



STATE OF RHODE ISLAND DEPARTMENT OF TRANSPORTATION



RELOCATION ASSISTANCE PROGRAM

**STATE OF RHODE ISLAND
DEPARTMENT OF TRANSPORTATION**

**RIGHT-OF-WAY
PROPERTY ACQUISITION
Two Capitol Hill
Providence, RI 02903**

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DEPARTMENT MISSION STATEMENT

TRANSPORTATION INFRASTRUCTURE SHAPES OPPORTUNITIES FOR ECONOMIC GROWTH AND AFFECTS THE LIVES OF ALL RHODE ISLANDERS. AT RIDOT, OUR MISSION IS TO DELIVER A SAFE, MODERN, AND EFFICIENT INTERMODAL TRANSPORTATION NETWORK FOR RHODE ISLAND.

Introduction

IN building a modern transportation system, the displacement of a small percentage of the population is often necessary. However it is the policy of the Federal Government that displaced persons shall not suffer unnecessarily as the result of programs designed to benefit the public as a whole.

Displaced individuals, families, businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments provided by the Federal “Uniform Relocation Assistance and Real Property Acquisition Policies Act” of 1970 as amended.

This brochure provides information about available relocation services and payments. Section 1 is information for residential displacees. Section 2 is information on relocation assistance services. Section 3 is information for displaced business, farms, or nonprofit organizations.

If you are required to move as the result of a transportation project, a relocation counselor will contact you. The counselor will be able to answer your specific questions and provide additional information.

Uniform Relocation Assistance and Real Property Acquisition Policies Act 1970, as amended.

Declaration of Findings and Policy

“The purpose of this title is to establish a uniform policy for fair and equitable treatment of persons displaced as a result of Federal and Federally-assisted programs in order that such persons shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole.”

Relocation Notices

1. No lawful occupant will be required to move in less than 90 days from the date the property is acquired. In unusual circumstances, an occupant may be required to vacate in less than 90 days when continued occupancy is a danger to health or safety.
2. All lawful occupants will be given at least 30 days written notice of the specific date which they will be required to move.
3. No lawful occupant will be required to move permanently unless at least one comparable replacement dwelling has been made available.

You are discouraged from moving before you are contacted by the relocation counselor, as you may risk the loss of your eligibility to receive relocation assistance payments.

Definitions

Displacing Agency:

Any State or State Agency carrying out a program or project which causes a person (individual, business, farm or non-profit organization) to be displaced. The displacing Agency which shall be referred to as "Agency" for the purpose of this brochure, is the Rhode Island Department of Transportation.

Displaced Person:

Any person (individual, business, farm or non-profit organization) who moves from real property or moves his or her personal property from real property as a direct result of a written notice of intent to acquire, the initiation of negotiations for, or the acquisition of such real property whole or in part for a project. In the case of a partial acquisition, the Agency shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary, depending upon the type and length of occupancy as discussed on page 6.

As a displacee, you will be classified as:

- An owner occupant of a residential property. (Includes mobile homes)
- A tenant occupant of a residential property. (Includes mobile homes and sleeping rooms).
- A business, farm, or nonprofit organization

Small Business:

A business having at least one, but not more than 500 employees working at the site being acquired or displaced by a program or project.

Business:

Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease, and rental of personal or real property, or for the manufacture, processing, and/or marketing of products, commodities, or any other personal property. It also includes the sale of services to the public, or solely for the purpose of this Act, an outdoor advertising display or displays when the display(s) must be moved as a result of the project.

Farm:

Any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber for sale or home use, and customarily producing such products or commodities in sufficient quantity to contribute materially to the operator's support.

Nonprofit Organizations:

A public or private entity that has established its nonprofit status under applicable Federal or State law.

Relocation Counselor:

A relocation counselor shall be defined as the individual employed by the Rhode Island Department of Transportation or a consultant that is assigned to administer the Relocation Assistance Program and provide relocation assistance advisory services.

