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If I must move . . .



New Jersey State Library



NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF RIGHT OF WAY
BUREAU OF PROPERTY AND RELOCATION

WHEN WILL I HAVE TO MOVE?

No occupant of a property is required to move for at least 90 days after being personally contacted by a Departmental Relocation Representative and a later written Relocation notice is given to you. Whenever possible, as construction schedules permit, this period will be extended.

WHAT NOTICES WILL I GET?

Through previous general public information releases and other similar notices, you have learned that, in order to improve our State transportation network, the property you occupy will be purchased for public use. These same public notices provided general information regarding Relocation Assistance. Later, following the signing of an agreement with the owner (or the institution of condemnation if the negotiations with the owner fail), there will be personal contacts between you and a Relocation Advisory Representative of the Transportation Department. You will also receive a copy of this booklet.

WHAT SHALL I EXPECT WHEN I AM CONTACTED BY THE RELOCATIONS REPRESENTATIVE?

When the State's Relocation Representative contacts you, he will explain the various benefits and services that are available to you and should you desire, he will assist you in developing a personalized relocation plan. The relocation representative will assist you at every stage of your move and will remain in continuing personal contact until your relocation has been successfully completed.

WHAT SERVICES AND PAYMENTS ARE PROVIDED BY THE STATE'S RELOCATION ASSISTANCE PROGRAM?

1. Assistance in finding replacement houses and business locations.
2. Moving Expense Reimbursement.
3. Business Discontinuance Allowances in lieu of moving reimbursement.
4. Payment of Replacement Housing supplements (when applicable).
5. Payments of Rent Supplements (when applicable).
6. Payments of certain expenses incidental to conveying title to the State.
7. Provision of related supporting services and assistance.

WHAT IS THE RELOCATION ASSISTANCE PROGRAM?

First, if you desire, the State's Relocation Representative will help you find a place to live or in which to do business. The Representative assigned to personally assist you will have lists of properties being offered for sale or rent that are in suitable condition, price or rental range for your family. He will also have other information concerning transportation, typical real estate purchase prices and lease costs, public housing and the services offered by other agencies in the area.

No family or individual will be required to move unless there is available decent, safe and sanitary replacement housing reasonably suitable to their needs and within their means. Pending the location of such replacement housing, owners and tenants may arrange, through the Relocation Representative, to remain in occupancy after the State has acquired the property on a temporary basis through a lease rental arrangement, paying their rent to the State.

MOVING EXPENSE REIMBURSEMENT

Most house owners, tenants, businesses and farms displaced by a highway project will be eligible for payment of their moving expense.

Moving expenses include:

dismantling
disconnecting
crating
loading
insuring
temporary storage (when necessary)
transporting
unloading
reinstalling of personal property,
including service charges in connection
with reinstalling

Moving costs *do not include* any additions, improvements, alterations or other physical changes in or to any structure in connection with moving personal property.

WHO MAY RECEIVE MOVING EXPENSES?

Most dwelling occupants, businesses, non-profit organizations or farm operators are eligible to claim these costs. The State's Relocation Representative will inform you if you are eligible.

MOVING COST – LIMIT ON DISTANCE

Payments for moving are limited to a distance of 50 miles. Any additional mileage charges must be paid by the person being moved.

STORAGE

In emergencies, if it is necessary for a person to store his personal property, *the State will pay reasonable storage charges for not more than one year.* However, the State must first approve plans for emergency temporary storage in advance.

MOVING PAYMENT OPTION PLAN

Owners or tenants of a residential dwelling unit may choose between an "actual cost" method plan or to be paid a flat sum payment based on a "Room Count" schedule. You may choose the method best for you.

