



RELOCATION PLAN
'HILLSDALE TOWNHOUSES'
SAN JOSE, CALIFORNIA

PREPARED FOR

MID-PENINSULA HOUSING COALITION
303 VINTAGE PARK DRIVE, SUITE 250
FOSTER CITY, CA 94404-1176

BY

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SEPTEMBER, 2007
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INTRODUCTION

Constructed in 1965, the 'Hillsdale Townhouses' project is located at 1626 – 1656 Hillsdale Avenue in San Jose, California. It is intended that the development will be acquired by 'Mid Peninsula Tyrella Corporation, Inc.' and, later be transferred to a partnership with a non-profit affiliate of 'Mid Peninsula Housing Corporation' as general partner.

The Hillsdale Townhouses are currently comprised of sixteen (16) separate buildings; each of which contains three (3) "townhouse" units, for a total of forty-eight (48) residential dwelling units; forty-seven (47) of which units are two (2)-bedroom and, one (1) of which is a three (3)-bedroom dwelling for an on-site manager. The tenant make-up includes seniors and families; some of who are handicapped, and as at this writing and, based upon an income certification dated May 08, 2008, there are eight (8) vacancies in the development; one of which is the three (3)-bedroom, on-site manger's unit.

Though the overall condition of the buildings is good, the structures are "dated" and, show signs of neglect. There are also some safety issues at the site that need to be addressed (e.g., an inadequately-fenced pool). Mid Peninsula Housing Coalition ('MPHC' or, the 'Partnership') will fund renovations that will address such issues and, maintain reserves to ensure that the buildings do not lack needed maintenance or repairs in the future. In addition to making basic repairs, MPHC will upgrade and modernize numerous building features during its renovation work and, a third bedroom will be added to many units – creating an additional fifteen (15), three (3)-bedroom units – to accommodate larger families.

The "livability" of the units will also be addressed with upgrades to the interior spaces. Currently, the interior renovation scope of work includes such features as new cabinets and countertops and, new energy-efficient appliances in the kitchens; new light fixtures; bathroom fans with automatic humidity monitors; new flooring and, newly textured and painted walls. New energy efficient windows will also be installed and, along with all new energy efficient appliances, these will all assist in reducing the energy usage of the units and, correspondingly, reduce tenants' utility bills.

In planning the renovation work, the Partnership will work closely with its architects, engineers and, other consultants to identify other upgrades that will positively enhance both the environment as a whole but, also, the comfort and livability of the units for the residents.

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Mid Peninsula Housing Coalition is also working with its architects to improve the aesthetic appearance and prospective longevity of the building exteriors. At a minimum, the Partnership plans on replacing and upgrading all building siding, providing the opportunity to present a new "face" for the buildings and make them more appealing. In addition to the exterior siding, some of the concrete pathways and walks on the site are showing serious signs of age and, MPHC plans to resurface and improve these paths, as well as improve safety concerns that they create. It is also planned to reconfigure the fencing in the backyards of the units, creating a more attractive and more usable space for residents. These changes will clearly benefit the Cambrian community and all who pass by on Hillsdale Avenue and give the residents of 'Hillsdale House Townhomes' an attractive place in which to live.

The total estimated construction cost for the rehabilitation is three million five hundred thousand dollars (\$3,500,000.).

All units will be renovated/rehabilitated and, at some point in time, all residents will have to move for construction to proceed. It was originally estimated that, due to income limitations, up to seventeen (17) households would be permanently displaced as a result of the "economic repositioning" of the project. It is proposed that prior to the commencement of construction, those to be permanently displaced will be relocated, opening up a certain number of units to commence renovations and, ideally, making it possible to temporarily relocate residents "on-site" and, thereby, making available the balance of the units for renovation and limiting the number of moves required internally.

See **Figures 1., 2. and 3.**, following, for the regional, and site-specific location and an aerial view of the project site at the south-west intersection of Hillsdale and Meridian Avenues, in San Jose.

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HILLSDALE TOWNHOUSES, SAN JOSE, CA

