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**acquisition
policies and
relocation
assistance**



*For Relocation Assistance, Contact
Your National Park Service
Relocation Representative*

introduction

This booklet describes the National Park Service's land acquisition policies and the relocation assistance and payments you may be eligible to receive besides payments for your land and improvements.

This booklet is *not* a notice to vacate. You will not be asked to move until the National Park Service buys the property you occupy or own, and until relocation assistance has been offered to you.

No two claim situations are exactly alike, so if your questions are not answered here, or if you need further help, please contact your Park Service relocation representative. We can explain our acquisition and relocation programs, advise you of benefits you may receive, and answer any questions. We can provide you with information on the availability of possible replacements for your dwelling, business, or farm operation, and furnish you with information on various Federal and State programs that may help you.

Above all, remember these points of the Relocation Act:

You do not have to move until you are offered assistance in finding suitable replacement property.

If you are an owner, you will be offered a fair price for your property. Any relocation benefits paid to you will be in addition to this amount.

To be eligible for relocation benefits, you must either vacate because of acquisition or you must receive a written notice to vacate before you move. Do not move until you have been contacted by your relocation representative.

To receive any cash benefits you must submit all completed claim forms within 18 months from the day you are displaced.

The money you receive for relocation assistance will be determined by your specific situation, by housing and other conditions in your area, and by decisions you make about your property.



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policies for acquiring property

If you own real property which is to be acquired by the National Park Service, the following uniform acquisition policies will apply to the transaction:

Your property will be appraised to estimate its fair market value before we begin negotiations, and we would like either you or your representative to accompany the appraiser if possible.

As soon as possible after receipt of the appraisal, we will start negotiations to acquire your property. Negotiations will begin with our written offer, which will be not less than our appraisal of the fair market value of your real property.

Unless we have a very unusual possession requirement, you will be given at least 90 days to move. Under no circumstances will you have to leave before you are paid for your property.

We can pay for most, if not all, of what it may cost to convey the title to your real estate to the Government. The Relocation Act provides that we can compensate you for these title conveying costs:

- 1. Recording fees, transfer taxes, and similar expenses incidental to conveying your real property.*
- 2. Penalty cost for prepayment of any preexisting recorded mortgage entered into in good faith encumbering your real property.*
- 3. The pro rata portion of real property taxes you paid to cover the period after title was vested in the United States.*

We can pay other similar expenses to the extent they are fair and reasonable, but we will not pay for costs necessary to clear defects in title to your property.

moving expenses

If you own or rent a home or apartment, or if you live in a furnished room or apartment, we can pay you either what it actually costs you to move to your new home or a fixed amount based on a moving cost schedule. The moving schedule benefit is based on the number of rooms in your previous home plus a dislocation allowance of \$200. In other words, we will multiply the number of rooms in your home by a fixed amount per room. We will then add a dislocation allowance of \$200 to cover incidental expenses. The total for all of your rooms plus the \$200 dislocation allowance cannot be more than \$500. Your relocation adviser can tell you exactly what this benefit will be before you move. If you decide to receive actual moving expenses, you can be paid for the following:

- 1. Transportation of you, your family, and your belongings from the previous location to the new site (but usually not beyond a 50-mile radius).*
- 2. Packing and advertising for packing, if required.*
- 3. Storage, generally not to exceed 12 months.*
- 4. Insurance while your property is in storage or transit.*
- 5. Removal and reinstallation of equipment, appliances, and other items.*
- 6. Property lost, stolen, or damaged in the process of moving when not covered by insurance.*
- 7. Other reasonable expenses if approved by the National Park Service.*

You can be paid for moving your personal property even though you did not live on the acquired property. This could apply to the owners or tenants of businesses or farms, or even to owners of equipment on vacant land. If you choose to receive actual moving expenses, please note that you must be able to document your expenses with receipts or other proof of payment; that we can reimburse you for the full amount of your actual cost as long as the expenses are your true costs and are found to be fair and reasonable; and that normally, commercial moving charges are an upper limit to the amount of actual moving expenses we can pay.

replacement housing for homeowners

You may be eligible for assistance provided to homeowners if you have owned and occupied your home as your permanent place of abode for at least 180 days prior to the date the National Park Service furnished you or your representative with a written offer to buy your property. Homeowners who do not meet the 180-day time limitation may be able to receive the benefits described for renters and others.

Advisory Services. Part of our job is to help you find housing comparable to that you are leaving. To meet our standards, the replacement must:

- 1. Have a kitchen, a separate complete bathroom, hot and cold running water, and safe and adequate electrical and heating systems.*
- 2. Be functionally equivalent to and substantially the same as your previous home.*
- 3. Be adequate in size to meet the needs of your family.*
- 4. Be open to all persons regardless of race, color, religion, and national origin.*
- 5. Be located in an area where neighborhood conditions, public utilities, and public and commercial facilities are comparable to those in the area you are leaving.*
- 6. Be reasonably accessible to your place of employment.*

You do not have to accept, live in, or buy replacement housing we recommend. Our selections are intended only to help you. The choice is up to you.

Replacement Housing Costs. If we buy your home and if you meet the necessary qualifications, you can be paid an amount to help you buy a comparable replacement home. You must, however, move into your new home within one year of the date we acquire your previous home, or the date you vacate the premises, whichever is later.

The amount you receive usually will be determined by a survey of comparable homes for sale on the private market. We look for homes comparable to yours and make a list of their costs. If the acquisition price of the home you are leaving is less than the average cost of these comparable dwellings, you may receive the difference to help you buy a new home. This difference, together with any increased interest expenses on a mortgage and any incidental expenses you incur, such as title insurance, recording fees, and other closing costs, is your replacement housing benefit.