SECTION 1

INFORMATION FOR RESIDENTIAL DISPLACED



Individuals and Families Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to payment for actual reasonable moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

Displaced individuals and families may choose to be paid on the basis of actual, reasonable moving costs and related expenses, or according to a fixed moving cost schedule. However, to assure your eligibility and prompt payment of moving expenses, you should contact the relocation counselor from the Agency before you move.



Actual Reasonable Moving Costs

You may be paid for your actual reasonable moving costs and related expenses when the move is performed by a commercial mover. Reimbursement will be limited to a 50-mile distance.

Related expenses may include:

- Transporting
- Packing and unpacking personal property
- Disconnecting and reconnecting household appliances
- Temporary storage of personal property, not to exceed 12 months
- Insurance while property is in storage or transit
- Reasonable costs of moving a mobile home. Non-refundable, reasonable mobile park entrance fees when prior Agency approval is obtained.

Expenses must be necessary and reasonable as determined by the Agency and supported by receipts.

Fixed Moving Cost Schedule

A second option is to be paid on the basis of a fixed moving cost schedule. The amount of the payment is based on the number of furnished rooms in our dwelling. Under this option you will not be eligible for reimbursement of related expenses listed above. The schedule is designed to provide adequate compensation for these items.

The table below is Connecticut's current fixed schedule for residential moves:

Effective June 22, 2012

State	Occupant Owns Furniture									Occupant does not own furniture	
	Number of Rooms of Furniture								add't'l room	1 room/ no furn.	add't'l room no furn.
	1 room	2 rooms	3 rooms	4 rooms	5 rooms	6 rooms	7 rooms	8 rooms			
Rhode Island	450	625	800	900	1,000	1,200	1,350	1,500	150	300	50

Replacement Housing Payments

A replacement dwelling must be decent, safe and sanitary. While not necessarily identical to your present dwelling, the replacement should:

- Be adequate in size to accommodate the occupants
- Be located in an area not subject to unreasonable adverse environmental conditions
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities
- Be located on a site that is typical in size for residential development with normal improvements
- Be currently available to you and within your financial means

Decent Safe and Sanitary (DSS)

Replacement housing must be decent, safe, and sanitary (DSS). This means it meets all of the minimum requirements established by Federal regulations and conforms to the local housing and occupancy codes.

Performance Standards

The dwelling shall:

- Be a private, well lighted, and ventilated sanitary facility(s) with a flush toilet, sink, and shower/tub in proper operating condition
 - Kitchen area with a proper working sink, sufficient space, and utility connections for a refrigerator, stove, and microwave oven.
 - Reasonable modifications as necessary to accommodate a person(s) with disabilities
 - Potable water supply and a functioning water heating system*
 - Structurally sound, weather tight, in good repair, and free of threats to health and safety*
 - Safe electrical wiring system, as necessary for adequate lighting and other devices*
 - Free of any barriers that prevent access to ground level*
- *These requirements are considered satisfied by establishing the existence of a certificate of occupancy or acknowledgement of the dwelling's existence by the local municipality or town.

Occupancy Standards

- Relates to how many individuals can share a bedroom and the requirement for separate bedrooms for children of dissimilar gender.
- Refer to local housing codes regarding this issue.
- In the absence of any code obligation the Agency's policy will take precedence.



Length of Occupancy and Replacement Housing Payments

The type of replacement housing payment is determined by two basic lengths of occupancy requirements.

Length of occupancy is the number of days that you actually occupied a dwelling before the date of initiation of negotiations. The term, initiation of negotiations, is the date the acquiring Agency makes the first contact with the owner of the real property, or his representative, to give him a written offer for the property to be acquired.

1. Occupancy time period of 90 days or more:
 - If you are an owner who occupied your home for 90 days or more prior to the initiation of negotiations you may be eligible for a purchase supplement or down payment assistance up to \$31,000.00.
 - If you are a tenant who has been in occupancy 90 days or more prior to the initiation of negotiations, you may be eligible either for a rental assistance payment or downpayment assistance up to \$7,200.00.
2. Occupancy time period of less than 90 day:
 - If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired you may be eligible for Last Resort Housing.
 - If you move on to the property after the initiation of negotiations, and you are still in occupancy on the date of acquisition you may be eligible for Last Resort Housing. Check with the relocation counselor for more details regarding Last Resort Housing. The 90 day eligibility standard will apply whenever the initiation of negotiations with a homeowner occurs on or after October 1, 2014.