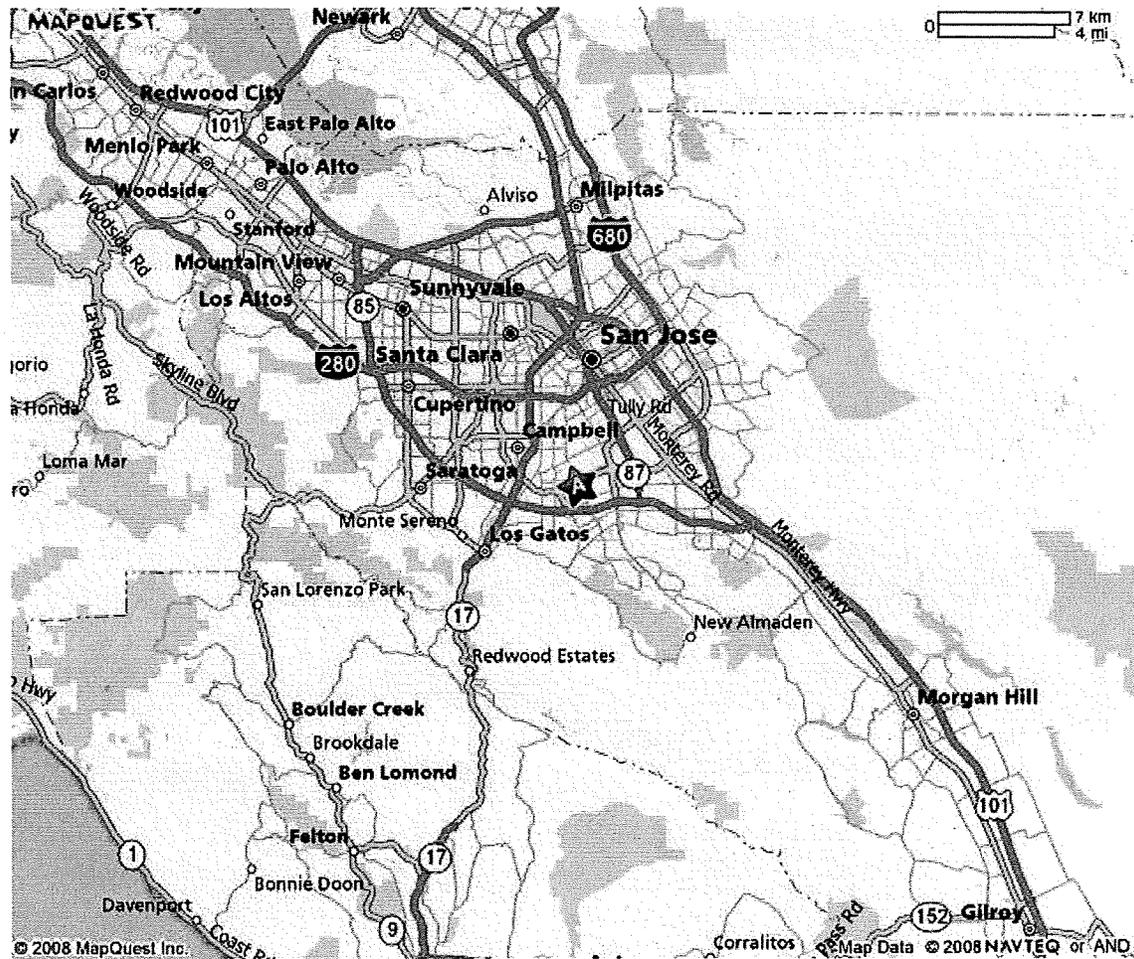


Figure 1. Hillside Townhouses, San Jose – Regional Location

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HILLSDALE TOWNHOUSES, SAN JOSE, CA

