

ATTACHMENT 1



Mountain View Apartments Project

RELOCATION PLAN

Prepared for:

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INTRODUCTION

National Community Renaissance (the “Developer”) authorized the preparation of a Relocation Plan to be undertaken in connection with the proposed new affordable housing project called the Mountain View Apartments Project (“Project”). The Developer has acquired the property located at 24551 Raymond Way, Lake Forest, CA 92630 as the proposed Project site. The existing commercial structure will be demolished to allow for the new construction.

The Project entails the new construction of 71 affordable rental units within two buildings. Of the 71 units, 43 units will be devoted to individuals and families earning up to 30% of Orange County’s area median income (AMI), 12 units @ 40% AMI, 15 units @ 50% AMI, and there will be non-restricted one manager’s unit. The 71-unit project will be comprised of 18 one-bedrooms units, 35 two-bedroom and 18 three-bedroom units. The proposed Project conforms with the local housing element.

The Developer anticipates funding for the Project will come from multiple financing sources, including housing in lieu fees from the City of Lake Forest, project-based Section 8 assistance from the County of Orange, SNHP funds, MHP funds, No Place Like Home funds, 4% tax credits and the Developer’s predevelopment funds.

Due to the necessary demolition of the existing structure, the current Project site occupants will need to be permanently relocated. The needs and characteristics of the displacee population, available relocation resources and the Developer’s program to provide assistance to each affected person are general subjects of this Relocation Plan (Plan). A Relocation Plan was prepared in December 2019 and this Plan has been updated to reflect the tenants as of July 2020.

This Plan conforms to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, HUD Handbook 1378, California Relocation Assistance Law, Government Code Section 7260, et seq. (Law), and the Relocation Assistance and Real Property Acquisition Guidelines adopted by the Department of Housing and Community Development as in Title 25, California Code of Regulations Section 6000, et seq. (Guidelines).

This Plan is organized in five sections:

1. Project description (**SECTION I**);
2. Assessment of the relocation needs of persons subject to displacement (**SECTION II**);
3. Assessment of available replacement commercial sites within the City of Lake Forest and surrounding communities (**SECTION III**);
4. Description of the Developer’s relocation program (**SECTION IV**);
5. Description of the Developer’s outreach efforts, Project timeline and budget (**SECTION V**).

I. PROJECT DESCRIPTION

A. REGIONAL LOCATION

The Project is located in the City of Lake Forest within Orange County. Lake Forest is located approximately 45 miles southeast of Los Angeles and is easily accessible by Interstate 5. Adjacent communities include Mission Viejo, Laguna Hills, Irvine, Rancho Santa Margarita and Foothill Ranch (*Figure 1: Regional Project Location*).