Replacement Housing Payments

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

- 1. Purchase Supplement for owner occupants of 90 days or more**
- 2. Rental Assistance for owner occupants and tenants of 90 days or more**
- 3. Downpayment Assistance for owner occupants of 90 days and tenants of 90 days or more.**



1. Purchase Supplement for Owner Occupants of 90 days or more

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations for the acquisition of your property, you may be eligible, in addition to the fair market value of your property, for a supplemental payment. This supplemental payment is not to exceed \$31,000.00 for all costs necessary to purchase a functionally-equivalent decent safe and sanitary (DSS) replacement dwelling.

The Agency will compute the maximum payment you are eligible to receive. You must purchase and occupy a replacement dwelling no later than 18 months from the date of your displacement (move) or the date you received final payment for the acquisition, whichever is later.

If your property is acquired by eminent domain (condemnation), you must purchase and occupy a DSS replacement dwelling within 18 months of the date the full amount of the purchase offer is deposited with the court for your property or the date of displacement, whichever is later.

PURCHASE SUPPLEMENT

- **Price Differential**

The price differential is the amount by which the estimated acquisition price of a replacement dwelling exceeds the acquisition cost of the displacement dwelling. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

- **Increased Mortgage Interest Costs**

You may be reimbursed certain mortgage interest costs, if the interest rate on your new mortgage exceeds that of your existing mortgage. This payment will be calculated based on the balance of the existing mortgage. To be eligible, your current dwelling must have been encumbered by a bona fide mortgage which was a valid lien for at least 180 days prior to negotiations.

- **Incidental Expenses**

You may also be reimbursed for other expenses such as reasonable costs incurred for title search, recording fees, home inspections and certain other closing costs, but not including prepaid expenses such as real estate taxes and property insurance. The Agency will determine the maximum payment you will receive for these expenses.

The total amount of the purchase supplement components cannot exceed \$31,000.00, unless Last Resort Housing conditions are determined by the Agency. Last Resort Housing is explained on page 12 of this brochure.

Price Differential Computation:

Assume that the Agency purchases your property for \$150,000. After a thorough study of available decent, safe and sanitary dwellings on the open market, the Agency determines that a functionally-equivalent replacement property will cost \$160,000. The maximum price differential payment which you may receive in this case would be \$160,000-\$150,000, or \$10,000.

If your purchase exceeds \$160,000 you pay the difference between the purchase price of the dwelling of your choosing and \$160,000, the differential payment will be based on the actual cost of the replacement dwelling. Refer to the following examples for further explanation:

Examples of Price Differential Computation

Example A. Assume the Agency purchases your property for \$150,000. If you prefer to purchase a replacement home which costs \$165,000, even though DSS replacement homes are available for \$160,000, you will only receive the maximum computed payment of \$10,000. You must pay the additional \$5,000 should you purchase the more expensive replacement dwelling.

Example B. If you choose to purchase a replacement dwelling which costs more than the purchase price of your present dwelling, \$150,000, but less than \$160,000 as determined by the Agency, then the price differential payment will be based on the actual cost. For example, if you purchase a replacement home for \$157,000, based on actual cost, the maximum price differential payment to which you are entitled would be \$157,000-\$150,000, or \$7,000.

Example C. If you choose to purchase a replacement dwelling which costs less than the purchase price of your present dwelling you would not be entitled to any price differential payment.

Remember, the total price differential payment to which you are entitled is dependent upon the amount you actually spend to purchase your replacement home. Please contact your relocation counselor for a more thorough explanation of this benefit.



2. Rental Assistance for Owner Occupants and Tenants of 90 Days or More

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 lawful occupancy at least 90 days immediately preceding the initiation of negotiations for the acquisition of the property, and have rented or purchased and occupied a DSS replacement dwelling within 18 months.