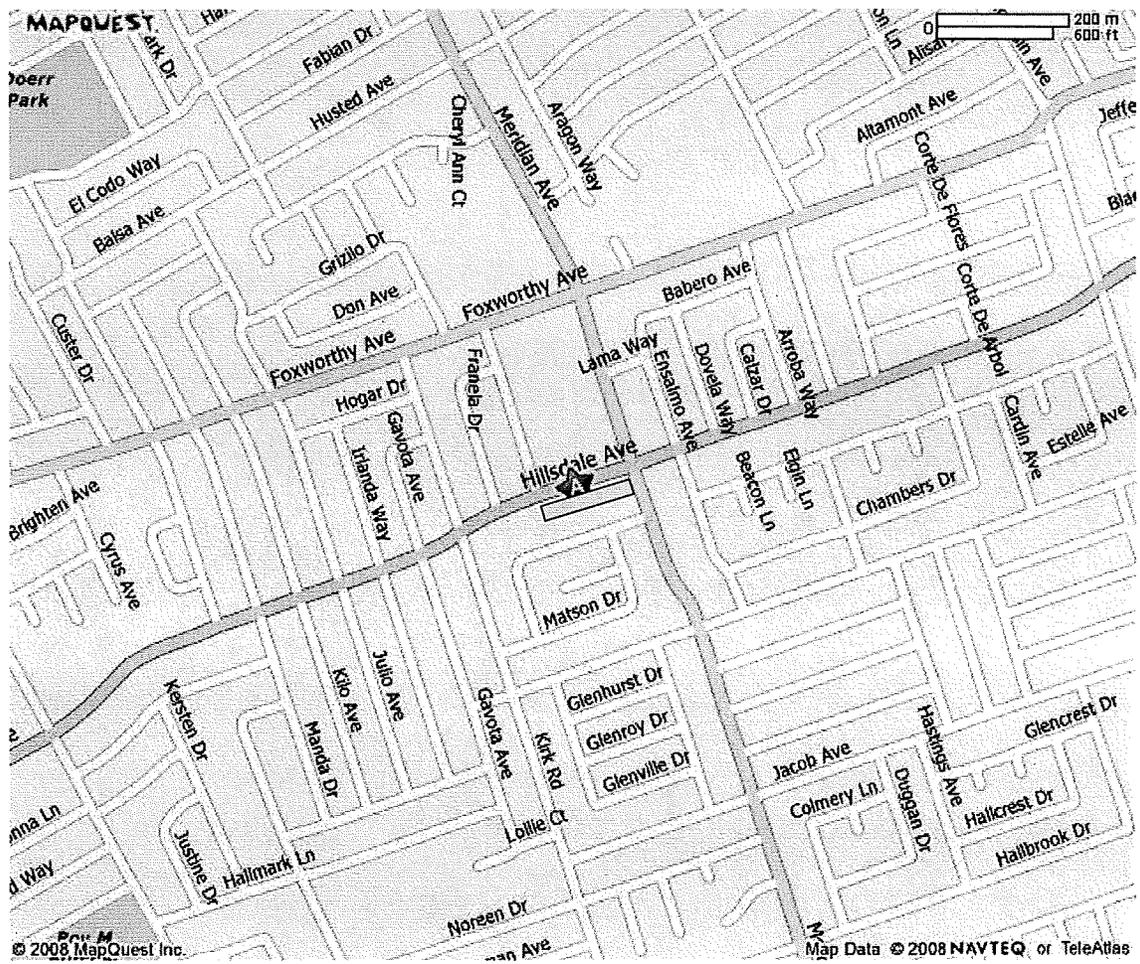


Figure 2. Hillside Townhouses, San Jose – Site-specific Location



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HILLSDALE TOWNHOUSES, SAN JOSE, CA

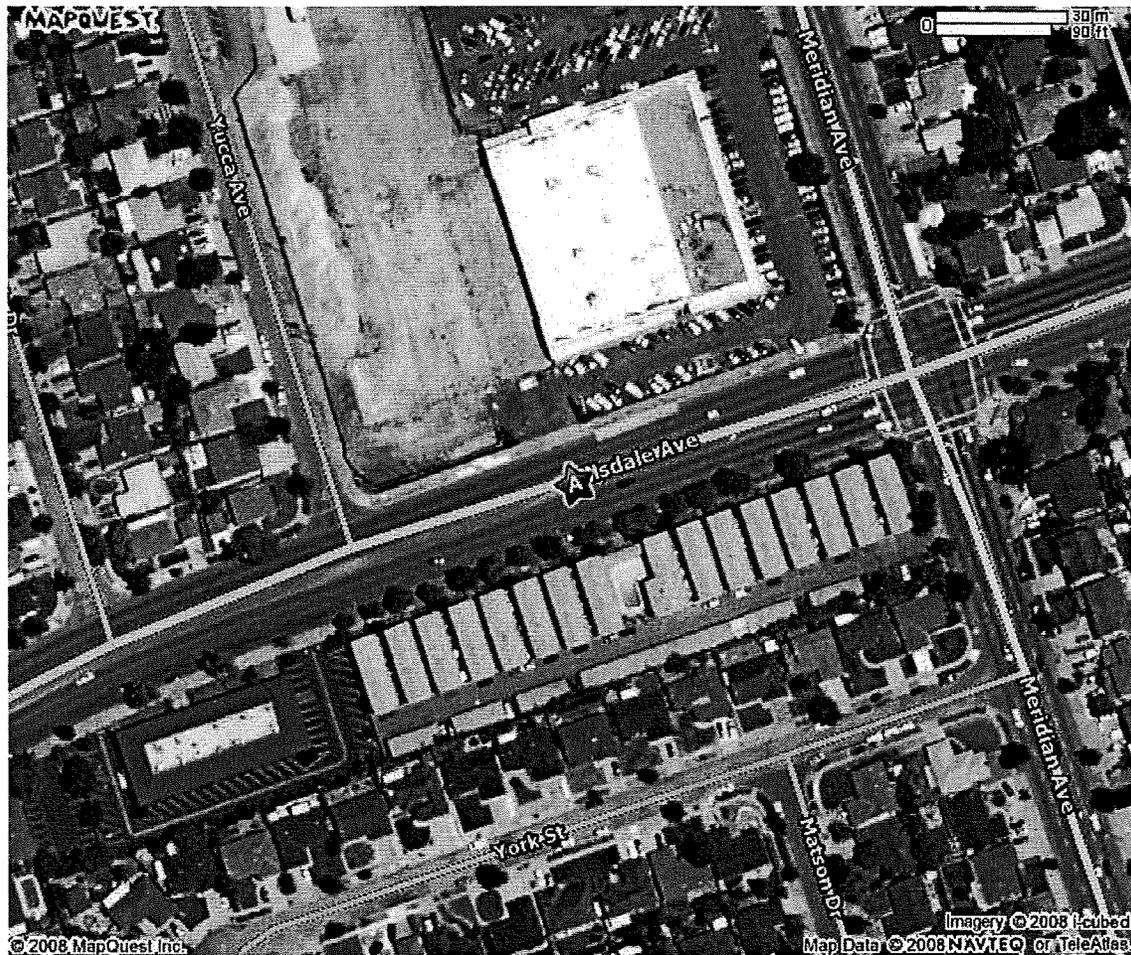


Figure 3. Hillsdale Townhouses, San Jose – Aerial View

Overland, Pacific & Cutler, Inc. (OPC), an experienced acquisition and relocation firm, has been selected to prepare this Relocation Plan (the 'Plan'), and may provide all subsequently required relocation assistance. In compliance with statutory requirements, this Plan has been prepared to evaluate the present circumstances and replacement housing requirements of the current Project occupants.

This Plan provides for the results of a tenant need assessment/analysis; its incorporation into the project implementation process; and, details of the Partnership's proposed relocation plan.

