------------------------------------------|-----------|
| Rent plus utilities of replacement home  | \$1,100   |
| Rent plus utilities of your property     | -\$1,000  |
| <hr/>                                    |           |
| Rent supplement difference               | \$100     |
| Maximum rent supplement equals 42 times  |           |
| \$100 monthly rent supplement difference | = \$4,200 |

If you select a replacement dwelling unit that rents for \$1,100 per month you will receive the maximum rent supplement amount of \$4,200.

**Example B**

|                                          |           |
|------------------------------------------|-----------|
| Rent plus utilities of replacement home  | \$1,200   |
| Rent plus utilities of your property     | -\$1,000  |
| Rent supplement difference               | \$200     |
| <hr/>                                    |           |
| Maximum rent supplement                  | \$100     |
| Difference between actual and maximum    | \$100     |
| <hr/>                                    |           |
| Maximum rent supplement equals 42 times  |           |
| \$100 monthly rent supplement difference | = \$4,200 |

If you select a replacement dwelling unit that rents for \$1,200 per month including utilities, despite the availability of comparable DSS replacement rental units that rent for \$1,100 per month including utilities, you will still receive only the maximum amount computed by Sound Transit, or \$4,200. In other words, you must pay the additional \$100 per month yourself.

### **Down Payment Assistance**

A 90-day occupant may use the amount of their rent supplement or \$9,570, whichever is greater, as a down payment and to pay certain incidental expenses to purchase a replacement dwelling.

Incidental expenses include the reasonable costs of a title search, recording fees, and certain other closing costs, but do not include prepaid expenses such as real estate taxes and property insurance. You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and they do not represent prepaid interest. The combined amount of the down payment and incidental expenses cannot exceed the approved maximum rent supplement housing payment.

In order to become eligible for a replacement housing payment, you must vacate the displacement dwelling, purchase and occupy a DSS replacement dwelling within one year, and make your claim for your replacement housing payment within 18 months.

### **Housing of Last Resort**

Normally, an adequate supply of housing will be available for sale and for rent and the entitlements provided will be sufficient to enable you to relocate to comparable housing. However, there may be projects in certain locations where the supply of available housing is insufficient to provide housing for those persons being displaced. If comparable housing is not available, or the replacement housing payment exceeds the statutory maximum of \$9,570 for a 90-day occupant or the statutory maximum of \$41,200 for a 90-day owner occupant, housing will be provided under the administrative process known as Housing of Last Resort. For those failing to meet the length of occupancy requirements, additional assistance will be available through Housing of Last Resort..

Sound Transit may provide housing of last resort in a number of ways including, but not limited to:

1. Rehabilitating and/or adding to an existing replacement dwelling.

2. The construction of a new replacement dwelling.
3. The provision of a direct loan, which requires regular amortization or deferred repayment. The loan may be unsecured or secured by the real property. The loan may bear interest or be interest free.
4. Relocating and, if necessary, rehabilitating a dwelling.
5. Purchasing land and/or replacing a dwelling by Sound Transit and a subsequent sale or lease to or exchange with a displaced person.
6. The removal of barriers for persons with disabilities.

**Note:** When choosing your replacement residence, it's important to remember that the dwelling you select must meet the basic “decent, safe, and sanitary” standards. Do not execute a sales contract or a lease agreement until a representative from Sound Transit has inspected the dwelling you propose to purchase or rent to assure it meets the basic DSS standards. Please do not jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

### **Fair Housing**

The Fair Housing Law (Title VI of the Civil Rights Act of 1964 and Title VII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States. These Acts and Executive Order 11063 make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, religion, sex or national origin.

Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require Sound Transit to provide a displaced person with a larger payment than

is necessary to enable a person to relocate to a comparable replacement dwelling outside of an area of minority concentration.

### **Relocation Payments Not Considered Income**

A relocation payment is not considered income for the purpose of the Internal Revenue Code of 1986 or for determining 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).

There will be no adverse effect on:

- Social Security eligibility
- Welfare eligibility
- Income taxes.

### **Lawfully Present in the United States**

Federal law requires certification of residency status. You will be required to sign a certification form confirming that you are lawfully present in the United States before the relocation process can begin.

Any person who is a noncitizen 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 WAC 468-100-208.

### **Right to Appeal**

Any individual may file a written appeal with Sound Transit if they believe Sound Transit has failed to properly determine their eligibility for, or the amount of, a relocation payment.

Persons with a grievance are given a prompt and full opportunity to be heard. All displacees have the right to be represented by legal counsel or other representative in connection with the appeal, at their own expense.

Sound Transit will consider all pertinent justification and information available to ensure a fair and full review and will provide a written determination of the appeal. An explanation of the basis for the decision will also be included. The aggrieved party has a right to seek judicial review if he or she is dissatisfied with the relief granted.

Your relocation agent can provide you with assistance in filing an appeal and details of the appeal process.

If you disagree with any relocation determination you may appeal by simply explaining your grievance in a letter to:

**Sound Transit**

Real Property Division  
Director of Real Property

401 South Jackson Street  
Seattle, WA 98104-2826

### **Sound Transit Title VI Notice to the Public**

It is Sound Transit policy to ensure that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Right Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its programs and activities.

Any person who believes his/hers/they/others Title VI protection has been violated, may file a complaint with Sound Transit by either: emailing [stdiscriminationcomplaint@soundtransit.org](mailto:stdiscriminationcomplaint@soundtransit.org); or mailing to Sound Transit, Attn: Customer Service, 401 S. Jackson St. Seattle, Washington 98104-2826; or visiting our offices located at 401 S. Jackson St. Seattle, Washington 98104.

For additional information regarding Title VI please visit <https://www.transit.dot.gov/title6> .

### **American with Disability Act (ADA) Information**

This material can be made available in an alternative format including read in person by emailing ([accessibility@soundtransit.org](mailto:accessibility@soundtransit.org)) or calling 800-201-4911. Person who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

**Notes**





For more information about  
Sound Transit, visit [soundtransit.org](https://soundtransit.org)  
or call 1-800-201-4900/ TTY: 711

For information in alternative formats,  
call 1-800-201-4900/ TTY: 711  
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