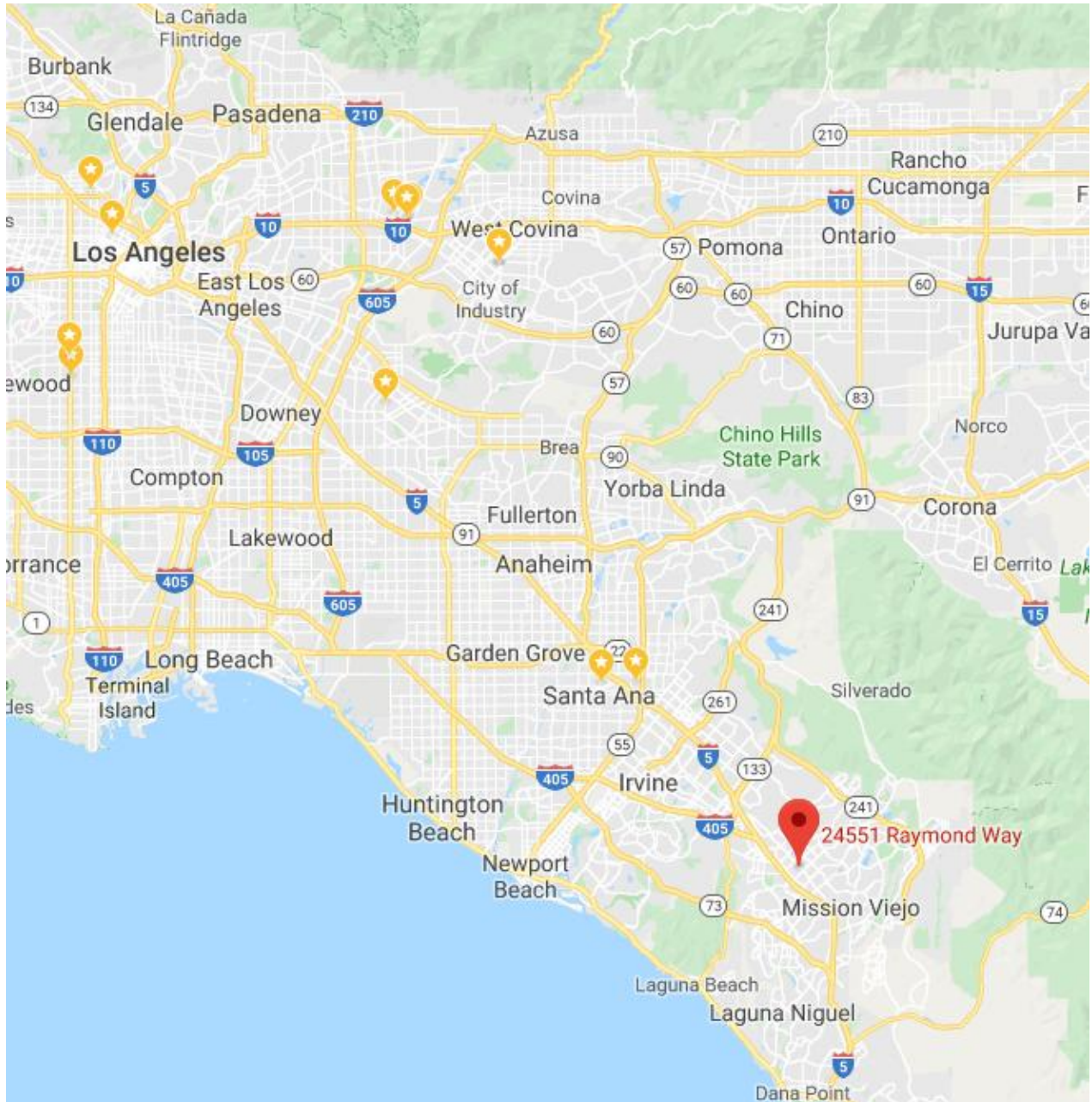


Figure 1: *Regional Project Location*

B. PROJECT SITE LOCATION AND DESCRIPTION

The Project site is located at 24551 Raymond Way, Lake Forest, CA 92630 generally bordered by Packer Place, Raymond Way, Jutewood Place and El Toro Road (*Figure 2: Project Site Location*).

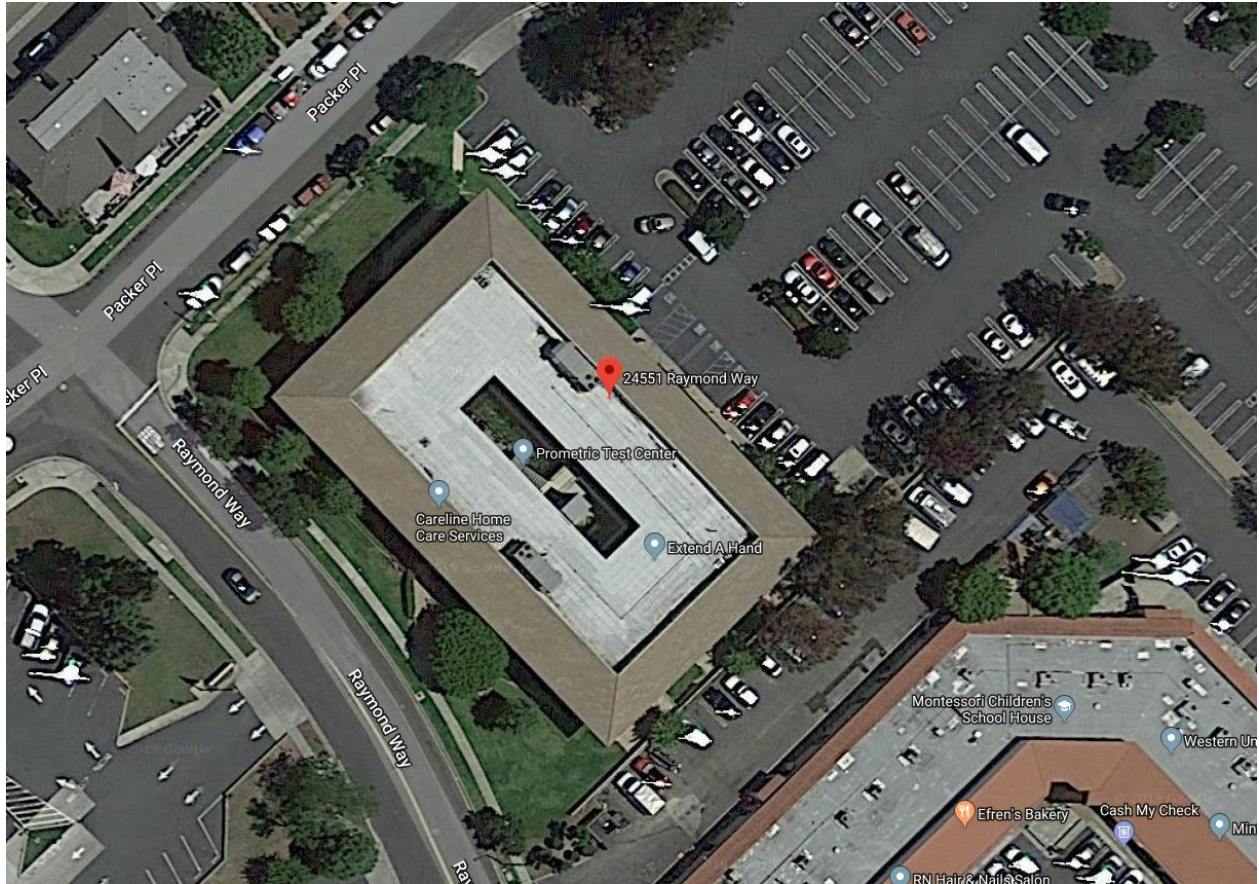


Figure 2: Project Site Location

The Project site is on one parcel consisting of 1.95 acres and is currently improved with one commercial structure. Within the structure, there are 35 commercial spaces, 18 of which are currently occupied by 16 businesses (two businesses occupy two spaces each), and 17 spaces are vacant.