ROOM COUNT SCHEDULE

The room-count method of payment schedule is as follows:

<i>Number of Counted Rooms</i>	<i>Amount</i>
1	\$45
1 ½	55
2	60
2 ½	75

Number of Counted Rooms

Amount

3	85
3 ½	95
4	105
4 ½	120
5	130
5 ½	145
6	165
6 ½	175
7	185
7 ½	200**
8	
8 ½	
9	
9 ½	
10	
10 ½	
11	
11 ½	

** Denotes maximum moving payment regardless of total number of rooms

If you choose the room count method, no more than \$200 can be paid no matter how large your house. However, with the schedule you also receive an additional \$100 dislocation allowance regardless of the number of rooms. For example, if your home has four rooms, you will receive \$105.00 plus \$100 for a total payment of \$205.00.

Sleeping room occupants will receive a maximum of \$45.00 for a room with personal furniture or \$10.00 for a room without personal furniture, plus \$100 dislocation allowance in each case.

WHAT ARE "ACTUAL AND REASONABLE" MOVING PAYMENTS?

Instead of the "Room Count" method, you may choose the "Actual Cost" method which provides for payment of actual and reasonable expenses of moving. But, if you choose the "Actual Cost" method, you will not be eligible to receive the \$100 dislocation allowance, which room-count payees receive.

BUSINESS MOVES

The room count schedule does not apply to business, commercial or similar moves where estimates from reliable movers must first be submitted and approvals secured from the State for relocation on an "Actual Cost Basis" or for a "Self Move."

Whichever method you are eligible for or elect to choose, the State's Relocation Representative will be available to assist you in understanding the requirements and preparing your application.

WHAT SHALL I DO BEFORE I MOVE?

If you are eligible for and choose the "Room Count" schedule method of payment, the State Relocation Representative will furnish you with the necessary forms.

If you are a business, farm or non-profit organization or as a family or individual you elect for the "Actual Cost" method, you must furnish the State's representative with two (2) competitive moving estimates from separate licensed movers for review and appraisal.

Upon approval of your estimate, the State's Relocation Representative will give you a letter

authorizing the move based on the lowest reasonable estimate. He will also furnish you with any other necessary forms and information.

HOW DO I CLAIM PAYMENT FOR MOVING COSTS?

To receive payment *after* you have moved, simply mail the forms furnished you by the State certifying that you have relocated. Upon verification of the move by a State representative, your claim will be promptly processed for payment.

WHAT ABOUT MOVING PAYMENTS IF I LIVE IN A MOBILE HOME?

Residents living in mobile homes are entitled to moving payments under different plans dependent on the circumstances of their occupancy and whether they own or rent the trailer and/or the land on which it is located. The Relocation Representative will review each individual situation and advise you in advance as to the moving plans to which you may be entitled if you live in a mobile home.

BUSINESS DISCONTINUANCE ALLOWANCE

Operators of farms or businesses may be eligible for either their actual cost of moving or, depending on the circumstances of their case, for a Business Discontinuance Allowance. The maximum available is \$5,000.00

The Business Discontinuance Allowance is a payment instead of "Actual Cost" of moving expense of an amount equal to the average net earnings of the farm or business whichever is lesser.

To be eligible for the Discontinuance option, it must be determined that:

1. The business cannot be relocated without a substantial loss in the average dollar volume of business transacted during the two taxable years immediately preceding the year in which the business is required to move from the premises.

2. The business is not part of a commercial enterprise having at least one other establishment which is not being acquired and which is engaged in the same or similar business.

3. For either a business or a farm operation to be eligible to choose this option, the operation must not be capable of continuing to operate with equal economic success on the portion of the property not acquired for the highway.

The Relocation Representative will personally explain the details of the Business Discontinuance to you. If you believe you are eligible and wish to make a claim for a Business Discontinuance Allowance instead of a moving reimbursement, the Relocation Representative will furnish you with the proper forms. These will be evaluated by the State to determine if you are eligible and the amount to which you may be entitled.

SUPPLEMENTAL HOUSING PAYMENTS

There are two kinds of supplemental housing payments to which certain home owners and residential tenants may be entitled if they buy or rent and actually occupy a decent, safe and sanitary replacement home, duplex or apartment unit.