This Plan sets forth policies and procedures necessary to conform to statutes and regulations established by the Uniform Relocation Act (46 U.S.C. § 4600 et seq.), its implementing regulations (49 C.F.R.) Part 24), the California Relocation Assistance Law, California Government Code Section 7260 et seq (the "CRAL") and, the California Relocation Assistance and Real Property Acquisition Guidelines, Title 25, California Code of Regulations, Chapter 6, Section 6000 et seq. (the "Guidelines") for residential displacements. With certain narrow exceptions, Federal funds cannot be used for the benefit of any displaced person who is not lawfully present in the United States.

For purposes of acquisition, funding is anticipated from the City of San Jose and, conventional financing from Union Bank. Construction financing is anticipated from the City of San Jose; Tax Credit Investor Equity; and, the Federal Home Loan Bank AHP. Sources for permanent ("take out") financing are anticipated to be the City of San Jose, Tax Credit Investor Equity, the Federal Home Loan Bank AHP and, Conventional Mortgage funds.

No mandatory displacement activities will take place prior to the required reviews and approval of this Plan.

A. GENERAL DEMOGRAPHIC AND HOUSING CHARACTERISTICS

To obtain information necessary for the implementation of this Plan, interviews were proposed to be conducted on May 21st and 22nd, 2008, with ten (10) households believed, at that time, to be "over-income", and nine (9) other households about which, however, MPH/C/the Partnership had no conclusive income information. It was believed, at the time, that there *may* be up to nineteen (19) households which are "over-income" and which would therefore be permanently displaced from the project.

Of the nineteen (19) households to be interviewed, only fourteen (14) households responded to the consultant's request for interviews. Of the five (5) households which did not participate in the interview process, however, MPH/C already had certified income status from one (1) of those households; which household was "over-income".

The following Table provides the annual income categories, by household size, for Santa Clara County, California, as adopted by the State of California's Department of Housing and Community Development (H&CD), Division of Housing Policy Development, **February 28, 2008**.

HUD ANNUAL INCOME LIMITS BY CATEGORY – SANTA CLARA COUNTY (2008)

Area Four Person Median: \$97,800.

Family Size	Extremely Low Annual Income	Very Low Annual Income	Lower Annual Income	Median Annual Income	Moderate Annual Income
One Person	\$22,300.	\$37,150.	\$59,400	\$68,500.	\$82,200.
Two Person	\$25,500.	\$42,450.	\$67,900.	\$78,200.	\$93,900.
Three Person	\$28,650.	\$47,750.	\$76,400.	\$88,000.	\$105,700.
Four Person	\$31,850.	\$53,050.	\$84,900.	\$97,800.	\$117,400.
Five Person	\$34,400.	\$57,300.	\$91,650.	\$105,600.	\$126,800.
Six Person	\$36,950.	\$61,550.	\$98,450.	\$113,400.	\$136,200.
Seven Person	\$39,500.	\$65,800.	\$105,250.	\$121,300.	\$145,600.
Eight Person	\$42,050.	\$70,050.	\$112,050.	\$129,100.	\$155,000.

Generally speaking and, as regards the total universe of forty-eight (48) residential dwelling units, there are presently forty (40), two (2) bedroom dwelling units which are occupied. Household size ranges from single-person households to six (6) persons, with a total population of one hundred twenty-seven (127) persons, with a density of three, decimal one, eight (3.18) persons per household.

As to income categorization vis-à-vis the HUD Income Limits Table, above, eight (8) households are of 'Extremely Low Income'; ten (10) households are of 'Very Low Income'; fourteen (14) households are of 'Lower Income'; four (4) households are of 'Moderate' income; and, one (1) household is 'Above Moderate' income. Three (3) households declined to provide income information and, as noted previously, eight (8) units are vacant.

Inquiries to be made of the nineteen (19) households; all of which might be permanently displaced, included household size and composition; ages of occupants; rental and income information; length and type of occupancy; ethnicity; primary language spoken in the home; physical infirmities and other health problems; and, preferences related to replacement housing and location.

Interviews of the occupants who will remain at the Hillside Townhouses – though who will be temporarily displaced on site during the period of renovation – will include any special needs to assist them during their *temporary* displacement, on-site.

The standard housing density utilized for displacement is two (2) persons per bedroom and one (1) person in a common living area for tenant-occupied units, although this *can* be adjusted to include two (2) persons in the common living area. If the household size is in excess of these standards, they would be referred to housing with (an) additional bedroom(s), if available.

Permanent relocation activities will consider individual household needs to be close to public transportation, employment, schools, public/social services and agencies, recreational services, parks, community centers, or shopping.

Relocation Assistance information and assistance will be provided in the primary language of the displaced occupants, in order to assure that all displaced occupants obtain a complete understanding of the relocation plan and eligible benefits.

B. RELOCATION HOUSING NEEDS

As previously noted, up to nineteen (19) of the households may have been permanently displaced, prior to commencement of construction, due to being “over-income”.

Those households ostensibly being permanently displaced have been interviewed, and queried regarding household size and composition, income and rental information, any disabilities/health problems, and preferences related to replacement housing and location. The interview process is used to determine housing preferences or reported need to be close to public transportation, employment, schools, public/social services and agencies, recreational services, parks, community centers, or shopping.