- For tenants it is the date he/she vacates the displacement dwelling.
- For owner occupants it is 18 months from the date of displacement, or the acquisition date, whichever is later.

This payment was designed to enable you to rent a functionally-equivalent decent, safe and sanitary (DSS) replacement dwelling for a 3 ½ year period. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment up to \$7,200.

The Agency will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless the Agency determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year to be eligible.

Rental Assistance Computation

Assume that your present rent and utilities payments are \$500 per month for the dwelling you occupy, which has been purchased by the acquiring Agency. After a study of the rental market in your area, the Agency determines that a DSS replacement rental is available for \$600 per month (base rent is \$450 and utilities is \$150). The maximum rental assistance you are entitled to in this case would be \$600-\$500, or \$100 per month for a 3 ½ year period, or \$4,200. Refer to the following examples for further information:

Example A. Assume that your present rent and utilities payments are \$500 per month. If you prefer to select a replacement dwelling which rents for \$650 per month, even though comparable DSS replacement rentals are available for \$600 per month, you will only receive the maximum computed payment of \$100 per month for 3½ years or \$4,200. You must pay the additional \$50 per month if you choose to rent the higher priced unit.

Example B. If you select a replacement dwelling renting for more than your present rent and utilities of \$500, but less than the amount determined by the Agency of \$600, then you will be paid on the basis of actual cost. In other words, if you select a replacement dwelling that rents for \$550 per month, based on actual cost you would be eligible for a payment of \$50 per month for 3 ½ years or \$2,100.

The computation of a rental assistance payment for an owner occupant is slightly more complex and space does not permit its inclusion in this brochure. Owners interested in renting should contact their relocation advisor for a complete explanation.

3. Down Payment Assistance Payments

Owner occupants of 90 days or more and tenants of 90 days or more may be eligible for a downpayment and incidental assistance payment, not to exceed \$7,200. The maximum down payment and incidental assistance payment for which you may be entitled would be limited to

- The amount the displaced person would have received for a rental assistance payment
- or
- The actual amount needed for downpayment and incidental costs, whichever is less.



Last Resort Housing

On most projects an adequate supply of housing will be available for sale or rent and the benefits provided will be sufficient to enable you to move to functionally equivalent housing. However, there may be projects in certain locations where the housing supply is insufficient to meet the needs of those displaced. When housing shortages occur, the Agency may utilize an administrative process called "Last Resort Housing."

If functionally equivalent housing is not available, or it is not available within the maximum \$7,200 or \$31,000 payments limits, it must be provided before you are required to move.

The Agency may provide the necessary housing in a number of ways and there is broad flexibility in implementing the Last Resort Housing Program. If you are eligible for replacement housing under the Last Resort Housing Program, you will be so informed by the relocation counselor who will thoroughly explain the program.

To all Residential Displacees

The most important thing to remember is that the replacement dwelling you select must meet the basic "decent, safe and sanitary" standards. Do not execute a sales contract or lease agreement until a representative from the Agency has inspected and certified in writing that the dwelling you propose to purchase or rent meets the basic standards. Please do not jeopardize your right to receive a replacement housing payment by moving into sub-standard housing.

Fair Housing

The Fair Housing Law (actually Title VIII 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. This Act and later Acts and amendments 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. The policy, however, does not require an acquiring Agency to provide a person a larger payment than is necessary to enable a person to relocate to a functionally equivalent replacement dwelling.

SECTION 2

INFORMATION ON RELOCATION SERVICES



Relocation Assistance Services

Any individual, family, business or farm displaced by a Federal or Federally assisted program shall be offered relocation assistance services for the purpose of locating to a suitable replacement property. Relocation services are provided by qualified personnel employed by the Agency. It is their goal and desire to be of service to you and assist you in achieving a successful relocation.

Remember – they are there to help and advise you. Be sure to make full use of their services. Do not hesitate to ask questions, and be sure to understand fully all of your rights and relocation benefits.

