

Introduction

Please Note:

This manual was current as of the date of revision. Changes may have occurred since that time. For updates, please contact the Acquisition/Relocation Assistance Section, Office of Right of Way, Iowa Department of Transportation, 800 Lincoln Way, Ames Iowa, 50010, or (515) 239-1135.

Manual Format

This manual has been written in several chapters. Each chapter will provide specific information for a particular aspect of the Relocation Assistance Program. The appendices contain samples of forms and other materials intended as reference materials.

General Responsibilities

The purpose of the Relocation Assistance Program is to ensure that persons who are required to move (or to move their personal property) as a result of public projects will not suffer disproportionate losses as a result of those projects. Payments and benefits are provided in compliance with state and federal laws and regulations.

Civil Rights Compliance and Affirmative Action Policy

Federal and State laws and regulations provide for the fair treatment of the public during the Relocation Assistance process. All benefits are calculated and services are provided on a nondiscriminatory basis without regard to race, color, sex, or national origin.

Our written agreements incorporate nondiscrimination provisions as required by Federal law and regulations. When obtaining outside services, we will provide opportunities to known minority real estate brokers, auctioneers, and contractors, including African-Americans, Hispanics, Native Americans, Asian-Indian, Asian-Pacific Islanders, or others as applicable by race, creed, color, sex, religion, or national origin.

Governing Legislation and Regulations

The Iowa DOT is authorized to administer the Relocation Assistance Program through state and federal requirements. Federal requirements may be found in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (known as the Uniform Act), Public Law 91-646, as amended. The federal regulations are located in 49 CFR Part 24. State requirements are found in Iowa Code Chapters 6B and 316 with implementing rules in 761 Iowa Administrative Code, Chapter 111.

Section Organization

Administration of the Relocation Assistance Program for the Iowa DOT is assigned to the Acquisition/Relocation Section, Office of Right of Way, and operates under the general administration of the Acquisition/Relocation Supervisor also referred to as the Relocation Supervisor. The Relocation Supervisor reports directly to the Director of the Office of Right of Way. The Relocation Supervisor is supported in program administration by the Acquisition/Relocation Production Coordinator, also referred to as the Production Coordinator.

The Production Coordinator is responsible for assigning work to the Relocation Advisors, maintaining project and parcel records, provide training for new advisors, serve as a resource for advisors and act as the Relocation Supervisor's designee when the Supervisor is unavailable.

Relocation Assistance services are provided by Relocation Advisors, who are Right of Way Agents assigned to the Acquisition/Relocation Section. Relocation Advisors are often required to act as Relocation Advisors and as Acquisition Agents.

Services Provided

The Relocation Program provides a range of services including Advisory Services.

Advisory Services

761 IAC, Chapter 111.203(1) (b) includes the responsibility to inform the displacee they will be given reasonable Relocation Advisory services, including, but not limited to, referrals to replacement properties, help complete payment claim forms and provide other necessary assistance to help the displacee successfully relocate.

The Relocation Advisor is encouraged to develop information, research available resources, and offer possible suggestions. The Relocation Advisor must ultimately remember that they can only offer advisory services; the displacee always retains the right to refuse or ignore the services offered.

Those impacted by the public project may be entitled to Advisory Services. The following list serves as a guide to identifying those entitled to these services.

- Persons occupying real property to be acquired for the project. This group may include residential owners and tenants, commercial (business) owners and tenants, farms or non-profit organizations, as well as, owners of personal property located within the area to be acquired as part of the project.
- Persons occupying real property adjacent to property being acquired, who are caused substantial economic injury (loss) by the acquisition. The acquisition of property adjacent to a business may reduce its clientele significantly, limit accessibility or affect

it in other ways which cause the business substantial harm. While such businesses are not displaced persons and therefore, not entitled to business relocation payments, the Iowa DOT must make available relocation assistance advisory services to them. Examples of such services might include:

- ❖ consultation with them on space needs
 - ❖ current market conditions
 - ❖ traffic patterns or transportation as these patterns relate to relocating the business; information regarding the availability of relocation sites
 - ❖ information about and referral to the Small Business Administration.
- Persons, who as a result of the project, move or move personal property from real property not being acquired for the project. For example, the owner of a business lives across the street from their business location and the business is being acquired, but the residence is not. In these cases the business may be relocated to another location some distance from the residence.
 - Persons who move into a property after its acquisition by the Iowa DOT. In these cases, the tenant moves with the knowledge that they will have to move when required by the project. Although no relocation assistance payments will be made to assist with the move, these “short-term occupants” are entitled to advisory services.

Services Provided

Although individual situations may warrant unique types of assistance, there are basic services that must be made available to all displaced persons.

- Every displacee should receive applicable information involving the relocation assistance program and appropriate payments.
- The Relocation Advisor should explain and describe the eligibility requirements and type of documentation needed for each applicable type of relocation payment, and at the appropriate time, determine the eligibility for payments of each displaced person.
- Determine the needs of persons to be displaced for advisory assistance. The advisor must become familiar with the many different and sometimes special needs of the displaced household or business.
- Make every effort to help meet the needs identified, while recognizing the importance of the displaced person’s priorities and their desire, or lack of desire for assistance.
- Provide the following specific types of services, as appropriate:
 - ❖ Current and continuing information on listings, including prices or rental rates of

comparable replacement properties either comparable to the acquired dwellings or appropriate for displaced businesses and farms. This information can be provided by personal contact, electronically or by mail. Personal contact is preferred and should be documented in the file. This information is most important while the displaced person is actively looking for a replacement property.

- ❖ Information concerning Federal and State housing and other programs offering relocation or related types of assistance.
- ❖ Assistance in obtaining and completing application or claim forms for relocation payment or other related assistance, as needed.
- ❖ Transportation for displaced persons to inspect potential relocation housing, when needed.
- ❖ Minimize hardships on the displacee's as much as possible, which may include advancing relocation payments.
- ❖ Explain the various types of financing available.

Some displaced persons prefer an independent, self-sufficient approach and will require few advisory services. Other displacee's may require a significant investment in time and resources in order to complete a successful move. The Relocation Advisor must assess the needs of each displacee and proceed accordingly. The successful Relocation Advisor becomes knowledgeable about the situation of the displacee and the pertinent details of the local community. The Relocation Advisor must ascertain if special problems or needs of the displacee exist. This requires careful, thoughtful interviewing skills and repeated contacts.

When working with the displacee, the Relocation Advisor should:

- Develop a rapport with the displacee. This rapport will generate confidence building to improve the chances for a successful relocation.
- Determine those special items that help the displacee in their daily routine. These may include ramps, wider doorways, main floor laundry, lifts, grab rails, special sanitary facilities, etc.
- Determine any family or friends who the displacee may want to be involved in the relocation activities.
- Determine if the displacee needs any special services from the Iowa Department of Transportation or other agency. This may include braille, signing, translating, audio version of the brochure, etc.

Doing what is necessary may include spending a great deal of time listening to the displacee and thus learning what their needs are. The advisor may spend significant time coordinating

with other agencies, family, friend or even medical specialists to ensure the displacee's needs are met.