Three (3) households specifically mentioned staying in the area so their dependents could remain attending the same schools, with specific reference to Willow Glen and, Santa Teresa High Schools. Six (6) households specifically expressed a preference for San Jose, proper, with reference to Blossom Hill, Almaden and, Cambrian Park and, proximity to the 85 Freeway. Within the general vicinity, preferences also included the municipalities of Campbell, Los Gatos, Santa Clara and, Sunnyvale.

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In addition, health needs, which require special consideration for accessibility and proximity to medical facilities, have been identified; one (1) household expressed a need to be close to medical facilities for elderly household members. The interviews were performed by relocation consultant staff and, confidentiality will be maintained.

Also instructional, however, is a comparison between the year 2007 median income categories, by household size, for Santa Clara County, and, those same median income categories for the County for the year 2008. In all categories from Extremely Low, through Lower, incomes remained *constant* one year, forward to the next however, *decreases* of considerable amounts occurred in the *Moderate* income category from an annual *low decrease* of six thousand four hundred dollars (-\$6,400.) for a one (1)-person household to an annual *high decrease* of twelve thousand one hundred dollars (-\$12,100.) for a household of eight (8) persons.

The impact on the Median Income level for all households between years 2007 and 2008 is as indicated in the following Table.

SANTA CLARA COUNTY MEDIAN HUD INCOME LIMITS – 2007 - 2008			
Household Size	Median Income – 2007	Median Income – 2008	Annual Differential
One (1)	\$ 73,900.	\$ 68,500.	(\$ 5,400.)
Two (2)	\$ 84,400.	\$ 78,200.	(\$ 6,200.)
Three (3)	\$ 95,000.	\$ 88,000.	(\$ 7,000.)
Four (4)	\$105,500.	\$ 97,800.	(\$ 7,700.)
Five (5)	\$113,900.	\$105,600.	(\$ 8,300.)
Six (6)	\$122,400.	\$113,400.	(\$ 9,000.)
Seven (7)	\$130,800.	\$121,300.	(\$ 9,500.)
Eight (8)	\$139,300.	\$129,100.	(\$10,200.)

An analysis has been conducted comparing certain household demographic, and income information gleaned from the interviews of the ostensibly over-income tenants vis-à-vis 'Certified Income' information collected by MPH/C/the Partnership at an earlier date in 2007. For the purpose of the analysis it must be noted that, at the time of this writing, the consultant firm has *not verified* income data provided by the prospective displacee households – such as would otherwise be required at the time of actual displacement interviews in order to qualify for relocation benefits – and, consequently, this information must be considered anecdotal in nature at this time.

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Neither MPHIC nor, OP&C, Inc., had responses from the remaining, non-participating four (4) households. Nevertheless, in total, by and between MPHIC and OP&C, Inc., twelve (12) households of the fourteen (14) are apparently "over-income" to continue residing at the Hillside Townhouses and, consequently, will be permanently displaced. During the displacement process, all verifiable over-income households will be subject to permanent displacement.

The following table represents the anticipated, replacement housing needs to properly house the *permanently* displaced households.

RESIDENTIAL RELOCATION REQUIREMENTS (FOR RENT) – CURRENT UNITS VS. REQUIRED UNITS (PERMANENT DISPLACEMENTS)		
Units by Bedroom Count	Current Units Total	Required Units
Two (2)-Bedroom	47	12
Three (3)-Bedroom	1	0
All Units	48	12

Relocation information and assistance will be provided in the primary language of the displaced occupants in order to assure that all displaced occupants obtain a complete understanding of the relocation program and eligible benefits.

C. REPLACEMENT HOUSING RESOURCES

A resource survey of San Jose was conducted May 27, 2008, to identify available comparable, decent, safe and sanitary units, which are adequate in size and contain the required number of bedrooms for each household. Referrals will be made to open market housing. The survey of San Jose found the ready availability of fifty five (55) replacement two (2)-bedroom housing units with monthly rental rates ranging from one thousand one hundred ninety-five dollars (\$1,195.00) to two thousand six hundred thirty-two dollars (\$2,632.00) per month, with a *median* monthly rent of one thousand eight hundred dollars (\$1,800.00) per month. Of the fourteen (14) households providing information to the consultant staff, the median two (2)-bedroom rent at the project site was one thousand one hundred twenty-five dollars (\$1,125.00) per month.

D. CONCURRENT RESIDENTIAL DISPLACEMENT

There are no projects now, or planned in the immediate future, which will impact negatively upon the efforts, and ability of the MPHCC in relocating either the permanently *or*, temporarily displaced households

E. PROGRAM ASSURANCES AND STANDARDS

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

No household will be permanently displaced without a Ninety (90)-day Notice and unless "comparable" replacement housing can be located.

"Comparable" housing includes standards such as: decent, safe and sanitary (as defined in the Guidelines); comparable as to the number of bedrooms, living space, and type and quality of construction of the acquired unit but not lesser in rooms or living space than necessary to accommodate the displaced household; in an area that does not have unreasonable environmental conditions; not generally less desirable than the acquired unit with respect to location to schools, employment, health and medical facilities, and other public and commercial facilities and services.