II. ASSESSMENT OF RELOCATION NEEDS

A. SURVEY METHOD

There are 16 non-residential tenants on the Project site that will be permanently relocated. To obtain information necessary for the preparation of this Plan, personal interviews with the business owners were completed by OPC relocation staff in November 2019. OPC was successful in interviewing 18 of the 25 business owners. Despite multiple attempts on-site in person, via a letter and via phone calls, seven business owners remained unresponsive or declined to interview after contact was made with them. (Two of the seven business owners not interviewed indicated they would be vacating by the end of December 2019 even though they are not being required to vacate for the Project.)

Multiple contact attempts were again made with the 16 remaining business owners in July 2020. OPC was successful in re-interviewing nine of the 16 owners. One owner refused to provide information about their business and six owners were non-responsive. The data in this section of the Plan are based solely on the verbal information provided by the business owners and lease information provided by the Developer.

Inquiries made of the non-residential occupants pertained to the type and description of the business, number of employees, annual revenues, specialty equipment, permits and licenses, hours of operation, special needs related to the relocation of the business, and preferred area to relocate.

B. TENANT DATA

1. Current Occupants

There are 16 non-residential occupants currently on the Project site with operating businesses. There were 28 businesses on site when the original Relocation Plan was prepared in November 2019. Two additional business owners had either given the former property owner notice they were moving from the site or gave notice to the Developer (new owner) during that time. Both owners were in the process of moving out in November when interviews were being conducted.

Two other business owners gave notice to the Developer of plans to vacate the site by the end of December 2019, although one did not subsequently move out. All businesses planning to vacate in the near future were provided with a General Information Notice advising them of the consequences of moving prior to receiving a Notice of Eligibility (no relocation assistance) and were contacted in person to advise them of the same.

An additional 11 businesses moved from the Project site between December 2019 and July 2020, although all owners received a General Information Notice in November 2019. Information was provided by two of the owners that vacated that the COVID-19 pandemic caused either their bankruptcy or a closure of their business. It is assumed the pandemic may have affected the other businesses that moved in the same way.

The known businesses, who remain on the Project site beyond in July 2020, consist of the following types as shown in Table 1 below. (Contact was not made with four business owners, therefore the exact nature of some businesses is unknown.)

Type of Business	Number of Businesses
Physical therapist	2
Mediation services	1
Insurance services	1
Exam proctor	1
Chiropractor	1
Adult day program	1
Farm labor contractor	1
Security systems	1
Tax services	1
Appraisal services	1
Sportswear company	1
Unknown	4

The businesses currently occupy between 150 sq. ft. – 3,000 sq. ft. of office space. The current rental rates are between \$1.33/sq. ft. and \$3.63/sq. ft., with mainly term leases and at least one tenant with a month-to-month rental agreement.

It does not appear there will be special replacement site requirements for the businesses other than the appropriate zoning, adequate space and adequate parking. The businesses should be able to relocate into alternate office space in the area, and of the business owners interviewed, almost all indicated a desire to remain within Lake Forest and/or within five miles of the Project site.

Several owners are open to anywhere in Orange County, and one owner is open to Los Angeles County. Several of the business owners indicated a desire to purchase a replacement building rather than lease a replacement office space.

Concerns of the business owners related to relocating included: adequate parking, including enough handicap spaces, early termination fees associated with internet contracts, remaining in proximity to existing patients, customers and clients, finding alternate space without a significant increase in rental costs, timing of the move, finding a secure building in ADA compliance, and re-networking equipment and computers/phones. One business owner indicated the requirement to remain in a specific geography due to HMO contracts associated with his business.

III. RELOCATION RESOURCES

A. METHODOLOGY

For potential commercial replacement sites, a resource survey was initially conducted to identify available office units for rent throughout Lake Forest and the nearby surrounding communities of Mission Viejo and Laguna Hills. The following sources were utilized:

- Contacts with real estate/property management companies serving the community
- Internet sources for rental opportunities, including the Multiple Listing Service

B. REPLACEMENT COMMERCIAL SITES AVAILABILITY

The businesses that are to be displaced should be able to relocate in Lake Forest or adjacent communities. When searching for replacement locations, zoning and other regulatory issues must be considered carefully. The current availability of office space for lease in Lake Forest and surrounding communities is adequate.