Residential Assistance

A relocation counselor from the Agency will contact you personally. Relocation services and payments will be explained to you in accordance with your eligibility. During the initial interview your housing needs will be determined, as well as your need for assistance. You cannot be required to move unless at least one replacement dwelling is made available to you. When possible, functionally equivalent housing will be inspected prior to being made available to you to assure that it meets DSS standards.

In addition, if you desire, your relocation counselor will give you current listings of other available replacement housing properties. Transportation will be provided to inspect available housing, especially if you are elderly or disabled. The Agency will also provide counseling and help you obtain assistance from other available sources as a means of minimizing hardships in adjusting to your new location.

You will also be provided with information concerning other Federal, State and local housing programs offering assistance to displaced persons.

Business and Farms Assistance

The relocation counselor will provide listings of commercial properties and farms whenever businesses and farms are displaced. Steps will be taken to minimize economic harm to displaced businesses and to successfully reestablish their presence in the community.

Social Services Provided By Other Agencies

Your relocation counselor will be familiar with the services provided by other public and private agencies in your community. If you have special needs, the counselor will make every effort to secure the services of those Agencies with trained personnel who have the expertise to help you. Make your needs known so that you may receive the help you need.



Relocation Office

In addition to personal contacts by the relocation counselor, our Agency may establish a relocation office on or near a project where a considerable number of people are to be relocated. Project relocation offices are open during convenient hours, including evening hours when necessary. The office can provide a variety of information concerning:

- Listing of available replacement properties
- Local housing ordinances
- Building codes
- Social services
- Security deposits
- Interest rates and terms
- Typical downpayments
- VA and FHA loan requirements
- Real estate property taxes
- Consumer education literature on housing

Visit your relocation office if one has been established. You will be more than welcome.



Relocation Advisory Assistance Checklist

This checklist is a summary of the relocation advisory assistance you may reasonably expect to receive if you are displaced by a Federal or Federally assisted project. In addition to the services listed, our Agency is required to coordinate its relocation activities with other agencies causing displacements to ensure that all persons displaced receive fair and consistent relocation benefits.

Our Relocation Counselor will interview displacees to:

- Determine their needs and preferences
- Explain relocation benefits
- Offer assistance
- Offer transportation if necessary
- Assure the availability of a functionally equivalent property in advance of displacement
- Provide current listings of functionally equivalent properties
- Provide the amount of their replacement housing payment in writing
- Inspect dwelling for DSS acceptability
- Supply information on other Federal and State programs offering assistance to displacees
- Provide counseling to minimize hardships

Internal Revenue Service Information

Relocation payments are not considered as income by the Internal Revenue Service Code 1954. Also, they are not used to determine eligibility under the Social Security Act, or any other Federal Law.

Your Right of Appeal

The Uniform Relocation Act provides that you may file a written appeal to the Agency if you believe that the Agency has failed to properly determine your eligibility or the amount of a payment authorized by the Act. If you are dissatisfied, submit a letter within 60 days of the determination of your relocation benefits. State all of the facts in the case, and the reason you believe your claim should be paid or adjusted.

Please send your correspondence to the following address:

**Chief of Real Estate Acquisition
Department of Transportation
Two Capitol Hill
Providence, Rhode Island 02903**

Should you remain dissatisfied with the decision rendered by the Chief of Real Estate Acquisition, you may address a written appeal letter to the Director of Transportation.

You will be given a prompt and full opportunity to be heard. You have the right to be represented by legal counsel or another representative in connection with the appeal, but solely at your own expense. The Agency will consider all pertinent justification and material submitted by you and other available information needed to ensure a fair review. The Agency will provide you with a written determination resulting from the appeal with an explanation of the basis for the decision. If you are still dissatisfied with the relief granted, the Agency will advise you that you may seek judicial review.

Oral representations or promises made during the negotiations process are not binding on the Department of Transportation.