The relocation program to be implemented by the displacing entity shall conform to the standards and provisions set forth in the Uniform Relocation Act (46 U.S.C. § 4600 et seq.); its implementing regulations (49 C.F.R. Part 24) and all other applicable regulations and requirements.

F. RELOCATION ASSISTANCE PROGRAM

OPC staff is available to assist the displaced tenants with questions about relocation and/or assistance in relocating. Relocation staff can be contacted **Toll-free at 1.877.972.8908** from 9:00 a.m. to 5:00 p.m., Monday through Friday, and also available on-site by appointment. The Relocation Office is located at 7901 Oakport Street, Suite 4800, Oakland, CA.

A comprehensive relocation assistance program, with technical and advisory assistance, will be provided to the households being displaced. Close contact will be maintained with each household. Specific activities will include:

1. To fully inform eligible project occupants of the nature of, and procedures for, obtaining relocation assistance and benefits;
2. To determine the needs of each residential displacee eligible for assistance;
3. To provide assistance that does not result in different or separate treatment due to race, color, religion, national origin, sex, sexual orientation, marital status or other arbitrary circumstances;
4. To assist each eligible person to complete applications for benefits.
5. To make relocation benefit payments in accordance with the Uniform Relocation Act, where applicable;
6. To inform all persons subject to displacement of the Partnership's policies with regard to eviction and property management; and,
7. To establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of the Partnership's decisions with respect to relocation assistance.

Because of the nature of a *permanent* displacement, the following services will be provided to these households in addition to those outlined above:

1. Distribution of informational statements. **ATTACHMENT 1** contains a sample of the informational notices that will be given to the displaced occupants.

2. Timely referrals to replacement dwelling units as defined above and, if necessary, transportation will be provided to inspect potential replacement units.
3. Assistance with completion and filing of relocation claims and appeals forms, if necessary.

G. CITIZEN PARTICIPATION

This Plan will be provided to each household and will be made available to the public for the mandatory thirty (30)-day review period. Comments to this Plan will be included as a Plan addendum prior to submission for approval and adoption by the City of San Jose Redevelopment Agency (the 'Agency'). Section 6012 (Citizen Participation) of the California Code of Regulations, Title 25, Chapter 6, will be adhered to in both the spirit and letter of the law by the Agency and OPC in implementing the Relocation Program.

The Partnership will ensure the following:

1. Full and timely access to documents relevant to the relocation program;
2. Providing technical assistance necessary to interpret elements of the relocation plan and other pertinent materials;
3. Copies of this Plan shall be available for review within 30 days prior to final approval by the Agency. The Agency will receive comments from displacees, and other interested persons regarding this Relocation Plan;
4. A general notice of this Plan shall be provided to all displacees of the proposed project. This Plan shall be made available for circulation for information and review by interested citizen groups, state and county agencies, and all persons affected by the project;
5. The right to submit written or oral comments and objections, including the right to submit written comments regarding the Relocation Plan and to have these comments attached to the Plan when it is forwarded to the Agency for final approval;

6. Upon receipt of public comments, the Plan will be reviewed to ensure that it is feasible, complies with applicable environmental standards, locally-adopted rules and regulations governing relocation; and
7. Upon completion of all reviews, the Plan will be presented for adoption by the Agency.

H. RELOCATION BENEFIT CATEGORIES

Benefits will be provided in accordance with the URA, the CRAL, the Guidelines, and all other applicable regulations and requirements. Benefits will be paid upon submission of required claim forms and documentation in accordance with approved procedures.

The Partnership will provide appropriate benefits for any eligible households as required by the above laws and requirements.

Residential Moving Expense Payments

The subject households will be eligible to receive a payment for moving expenses. The payment will be made based upon either a fixed room count schedule or an invoice for actual reasonable moving expenses from a licensed professional mover.

- 1) **Fixed Payment** - A fixed payment for moving expenses based on the number of rooms containing furniture or other personal property to be moved. The fixed moving payment will be based upon the most recent Federal Highway Administration schedule maintained by the California Department of Transportation, as indicated in **ATTACHMENT 1**.

- Or -

- 2) **Actual Reasonable Moving Expense Payments** - The displaced tenant may elect to have a licensed, professional mover perform the move; if so, the MPHCC will pay for the actual cost of the move up to 50 miles and all reasonable charges for packing, unpacking, insurance, and utility connection charges. The payment will be made directly to the mover or as reimbursement to the displaced tenants.

Rental Assistance/Down Payment Assistance

The permanently displaced households that have established full-time residency within the Project site for a minimum of 90 days *prior to* the "initiation of negotiations" are eligible for both Rental Assistance and Moving Expense Payments. For the purposes of this Plan, the date of "initiation of negotiations" will be established as the date of funding approval.

Except in the case of Last Resort Housing situations, Rental Assistance Payments will be limited to a maximum of \$5,250 based upon the monthly housing need over a forty-two (42) month period. In addition, the tenants may opt to apply the amount to which they are entitled toward the purchase of a replacement unit.

Last Resort Housing

There is adequate "comparable replacement housing" to meet the needs of the displaced tenants. However, a combination of factors, including the income level of the Project occupant, Project rent, and the high cost of replacement units, may create the need for a Last Resort Housing Payment.