As of the date of this Plan, **39** available office spaces ranging in size from 281 sq. ft. – 3,075 sq. ft. were available with monthly rents ranging from \$702 - \$7,720 per month. All but two of the available spaces are located in Lake Forest, and two spaces are in Mission Viejo.

The Developer owns a commercial office building on a site adjoining the Project site, and vacant available spaces within that building will be offered to the displacees as well.

At the time of displacement, ongoing referrals to the business will be provided through contacts with local newspapers, property management companies, the multiple listing service and commercial real estate brokers.

IV THE RELOCATION PROGRAM

The Developer's Relocation Program is designed to minimize hardship, be responsive to unique project circumstances, emphasize maintaining personal contact with all affected individuals, consistently apply all regulatory criteria to formulate eligibility and benefit determinations and conform to all applicable requirements.

The Developer has retained OPC to administer the Relocation Program. OPC has worked on more than 5,000 public acquisition and relocation projects over more than 40 years. Additionally, OPC has an extensive resume of redevelopment and public works projects undertaken in the City of Westminster and Orange County. Experienced Developer staff will monitor the performance of OPC and be responsible to approve or disapprove OPC recommendations concerning eligibility and benefit determinations and interpretations of the Developer's policy.

Relocation staff can be contacted at **(800) 400-7356** from 8:00 am to 5:00 pm Monday through Friday and are available via voicemail and/or cellular phones after hours. The Relocation Office is located at **3750 Schauffele Avenue, Suite 150, Long Beach, CA 90808**.

The Relocation Program consists of two principal constituents: Advisory Assistance and Financial Assistance.

A. ADVISORY ASSISTANCE

Individuals who will need to relocate existing businesses will receive advisory assistance. Advisory assistance services are intended to:

- inform displacees about the relocation program
- help in the process of finding appropriate replacement accommodations
- facilitate claims processing
- maintain a communication link with the Developer
- coordinate the involvement of outside service providers

To follow through on the advisory assistance component of the relocation program and assure that the Developer meets its obligations under the law, OPC staff will perform the following functions:

1. Distribute appropriate written information concerning the Developer's relocation program;
2. Inform eligible project occupants of the nature of, and procedures for, obtaining available relocation assistance and benefits (**Exhibit A**);

3. Determine the needs of each displacee eligible for assistance;
4. Provide referrals to available commercial sites for the business tenants;
5. Maintain an updated database of available commercial resources, and distribute referral information to displacees for the duration of the Project;
6. Supply information concerning federal and state programs and other governmental programs providing assistance to displaced persons;
7. Make benefit determinations and payments in accordance with applicable law and the Developer's adopted relocation guidelines;
8. Assist eligible occupants in the preparation, and submission, of relocation assistance claims;
9. Assure that no occupant is required to move without a minimum of 90 days written notice to vacate;
10. Inform all persons subject to displacement of the Developer's policies with regard to eviction and property management;
11. Provide additional reasonable services necessary to successfully relocate occupants;
12. Establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of the Developer's decisions with respect to relocation assistance; and
13. Provide assistance that does not result in different or separate treatment based on or due to an individual's sex, marital status, race, color, religion, ancestry, national origin, physical handicap, sexual orientation, and domestic partnership status.

B. COMMERCIAL RELOCATION BENEFITS

As a function of a comprehensive relocation assistance program, relocation staff will provide the displaced business owners with required technical and advisory assistance and distribute all required notices and the informational statement (**Exhibit A**). Close contact will be maintained with the business owners.

The Developer will provide relocation benefits in accordance with California Relocation Assistance Law, Government Code Section 7260, et seq. (Law), the Relocation Assistance and Real Property Acquisition Guidelines adopted by the Department of Housing and Community Development as in Title 25, California Code of Regulations Section 6000, et seq. (Guidelines), the Federal URA, and HUD Handbook 1378.

Eligible businesses will have two options with respect to claims for relocation assistance benefits:

- 1) compensation for actual reasonable and necessary moving and related expenses; or
- 2) a fixed payment in lieu not to exceed \$40,000 (\$20,000 State limit).

Off-site property owners whose sole business is considered to be the rental of real property to others are not eligible to receive a fixed payment but may file a claim for actual moving costs and compensation for reestablishment expenses described later in this section, unless the property is acquired through voluntary acquisition.

1. Payment for Actual Reasonable and Necessary Moving and Related Expenses

Any business, which qualifies as a displaced person, is entitled to payment for such actual moving expenses, as the Developer determines to be reasonable and necessary, including expenses for:

- a. Transportation of persons and property from the present location to the replacement location (transportation costs for a distance beyond 50 miles are not eligible, unless the Developer determines that relocation beyond 50 miles is justified);
- b. Packing, crating, uncrating, and unpacking personal property;
- c. Disconnecting, dismantling, removing, reassembling, and installing relocated and substitute machinery, equipment and other personal property. Includes connection to utilities available nearby and modifications necessary to adapt such property to the replacement structure or to the utilities or to adapt the utilities to the personal property;
- d. Storage of personal property for a period not to exceed 12 months, unless the Developer determines that a longer period is necessary;
- e. Insurance of personal property while in storage or transit and the replacement value of property lost, stolen, or damaged (not through the fault or negligence of the displaced person) in the process of moving, where insurance is not readily available;
- f. Any license, permit, or certification required by the displaced business, to the extent that the cost is necessary for reestablishment at the replacement location. (These costs may be pro-rated based on the remaining useful life of any existing license, permit or certification);
- g. Reasonable and pre-authorized professional services, including architects', attorneys', engineers' fees, and consultants' charges, necessary for: (1) planning the move of the personal property; (2) moving the personal property; or, (3) installing the relocated personal property at the replacement location;
- h. Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for the business operation including, but not limited to, soil testing, feasibility and marketing surveys;

- i. The purchase and installation of substitute personal property limited to the lesser of:
(1) an amount equal to the reasonable expenses that would have been required to relocate the property, as determined by the Developer, subject to certain limitations, or,
(2) the replacement cost, less any proceeds from its sale or trade in;
- j. Connection to available nearby utilities from the right-of-way to improvements at the replacement site;
- k. The modification of machinery, equipment or other personal property necessary to adapt these to the replacement location or to utilities available at the replacement location;
- l. Relettering signs and replacing stationary on hand at the time of displacement that is made obsolete as a result of the move;
- m. Actual direct losses of tangible personal property resulting from moving or discontinuing a business or non-profit organization, not-to-exceed the lesser of: (1) the fair market value of the property for continued use at its location prior to displacement less any proceeds from sale of the property; or, (2) an amount equal to the reasonable expenses that would have been required to relocate the property, as determined by the Developer, subject to certain limitations;
- n. Actual and reasonable expenses incurred in searching for a replacement business or non-profit organization location, not-to-exceed \$2,500 (\$1,000 State limit), and including compensation for transportation expenses; time spent searching for a reasonable location, meals, and lodging; real estate broker or agent fees; time spent in obtaining permits and attending zoning hearings; and time spent negotiating the purchase of a replacement site;
- o. Impact fees or one-time assessments for anticipated heavy utility usage;
- p. Low Value/High Bulk: when the personal property to be moved is of low value and high bulk, and the cost of moving the property would be disproportionate to its value in the judgment of the Developer, the allowable moving cost payment shall not exceed the lesser of: (1) the amount which would be received if the property were sold at the site or (2) the replacement cost of a comparable quantity delivered to the new business location. Examples of personal property covered by this provision include, but are not limited to, stockpiled sand, gravel, minerals, metals and other similar items of personal property as determined by the Developer;
- q. A Reestablishment allowance of up to \$25,000 (\$10,000 State limit), available to farms, nonprofit organizations and small businesses with no more than 500 employees. Reestablishment allowance payments are made in addition to compensation provided for actual, reasonable and necessary moving expenses. Reestablishment allowance expense categories include but are not limited to:

- 1) Repairs or improvements to the replacement property as required by Federal, State or local law, code or ordinance;
- 2) Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting business;
- 3) Construction and installation costs for exterior signing to advertise the business;
- 4) Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint paneling or carpeting;
- 5) Advertisement of replacement location;
- 6) Estimated increased costs of operation during the first two years at the replacement site for such items as:
 - a. Lease or rental charges
 - b. Personal or real property taxes
 - c. Insurance premiums, and
 - d. Utility charges, excluding impact fees
- 7) Other items essential to the reestablishment of the business.

2. Self-Moves

If the displaced business elects to take full responsibility for the move of the business, the Developer will make a payment for the business's moving expenses in an amount not to exceed the lower of two acceptable bids or estimates submitted to the Developer. At the Developer's discretion, a payment for a low cost or uncomplicated move may be based on a single bid or estimate.

3. A Fixed Payment in Lieu of a Payment for Actual Reasonable Moving and Related Expenses

The option to claim a fixed payment enables both for-profit and non-profit businesses to receive relocation assistance compensation without providing documentation of bids and actual expenses. The payment amount available to any individual business is based on an average of annual net earnings over a two year period. For businesses which have not been in operation for two years, income figures can be annualized. The method for establishing income is through tax returns and/or certified financial statements. The payment to an eligible business may not be less than \$1,000, or more than \$40,000 (\$20,000 State limit).

To qualify for this payment, it must be determined that, a displaced business:

- owns or rents personal property, which must be moved in connection with such displacement and for which an expense would be incurred in such move;
- is not operated at the displacement site solely for the purpose of renting the dwelling or site to others;
- cannot be a part of a commercial enterprise having at least three other establishments which are not being acquired by the Developer, and which is under the same ownership and engaged in the same or similar business activities;
- must not be able to relocate without substantial loss of patronage; and
- contributed materially, as defined by the Developer, to the income of the displaced person during the two taxable years prior to displacement.