SECTION 3

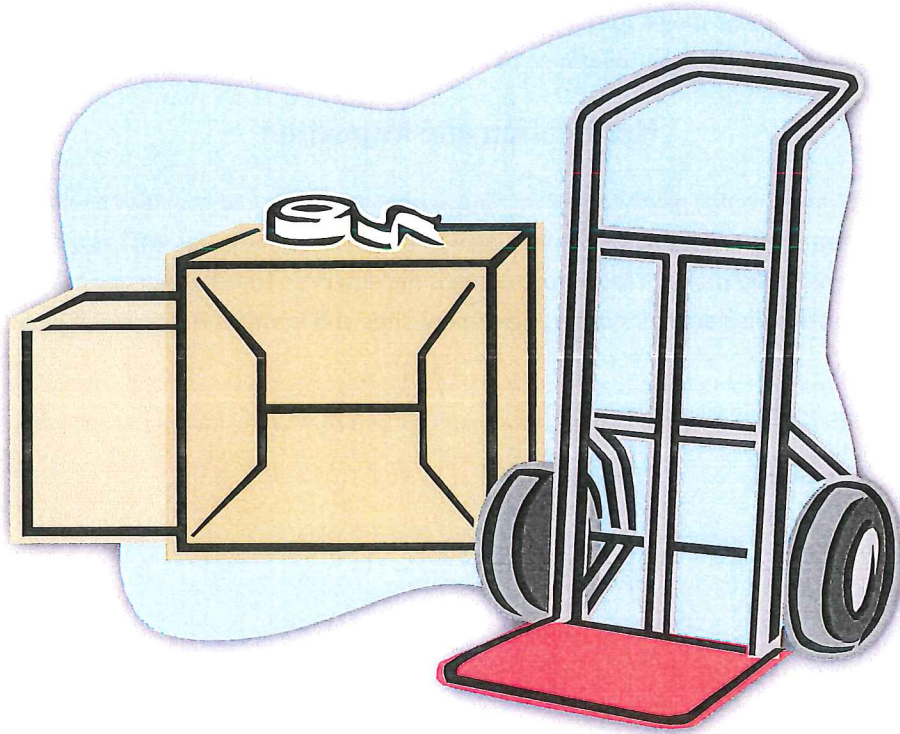
INFORMATION FOR BUSINESS, FARMS AND NONPROFIT ORGANIZATIONS



Moving Cost Reimbursement: Business, Farms and Nonprofit Organizations

Owners or tenants may be paid on the basis of actual reasonable moving and related expenses or, under certain circumstances, a fixed payment in lieu of actual moving costs.

- A. Actual reasonable moving expenses may be paid when the move is performed by a professional mover, or if you move yourself. Related expenses, such as personal property losses, expenses in finding replacement sites, and certain expenses incurred in reestablishing your business may also be reimbursable.
- B. Or you may be eligible to receive a fixed payment from \$1,000 to \$40,000. This payment is based on the actual net earnings of the business or farm, not to exceed \$40,000. To qualify for a fixed payment certain conditions must be met. See page 26 for detailed information.



Two Ways to Move Your Enterprise

Professional Mover

You may be paid the actual and reasonable costs of your move carried out by a professional mover. All of your expenses must be supported by receipts in order to ensure prompt payment of your moving costs. Certain other expenses are also reimbursable, such as packing, crating, unpacking, uncrating, disconnecting, dismantling, removing, reassembling and reinstalling relocated machinery, equipment and other personal property. Other expenses such as temporary storage costs, insurance while in transit, or storage, and the cost of new licenses and permits may also be reimbursable.

Self-Move

If you elect to take full responsibility for all or part of the move, the Agency may approve a payment, not to exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants, or a qualified Agency employee. If you are unable to obtain two acceptable bids or estimates, or if you decide to move yourself based on actual expenses, your moving payment must be supported by receipted bills or other evidence of actual and reasonable expenses.

Notification and Inspection

To assure eligibility and prompt payment for moving expenses you should provide the acquiring Agency with advance written notice of the approximate date of the planned move, as well as a certified inventory of the items to be moved. This information is necessary so that the Agency may inspect the personal property at the displacement and replacement sites and monitor the move, if necessary.