"Last Resort Housing" payments are authorized by statute if affordable "comparable replacement housing" cannot be located for the displaced tenant household (i.e., housing renting for not more than 30% of the household's gross monthly income). In this case, payments may be made beyond the \$5,250 statutory cap up to forty-two (42) months' worth of rental assistance. Any supplemental increment beyond \$5,250 will be paid in a lump sum.

If the household chooses to purchase a replacement home rather than rent, the household will have the right to request a lump sum payment of the entire balance for use as a down payment toward the purchase of a comparable replacement dwelling.

Temporary Relocation

Those households that are moved temporarily for rehabilitation activities will be offered residential moving payments as outlined above. During their temporary move, their housing costs will be limited to their current rent plus utilities. Their rent will be limited to the lesser of 30% of the household income or 105% of their current rent for the first year after rehabilitation.

I. PAYMENT OF RELOCATION BENEFITS

Claims and supporting documentation for relocation benefits must be filed with the MPHC within eighteen (18) months from:

- The date the claimant moves from the Project; **or**,
- The date, on which final payment for the acquisition of real property is made, whichever is *later*.

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

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance.
2. Assistance amounts will be determined in accordance with the provisions of Relocation Law and guidelines.
3. Required claim forms will be prepared by relocation personnel in conjunction with claimant(s). Signed claims and supporting documentation will be submitted by relocation personnel to the Partnership.
4. The MPHC will review, and approve claims for payment, or request additional information.
5. The Partnership will issue benefit checks which will be available at the Partnership's offices for pick-up, or will be delivered to the claimant.
6. Final payments will be issued after confirmation that the Project area premises have been completely vacated, and actual residency at the replacement unit is verified.
7. Receipts of payment will be obtained and maintained in the relocation case file.

J. RELOCATION TAX CONSEQUENCES

In general, relocation payments are not considered income for the purpose of the Internal Revenue Code of 1986, or the Personal Income Tax Law, Part 10 of the Revenue and Taxation Code. The above statement on tax consequences is not intended to be provision of tax advice by the Partnership, its Agents, Consultants or Assigns. Displacees are encouraged to consult with their own tax advisors or legal counsel concerning the tax consequences of relocation payments.

K. APPEALS POLICY

The appeals policy will follow the standards described in Section 6150 et seq. of the Guidelines.

Briefly stated, the displaced tenants will have the right to ask for review when there is a complaint regarding any of their rights to relocation and relocation assistance, such as a determination as to eligibility, the amount of payment, or the failure to provide a comparable replacement housing referral.

L. EVICTION POLICY

Eviction by the MPH/C/Partnership is permissible only as a last alternative. With the exception of persons considered to be in unlawful occupancy, a displaced person's eviction does not affect eligibility for relocation assistance and benefits. Relocation records must be documented to reflect the specific circumstances surrounding the eviction.

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

1. Failure to pay rent, except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition; is the result of harassment or retaliatory action; or is the result of discontinuation or substantial interruption of services;
2. Performance of a dangerous, illegal act in the unit;

3. Material breach of the rental agreement and failure to correct breach within 30 days of notice;
4. Maintenance of a nuisance, and failure to abate within a reasonable time following notice;
5. Refusal to accept replacement housing; or,
6. A requirement under State or local law or emergency circumstances that cannot be prevented by reasonable efforts on the part of the public entity.

M. PROJECTED DATES OF DISPLACEMENT

Permanently, and temporarily displaced households will receive a minimum of a 90 day notice to vacate. The project is anticipated to begin in the Summer of 2008. Permanent relocations will begin prior to construction; while each household being *temporarily* displaced will be phased so, for up to one (1) month.

N. ESTIMATED RELOCATION COSTS

The Partnership proposes to utilize Agency financing, Tax Credit Investor Equity and, Tax Exempt Bonds to fund the construction and relocation activities for the Project. The Partnership pledges to appropriate the necessary funds, on a timely basis, to ensure the successful completion of the Project. Any and all required financial assistance will be provided. The estimated relocation budget is:

Permanent Displacements (Incl' moving costs):	\$ 270,000.00
Temporary Moving Costs:	65,000.00
Contingency:	<u>35,000.00</u>
Total:	<u>\$ 370,000.00</u>

ATTACHMENT 1

INFORMATIONAL STATEMENT FOR FAMILIES AND INDIVIDUALS

- I. GENERAL INFORMATION
- II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING
- III. MOVING BENEFITS
- IV. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS
- V. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS
- VI. LAST RESORT HOUSING ASSISTANCE
- VII. RENTAL AGREEMENT
- VIII. APPEAL PROCEDURES - GRIEVANCE
- IX. TAX STATUS OF RELOCATION BENEFITS
- X. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

I. GENERAL INFORMATION

The Hillsdale Townhouses, in which you now live, is to be improved by the 'Mid Peninsula Housing Coalition ('MPHC' or, the 'Partnership')'. As the Project schedule proceeds, it will be necessary for you to move from your dwelling. You will be notified in a timely manner as to the date by which you must move.

Please read this information as it will be helpful to you in determining your eligibility and the amount of your relocation benefits under the federal and/or state law which shall apply. We suggest you save this informational statement for reference.