C. GENERAL INFORMATION REGARDING THE PAYMENT OF RELOCATION BENEFITS

Claims and supporting documentation for relocation benefits must be filed with the Developer no later than 18 months after the date of displacement. The Developer may extend this period with a proper showing of good cause. The Developer will pay benefits to the claimants upon submission of required claim forms and documentation in accordance with the Developer's approved procedures. 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. Relocation staff will review all necessary documentation including, but not limited to, income verification, lease documents and escrow material before reaching a determination as to which expenses are eligible for compensation;
3. Required claims forms will be prepared by relocation staff and presented to the claimant for review. Signed claims and supporting documentation will be returned to relocation staff and submitted to the Developer;
4. The Developer will review and approve claims for payment, or request additional information;
5. The Developer will issue benefit checks to claimants in the most secure, expeditious manner possible;
6. Final payments to residential displacees will be issued after confirmation that the Project premises have been completely vacated and actual residency at the replacement unit is verified;
7. Receipts of payment and all claims materials will be maintained in the relocation case file.

D. IMMIGRATION STATUS

Pursuant to the Public Law 105-117, in order to be eligible to receive non-residential relocation benefits in federally-funded projects, in the case of an unincorporated business, each owner must be either a citizen or national of the United States, or an alien who is lawfully present in the United States. The owner of a sole proprietorship and all owners of a partnership must provide information regarding their lawful presence in the United States, and a for-profit or a non-profit corporation must certify that it is authorized to conduct business within the United States.

Owners of sole proprietorships or partnerships, who are not lawfully present in the United States, or who decline to provide this information, are not eligible for relocation assistance, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child, any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the Displacing Agency to negatively affect the alien's spouse, parent or child. Relocation benefits will be prorated to reflect the number of owners with certified lawful presence in the United States.

In order to track and account for relocation assistance and benefit payments, Developer staff will be required to seek immigration status information from each sole proprietor and/or partner having them self-certify as to their legal status. Relocation benefits will be provided with non-federal funds to those business owners who are not legally present in the United States, and who are otherwise eligible for assistance.

E. RELOCATION TAX CONSEQUENCES

In general, relocation payments are not considered income for the purpose of Division 2 of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986 (Title 26, U.S. Code), or for the purpose of determining the eligibility or extent of eligibility of any person for assistance under the Social Security Act (42 U.S. Code 301 et seq.) or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of the Revenue and Taxation Code, or the Bank and Corporation Tax Law, Part II (commencing with Section 23001) of Division 2 of Revenue and Taxation Code. The above statement on tax consequences is not intended as tax advice by the Developer or OPC. Displacees are responsible for consulting with their own tax advisors concerning the tax consequences of relocation payments.

F. PROGRAM ASSURANCES AND STANDARDS

There are adequate funds to relocate the businesses. Services will be provided to ensure that displacement does not result in different or separate treatment of displacees 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 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.

V. ADMINISTRATIVE PROVISIONS

A. NOTICES

Each notice, which the Developer is required to provide to a Project occupant, shall be personally delivered or sent by certified or registered first-class mail, return receipt requested and documented in the case file. Each notice will be written in plain, understandable language. Persons who are unable to read and understand any notice will be provided with appropriate translation and counseling. Each notice will indicate the name and telephone number of a person who may be contacted for answers to questions or other needed help.

There are four principal notices:

- 1) General Information Notice
- 2) Informational Statement
- 3) Notice of Relocation Eligibility, and
- 4) Ninety-Day Vacate Notice.

The General Information Notice (GIN) is intended to provide potential displacees with a general written description of the Developer's relocation program and basic information concerning benefits, conditions of eligibility, noticing requirements and appeal rights (**Exhibit B**). GINs were mailed via regular and certified mail to the affected occupants in November 2019.

The Informational Statement describes the types of relocation assistance for which the business owners will be eligible and requirements to claim relocation assistance (**Exhibit A**). The Informational Statement will be issued prior to a notice to vacate and once all project funding has been secured.

A Notice of Relocation Eligibility (NOE) to a non-residential occupant includes a description of the benefits categories for which the business owner is eligible and establishes the owner's eligibility for assistance. A Notice of Eligibility will be issued to all eligible business owners once the Project funding has been approved, and the Developer is ready to move forward with displacements.

No lawful occupant will be required to move without having received at least 90 days advance written notice of the earliest date by which the move will be necessary. The 90-day notice will either state a specific date as the earliest date by which the occupant may be required to move or state that the occupant will receive a further notice indicating, at least 30 days in advance, the specific date of the required move.

In addition to the four principal notices, Developer staff will issue timely written notification in the form of a Reminder Notice, which discusses the possible loss of rights and sets the expiration date for the loss of benefits to those persons who:

- 1) are eligible for monetary benefits,
- 2) have moved from the acquired property, and
- 3) have not filed a claim for benefits.

Reminder Notices will be issued periodically throughout the qualification period. An attempt shall be made to make written contact with all non-responsive relocatees no later than within the last six months prior to the filing expiration date.

B. PRIVACY OF RECORDS

All information obtained from displacees is considered confidential and will not be shared without consent of the displacee or the Developer. Relocation staff will comply with federal regulations concerning safeguarding of relocation files and their contents.