Direct Losses of Tangible Personal Property

Displaced businesses, farms, and nonprofit organizations may be eligible for a payment for the actual direct loss of tangible personal property which is incurred as a result of the move or discontinuance of the operation. This payment will be based upon the value of the items for continued use at the displacement site less the proceeds from its sale or the estimated cost of moving the item, whichever is the lesser.

Your relocation counselor will explain this procedure in detail if you are faced with this problem.

Searching Expenses for Replacement Property

Displaced businesses, farms, and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred searching for a replacement property, not to exceed \$2,500. Expenses may include transportation, meals, and lodging when away from home; the reasonable value of the time spent during the search; fees paid to real estate agents, brokers, or consultants; and other expenses determined to be actual and reasonable by the acquiring Agency. Receipts, invoices, or other proof of payment(s) will be required by the Agency in order to process reimbursement of these types of expenditures.

Business Reestablishment Expenses

A small business, farm or nonprofit organization may be eligible for reimbursement up to \$25,000 for certain actual and reasonable costs incurred as a result of relocating and reestablishing at the replacement site. A part-time business in the home which does not contribute materially to the household income is not eligible for this benefit, as determined by the Agency.

All reestablishment expenses must be reasonable and necessary and may include the following:

- Repairs, improvements or modifications to the replacement real estate property , as required by law and as necessary to accommodate the business operation or to make the replacement site suitable to conduct business.
- Estimated increased costs of operation during the first two years at the replacement location. This can include increased lease or rental costs, personal and real estate property taxes, insurance premiums and utility charges (excluding impact fees).
- Construction and installation costs for exterior signage to advertise the business.
- Advertisement of replacement location.
- Certain other items that the Agency considers essential to the reestablishment of the business.

For a complete explanation of this benefit and its limitations, consult your relocation counselor.

Computation of Fixed Payment

A displaced business may be eligible to choose a fixed payment in lieu of payments for actual moving and related expenses, and actual reasonable reestablishment expenses provided that:

1. The business owns or rents personal property which must be moved and the business vacates or relocates from the displacement site
2. The business cannot be relocated without substantial loss of its existing patronage
3. The business is not a part of a commercial enterprise having more than three other entities under the same ownership, and conducting the same or similar business activities
4. The business is not operating a displacement site or dwelling solely for the purpose of renting such site or dwelling to others
5. The business contributed materially to the income of the displaced person

Business and Farms

The fixed payment is based upon the average annual net earnings of the business or farm operation for the two (2) taxable years immediately preceding the taxable year in which it was displaced. Said payment will not be less than \$1000 or more than \$40,000.

2012	2013	YEAR DISPLACED
Annual Net Earnings \$20,000	Annual Net Earnings \$30,000	

Average = \$25,000 Maximum Fixed Payment (In Lieu)

You must provide information to the acquiring Agency to support your claim. Proof of net earnings can be documented by income tax returns, certified financial statements or other reasonable evidence of net earnings acceptable to the Agency.

Non-Reimbursable Relocation Expenses

The following is a partial listing of ineligible, non-reimbursable expenses:

- Any legal fees associated with the preparation of relocation payments or claimant representation before the Agency
- Loss of goodwill, loss of profits or loss of trained employees
- Interest charges on loans to cover moving expenses
- Expenses incurred while searching for a replacement residential dwelling
- Personal injury
- Purchase of capital assets or inventory associated with business relocation

Summary

It is the goal of any successful relocation program to relocate all those displaced in a manner that minimizes potential hardships. Only through careful analysis, thorough planning, and financial advisory assistance can this goal be realized.

Through the utilization of cooperative and innovative methods within the guidelines of the Federal Relocation Assistance Program, your relocation professional can customize a relocation plan to meet your specific needs. Please contact your relocation representative at the relocation office listed below for further clarification of any questions or concerns which may arise throughout the relocation process.

**State of Rhode Island
Department of Transportation
Property Acquisition Section
(401) 222-2411
Two Capitol Hill
Providence, Rhode Island 02903**