The MPHC has retained the services of Overland, Pacific & Cutler, Inc., a qualified professional relocation firm, to assist you. The firm is available to explain the program and benefits. Their address and telephone number is:



Overland, Pacific & Cutler, Inc.
7901 Oakport Street, Suite 4800
Oakland, CA 94621
Phone (Toll-free): 1.877.972.8908

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING. However, if you desire to move sooner than required, you must contact your relocation representative with Overland, Pacific & Cutler, Inc. so you will not jeopardize any benefits. This is a general informational brochure only, and is not intended to give a detailed description of either the law or regulations pertaining to MPHC's relocation assistance program.

II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

The MPHC, through its representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate and available housing units. You are encouraged to actively seek such housing yourself.

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When a suitable replacement dwelling unit has been found, your relocation representative will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit provides adequate space for its occupants, proper weatherproofing and sound heating, electrical and plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

III. MOVING BENEFITS

If you must move as a result of displacement by MPHIC, you will receive a payment to assist in moving your personal property. There are two types of moving payments. You have the option of selecting either one of the following types of moving payments:

A. Fixed Moving Payment

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by MPHIC, and ranges, for example, from \$625.00 for one furnished room to \$2,150.00 for eight rooms in an unfurnished dwelling. (For details see the Table, below). Your relocation representative will inform you of the amount you are eligible to receive if you choose this type of payment.

FIXED MOVING SCHEDULE - CALIFORNIA (September, 2007)			
Occupant owns furniture		Occupant does NOT own furniture	
1 room	\$625.00	1 room	\$400.00
2 rooms	\$800.00	each additional room	\$65.00
3 rooms	\$1,000.00		
4 rooms	\$1,175.00		
5 rooms	\$1,425.00		
6 rooms	\$1,650.00		
7 rooms	\$1,900.00		
8 rooms	\$2,150.00		
Each additional room	\$225.00		

If you select a fixed payment, you will be responsible for arranging for your own move and MPHIC will assume no liability for any loss or damage of your personal property.

B. Actual Moving Expense (Professional Move)

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

IV. REPLACEMENT HOUSING PAYMENT FOR TENANTS

You may be eligible for a payment of up to \$5,250.00 to assist you in renting or purchasing a comparable replacement dwelling. In order to qualify, you must have been a tenant who has occupied your present dwelling for a least 90 days prior to MPHC's approval of funding for the project.

A. Rental Assistance. If you qualify, and **wish to rent** your replacement dwelling, your rental assistance benefits will be based upon the difference over a forty-two (42) month period between the rent you must pay for a comparable replacement dwelling and the lesser of your current rent or thirty percent (30%) of your gross monthly household income. You will be required to provide your relocation representative with monthly rent and household income verification prior to the determination of your eligibility for this payment.

- OR -

B. Down-payment Assistance. If you qualify, and **wish to purchase** a home as a replacement dwelling, you can apply up to the total amount of your rental assistance payment towards the down-payment and non-recurring incidental expenses. Your relocation representative will clarify procedures necessary to apply for this payment.

V. QUALIFICATION FOR AND FILING OF RELOCATION CLAIMS

To qualify for a Replacement Housing Payment, you must rent or purchase and occupy a comparable replacement unit **within one year from the later** of the date you move from the displacement dwelling or the date MPHC fulfills its obligation to make available a comparable replacement dwelling.

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

VI. LAST RESORT HOUSING ASSISTANCE

If comparable replacement dwellings are not available when you are required to move, or if replacement housing is not available within the monetary limits described above, MPHC will provide Last Resort Housing assistance to enable you to rent or purchase a replacement dwelling on a timely basis. Last Resort Housing assistance is based on the individual circumstances of the displaced person. Your relocation representative will explain the process for determining whether or not you qualify for Last Resort assistance.

If you choose to purchase rather than rent a comparable replacement dwelling, the entire amount of your rental assistance and last resort eligibility must be applied toward the down-payment of the home you intend to purchase.

VII. RENTAL AGREEMENT

Except for the causes of eviction set forth below, you will not be required to move from MPHPC's property without having been provided with at least 90 days written notice. Eviction will be undertaken only in the event of one or more of the following infractions:

- A. Failure to pay rent; except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition, is the result of harassment or retaliatory action or is the result of discontinuation or substantial interruption of services;
- B. Performance of dangerous illegal act in the unit;
- C. Material breach of the rental agreement and failure to correct breach within 30 days of notice;
- D. Maintenance of a nuisance and failure to abate within a reasonable time following notice;
- E. Refusal to accept one of a reasonable number of offers of replacement dwellings; or
- F. The eviction is required by State or local law and cannot be prevented by reasonable efforts on the part of the public entity.

VIII. APPEAL PROCEDURES - GRIEVANCE

Any person aggrieved by a determination as to eligibility for a relocation payment, or the amount of a payment, may have his/her claim reviewed or reconsidered in accordance with MPHPC's appeals procedure. Complete details on appeal procedures are available upon request from MPHPC.

IX. TAX STATUS OF RELOCATION BENEFITS

Relocation benefit payments are not considered as income for the purpose of the Internal Revenue Code of 1986 or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11(commencing with Section 23001) of Division 2 of the Revenue and Taxation Code.

X. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE

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

OP&C, Inc.
03.08