The new home you buy can be much more expensive than your previous home, but your cash benefit will be limited to the difference between the average cost of a comparable house and your previous home. If you buy a new home for less than the price of a comparable home, the benefit will be reduced accordingly. Under no circumstances can your total replacement housing benefit be more than \$15,000. This benefit, remember, is in addition to the amount paid for your property.

replacement housing for renters and others

You may be eligible for the assistance provided to renters and some homeowners if you have occupied your home for at least 90 days prior to the day the National Park Service furnished the property owner or his representative with a written offer to buy the property.

Sometimes very unusual or complex situations can arise. If this is true in your case, we can work with you to establish your exact relocation benefits. If you have any questions, your relocation representative will try to help you.

Remember, do not move until your relocation representative has contacted you. To be eligible for any assistance, you must receive a written notice to vacate.

Advisory Services. If you wish, we may be able to help you find an apartment or house. You, of course, do not have to move into any replacement home we suggest. Whatever we show you is only intended to help you make the decision.

Our relocation staff can help you find public housing or assist you through social service programs. Call if you have any questions.

Replacement Housing. If you are eligible, you can make one of two choices about replacement housing:

1. *You can decide to rent your new home, in which case you may receive the amount necessary to pay for any rent increase; or*

2. *You can decide to buy a new home, in which case you may receive the amount needed to help you make a downpayment.*

If you decide to rent, the amount you can receive depends on what it costs in your community to rent a

dwelling comparable to your present home. We will make a survey, and we can tell before you move what rental properties will be available and what they will cost. Your rent supplement check, if any, will be the difference between what you now pay and what you must pay in the future. It will be computed for a period not to exceed four years, but the total cannot exceed \$4,000.

If you decide to buy, you may receive the amount necessary to make a downpayment on a decent, safe, and sanitary home that is adequate to your needs. We cannot give you more than the amount you would need for a downpayment under a conventional mortgage loan. We also are limited to a total of not more than \$4,000, and you must match in equal proportions anything we pay you over \$2,000.

The downpayment money must be used to buy and occupy a dwelling within one year after being displaced, and we may have to inspect the house to make sure that it meets minimum plumbing, wiring, heating, and other building and health standards.

displacement of businesses, farms, or nonprofit organizations

The laws and regulations governing payment of claims to displaced businesses, farms and/or nonprofit organizations are complex. The information in this section will give a general idea of what you may be entitled to, but consult our relocation office for details.

The owner of a displaced business, farm, or nonprofit organization is entitled to payment for relocation costs including:

1. *Actual moving costs of all personal property.*
2. *Actual direct losses of tangible personal property up to the amount it might cost to move the items to the new location; this could apply to sand or gravel stock-piles, heavy but relatively obsolete equipment, and similar objects.*
3. *Actual expenses in searching for a replacement site, including travel, meals, lodging, and your or a consultant's time, but not usually to exceed \$500.*

Under some circumstances you may be eligible for a payment in lieu of your actual relocation costs for business and farm displacements.

Business Displacements. As a business owner you can, if you wish, apply for a payment in lieu of your actual moving expenses, direct losses, and search costs. There are, however, eligibility requirements and you should consult your relocation adviser for an interpretation of these rules.

If you meet these qualifications, the payment would be equal to your average net earnings but would not be less than \$2,500 or more than \$10,000. Average annual net earnings equals one-half of any net earnings, before Federal, State, and local income taxes, during the two

taxable years immediately preceding the taxable year in which your business moves from the real property acquired for such project.

Any compensation paid by the business or farm operation to the owner, spouse, or dependents during this period may be included as part of the net earnings.

Farm Displacements. If you own a farm and are being displaced, you may be entitled to a payment in lieu of actual moving costs, direct losses, and search expenses, equal to your average annual net earnings but not less than \$2,500 or more than \$10,000. If we buy only a part of your farm, we can only give you the in-lieu payment if the property remaining in your ownership can no longer be operated as a farm.

Displacement of Nonprofit Organization. Nonprofit organizations may also be eligible for a payment in lieu of actual moving costs, direct losses, and search expenses. If you represent a nonprofit organization, consult the local National Park Service relocation representative for information on eligibility requirements and possible benefits.

procedures for filing claims

To be paid, you must submit claim forms within 18 months of the date you move, or the date we make final payment for your property, whichever is later. Every claim situation is different. You should talk to our relocation representative for details, or for assistance in completing your claim forms.

The claim forms should be filed at the address shown in the front of this booklet.

determination of claim- right of appeal

After you file your claim, we will promptly determine the benefits you are entitled to receive and you will receive a copy of our decision with a full explanation of any amount disallowed. The decision will be final unless within 30 days from the date of mailing the decision to you, you file a written notice of appeal to: *Director, Office of Hearings and Appeals, Department of the Interior, Washington, DC 20240.*

The notice of appeal should contain enough information to identify the action or decision appealed and should give a brief but complete statement of the facts relied upon and the relief desired. A copy of the notice of appeal and any accompanying statements of the reasons therefor should be mailed to the official who made the decision.

A detailed description of the appeal procedure is contained in 43 Code of Federal Regulations, Part 4, Subpart G. Our relocation representative can explain your appeal rights more fully if you desire further information.



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As the Nation's principal conservation agency, the Department of the Interior has basic responsibilities for water, fish, wildlife, mineral, land, park, and recreational resources. Indian and Territorial affairs are other major concerns of America's "Department of Natural Resources." The Department works to assure the wisest choice in managing all our resources so each will make its full contribution to a better United States—now and in the future.

National Park Service

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