WHAT IS MEANT BY A DECENT, SAFE AND SANITARY DWELLING?

A decent, safe and sanitary dwelling is one which:

1. Conforms to local building, housing and occupancy codes for existing structures.

2. Has continuing supply of safe water.

3. Has kitchen with hot and cold water, and sink with sewage connections. Must have areas for stove and refrigerator with proper utility connections.

4. Has adequate heating system for living area.

5. Has ventilated, lighted bath with privacy available and shower or tub, adequate hot and cold water supply, flush toilet and connections to an adequate sewage system, all in good working order.

6. Has artificial lighting provisions in each room.

7. Is structurally sound and adequately maintained.

8. Has two, safe unobstructed exits leading to safe open space at ground level.

9. Meets the following standards of habitable floor space:

a. 150 square feet for the first occupant, and

b. at least 100 square feet for each additional occupant.

Habitable floor space means the part used for sleeping, living, cooking and dining, and does not include closets, pantries, bathrooms, service or utility rooms, hallways, foyers, unfinished attics, storage spaces, cellars and similar spaces.

In addition, the floor space is to have sufficient rooms to be adequate for the family. All rooms must be adequately ventilated.

NOTE: Special standards applying to rooming house or sleeping room facilities can be obtained from the Relocation Representative.

WHAT IS AN OWNER REPLACEMENT-HOUSING SUPPLEMENT?

Owner-occupants of one, two, or three family houses

may be eligible to receive a payment representing the difference (if any) between the price the State paid for their home and the average price of a functionally comparable dwelling.

WHO IS ELIGIBLE FOR AN OWNER REPLACEMENT HOUSING PAYMENT?

Persons who: (1) have actually owned and occupied a one-two-or three family dwelling as their principle residence (for at least one year) before the State made its first written offer, and; (2) purchase and occupy a decent, safe and sanitary dwelling within one year after the date they were required to vacate the dwelling unit acquired by the State.

MUST THE NEW HOUSE BE COMPARABLE?

The house you buy does not have to be comparable to your old one.

Comparability is simply the standard used to determine the amount you may be entitled to claim.

HOW WILL THE AMOUNT OF THIS PAYMENT BE FIXED?

A study will be made by the Transportation Department Relocation Office to find the average market selling price of decent, safe and sanitary dwellings functionally comparable to your own. If the price paid to you for your home is lower than the average price found by the study, you may receive the difference as a supplemental payment.

The supplemental payment for replacement housing *can never exceed \$5,000.00.*

WHAT IS MEANT BY A FUNCTIONALLY COMPARABLE DWELLING?

It is a dwelling which, when compared with yours, is

generally equal in the number of rooms, living area, type of construction, age and condition. It must be in the same type of neighborhood and be equally accessible to public services and places of employment.

HOW DO I RECEIVE PAYMENT FOR A HOUSING SUPPLEMENT?

If you are eligible for a supplement, a written statement of the amount of this payment, if any, will be given to you when the Transportation Department purchases your property, and will be included as a contingency of the purchase agreement.

BE CAREFUL!

To receive payment, the State is required to certify that the home you purchase and occupy is decent, safe and sanitary in order for you to be eligible for the supplement.

On request, the State will have an inspection made of any dwelling you may wish to purchase to determine whether it qualifies as decent, safe and sanitary.

The Relocation Representative will furnish you with the required application and invoice forms and payment will be made to you if the house you purchase meets the required standards.

IF YOU OWNED AND OCCUPIED YOUR HOME FOR ONE YEAR—BUT DO NOT PLAN TO BUY AGAIN

If you are a displaced home owner who qualifies for the replacement housing supplement previously described, but do not plan to purchase another home—

You may qualify for the type of supplemental payment offered to owners who owned and occupied their homes for over 90 days, but less than one year, as described under rent supplementals.