C. GRIEVANCE PROCEDURES

A tenant has the right to ask for review when there is a complaint regarding any of their rights to relocation and relocation assistance. A person who is dissatisfied with a determination as to eligibility for benefits, a payment amount, or the Developer's property management practices may file a Relocation Assistance Appeal Form or any other written form of appeal with the Developer and have the right of administrative review. The Developer's appeal policies will follow the standards described in Article 5, Section 6150 et seq., Title 25, Chapter 6, State of California, Department of Housing and Community Development Program guidelines.

Requests for administrative review and informal hearings will be directed to the Developer's Relocation Manager. All requests for review will receive written responses from the Developer within three weeks of their receipt. If an informal appeal is denied, appellants will be entitled to file a written request for a formal hearing before an impartial and independent hearing officer.

The appellant does not have to exhaust administrative remedies first; the appeal/grievance can either go directly to the city, directly to HCD or directly to the Court. Any person and/or organization directly affected by the relocation plan may petition the Department of Housing and Community Development (HCD), located at 2020 West El Camino Ave., Sacramento, CA 95833 to review the relocation plan.

More detail concerning the appeals process will be provided upon request. Appellants will retain their appeal rights for up to 18 months following the date of displacement from the Project premises or receipt of final payment for relocation benefits, whichever is later.

D. EVICTION POLICY

Eviction may cause the forfeiture of a displacee's right to relocation assistance or benefits. Relocation records will be documented to reflect the specific circumstances surrounding any eviction action.

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

- (a) Failure to pay rent, except in those cases where the failure to pay is due to the owner's failure to keep the premises in habitable condition; is the result of harassment or

retaliatory action; or, is the result of discontinuation, or a substantial interruption of services;

- (b) Performance of a dangerous, and/or illegal act in the unit;
- (c) A material breach of the rental agreement, and failure upon notification to correct said breach within 30 days of Notice;
- (d) Maintenance of a nuisance, and failure to abate such nuisance upon notification within a reasonable time following Notice;
- (e) A requirement under State, or local law or emergency circumstances that cannot be prevented by reasonable efforts on the part of the Developer.
- (f) A failure to vacate by the end of the 90-Day notice period.

E. CITIZEN PARTICIPATION

The Developer held three community meetings on September 12, 2019, October 26, 2019 and June 25, 2020. Attendees were given information about the proposed project. As the process for considering the Project moves forward, the Developer will observe the following protocol:

- 1. Provide affected tenants with full and timely access to documents relevant to the relocation program;
- 2. Encourage meaningful participation in reviewing the Relocation Plan and monitoring the relocation assistance program;
- 3. Provide technical assistance necessary to interpret elements of the Relocation Plan and other pertinent materials;
- 4. Issue a general notice concerning the availability of the Plan for public review to each resident, as required, and a copy to the Relocation Plan, 30 days prior to its proposed approval; and
- 5. Include written or oral comments concerning the Plan as an attachment (**Exhibit C**) when it is forwarded to the City of Lake Forest and HCD for approval.

F. PROJECTED DATE OF DISPLACEMENT

The Developer anticipates that date specific Notices to Vacate will not be issued prior to **January 2021**. No occupant will be required to vacate without a minimum of 90 days' notice.

G. ESTIMATED RELOCATION COSTS

The total budget estimate for relocation-related payments for this Project, including a 10% contingency, is **\$738,000 (rounded)**.

This estimate should not be interpreted as firm, "not to exceed," or actual entitlement costs. The estimate is based on the data obtained through the Developer, current project scope, replacement site availability, moving costs, reestablishment costs and the judgment and experience of OPC staff.

The estimate **does not** include any payments related to property acquisition, acquisition of leasehold interests or any compensation for Improvements Pertaining to Realty. In addition, the budget does not consider the cost of any services necessary to implement the Plan and complete the relocation element of the Project.

If the Project is to be implemented, and circumstances arise that should change either the number of displaced occupants, or the nature of their activity, the Developer will authorize any additional compensable funds that may need to be appropriated. The Developer pledges to appropriate, on a timely basis, the funds necessary to ensure the successful completion of the Project.

EXHIBIT A

INFORMATIONAL STATEMENT

**Relocation Assistance
Informational Statement
For Business, Farm & Nonprofit**

(Federal)

Displacing Agency:

National Community Renaissance

Project Name:

Mountain View Apartments Project

Displacing Agency Representative:

**OPC
1 Jenner, Suite 200
Irvine, CA 92618
Phone: 1-800-400-7356**

Spanish speaking agents are available. Si necesita esta información en español, por favor llame a su agente.

Informational Statement for Business, Farm & Non-Profit

(Federal)

Introduction

The property on which you now conduct your business is in an area to be improved by, or financed through, the Displacing Agency using federal funds. If and when the project proceeds, and it is necessary for you to move your business, you may be eligible for certain benefits. 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 the relocation benefits you may receive under the law. You will need to provide adequate and timely information to determine your relocation benefits. The information is voluntary, but if you don't provide it, you may not receive the benefits or it may take longer to pay you. We suggest you save this informational statement for reference.