Owner Rent Supplementals

If you did not actually own or occupy your dwelling for at least one year, but did own or occupy it as your principle residence for at least 90 days before the State made its first written offer to purchase or if you qualify for a replacement housing payment but choose to rent, rather than buy a replacement —

You may be eligible for a supplementary payment up to \$1,500.00.

Tenant Rent Supplementals

Tenants who have occupied a property acquired by the State for at least 90 days before the initiation of negotiations may also be eligible for rent supplementals up to \$1,500.00, if the economic rent for the property purchased by the State is less than the rent necessary to lease a replacement apartment which is decent, safe and sanitary.

Must I rent a comparable dwelling to qualify?

You are not required to rent accommodations *comparable* to your old home to qualify for this supplement. Comparability is simply the standard to determine the amount you may be entitled to claim. However, it must be decent, safe and sanitary. You can, for instance, use the payment toward purchase of another home. The same down payment option is available for tenant occupants.

The Relocation Representative will explain the process and furnish you with the required forms and assist you in processing them.

When can a claim for the rent supplement be paid?

A rental supplement claim can be paid as soon as possible after you have:

1. moved from your old home, and
2. have occupied decent, safe and sanitary housing.

The time limit for filing a claim is 18 months after the date you vacated your old home.

Note: Owners of mobile homes should check with their assigned Relocation Representative for special provisions.

What if a person is denied a payment or believes it should be greater?

If a person has been denied payment he believes he should receive, he should bring it to the attention of the Relocation Representative for re-analyzation. Usually, in most instances, this Representative will be able to clarify matters for you. If the Relocatee is still not satisfied, he may apply to the Commissioner of Transportation.

Who determines the amount of rent supplementals?

The rent supplement amount will be determined by market comparability studies undertaken by the State.

How do I claim a rent supplement?

Eligible owners will be given a rent supplement offer at the time an agreement is made for the purchase of their property and the amount will be made a contingency of the purchase contract.

Eligible tenant occupants will be notified of any supplementals to which they are entitled by the assigned Relocation Representative who will call upon them.

How is an appeal made?

A letter stating all the facts in the case and the reason you believe your claim should be paid should be mailed to the State Commissioner of Transportation, New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625.

Appeals must be commenced within one year after you have been required to vacate.

PAYMENT FOR TITLE CONVEYANCES AND TAX REIMBURSEMENT COSTS

In addition to the other mentioned benefits and payments, the State will reimburse owners for:

1. Taxes may be reimbursed on a pro rata basis covering the remainder of the concerned tax year from the date subsequent to the vesting of title in the State or the date of possession, whichever is earlier.

The vesting of title shall be construed to be the date of delivery of the Deed. The date of possession is construed as the date of making a court declaration of taking and deposit.

2. Also reimbursable are recording fees, transfer taxes and similar expenses incidental to conveying title to the State if paid by the owner as well as penalty costs for prepayment of a mortgage entered into in good faith encumbering the property being acquired if the mortgage is on record as of the date of final approval by the State of the project location.

OTHER FORMS OF ASSISTANCE

It is the intention of the State Department of Transportation to cooperate and assist those persons, families and businesses displaced by reason of acquisitions for public highway purposes in every way possible.

Your Relocation Representative has been assigned both to explain and help you to secure the benefits and payments to which you are entitled as well as when requested, to assist you in the development of a personalized relocation plan and the location of a new home suitable to your needs.

He is also personally available for additional consultation throughout your move and maintains liaison contact with many public agencies, should you need their assistance, such as the Veteran's Administration, Religious Councils, the Federal Housing Administration, Urban Renewal and other non-profit housing groups, public loan agencies, Child Guidance and Health Departments, the Federal Small Business Administration, etc.

Should you desire assistance in contacting or being introduced to any of these or similar agencies, your Relocation Representative will be pleased to assist you on request.

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