The Displacing Agency has retained the professional firm of **OPC** to provide relocation assistance to you. The firm is available to explain the program and benefits. Their address and telephone number is listed on the cover.

PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE THE PROPERTY.

However, if you desire to move sooner than required, you must contact your relocation agent at 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 the Displacing Agency's relocation assistance program.

Please continue to pay your rent to your current landlord, otherwise you may be evicted and jeopardize the relocation benefits to which you may be entitled to receive. Once the Displacing Agency acquires the property, you will also be required to pay rent to the Displacing Agency.

Summary of Available Relocation Assistance:

- A.** Advisory assistance to explain the relocation process, the related eligibility requirements, the procedures for obtaining reimbursement for moving expenses and referrals to suitable replacement locations
- B.** Payment for your moving expenses. You may receive one of the following options:
 - Option 1: A Payment for Actual Reasonable Moving and Related Expenses;** or
 - Option 2: A Fixed Payment In Lieu of a Payment for Actual Moving and Related Expenses**
- C.** Other help to reestablish your business and minimize the impact of the move including help in preparing claim forms to request relocation payments.

If you disagree with the Displacing Agency's decision as to your right to a relocation payment, or the amount of the payment, you may appeal that decision.

GENERAL RELOCATION QUESTIONS

1. How Will I Know I Am Eligible for Relocation Assistance?

Ordinarily, eligibility begins on the date the owner of the property receives the Displacing Agency's initial written offer to purchase the property. Therefore, you should not move before that date or receiving a notice of eligibility. If you do, you may not be eligible for relocation assistance.

2. How Will the Displacing Agency Know How Much Help I Need?

You will be contacted at an early date and personally interviewed by an agent of the Displacing Agency. The interviewer will want to get information about your current operation, as well as identify movable personal property and non-movable improvements, determine your needs and preferences for a replacement location, estimate the time required to vacate the premises and your need for advance payments. During the interview, you may want to discuss other issues relative to your move. It is to your advantage to provide as much information as possible so that the Displacing Agency, through its relocation agent, can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

3. How Soon Will I Have to Move?

Every reasonable effort will be made to provide you with sufficient time to find a suitable replacement location and reestablish your business. If possible, a mutually agreeable date for the move will be worked out. Unless there is an urgent need for the property (e.g., your occupancy would present a health or safety emergency), you will not be required to move without at least 90 days advance written notice. It is important, however, that you keep in close contact with the Displacing Agency so that you are aware of the time schedule for carrying out the project and the approximate date by which you will have to move.

4. I Own the Property. Will I Be Paid for It Before I Have to Move?

If you reach a voluntary agreement to sell your property to the Displacing Agency, you will not be required to move before you receive the agreed purchase price. If the property is acquired through an eminent domain proceeding, you cannot be required to move before the estimated fair market value of the property has been deposited with the court. (You should be able to withdraw this amount immediately, less any amounts necessary to pay off any mortgage or other liens on the property and to resolve any special ownership problems. Withdrawal of your share of the money will not affect your right to seek additional compensation for your property).

5. Will I Have to Pay Rent to the Displacing Agency Before I Move?

You may be required to pay a fair rent to the Displacing Agency for the period between the acquisition of your property and the date that you move. Your rent and the terms of your tenancy will be generally the same as in the prior arrangement.

6. How Will I Find a Replacement Location?

Your relocation agent will provide you with current and continuing information on available replacement locations that meet your needs. You will also be provided with the names of local real estate agents and brokers who can assist you in finding the type of replacement location you require. However, you are urged to take an active role in identifying, and relocating to, a location of your choice. No one

knows your needs better than you do. You will want a facility that provides sufficient space for your planned activities. You will also want to ensure that there are no zoning or other requirements which will unduly restrict your planned operations. Your relocation agent will explain which kind of moving costs are eligible for reimbursement and which are not eligible. That will enable you to carry out your move in the most advantageous manner.

7. What Other Assistance Will Be Available to Help Me?

In addition to help in finding a suitable replacement location, your relocation agent will help you secure the services of outside specialists, as necessary, to plan the move, as well as provide assistance during the actual move and in the reinstallation of machinery and/or other personal property. The range of services depends on the needs of the business being displaced. You should ask the Displacing Agency's relocation agent to tell you about the specific services that will be available to you.

8. I Have a Replacement Location and Want to Move. What Should I Do?

Before you make any arrangements to move, notify the Displacing Agency's relocation agent, in writing, of your intention to move. This should be done at least 30 days before the date you begin your move. The Displacing Agency will discuss the move with you and advise you of the relocation payment(s) for which you may be eligible, the requirements to be met, and how to obtain a payment.

9. I Plan to Discontinue My Business Rather than Move. What Should I Do?

If you have decided to discontinue your business rather than reestablish it, you may still be eligible to receive a payment. Contact the Displacing Agency's relocation agent and discuss your decision to discontinue your business. You will be informed of the payment, if any, for which you may be eligible, the requirements to be met, and how to obtain your payment.

10. What Kinds of Payments for Moving Expenses Will I Receive?

Every business is eligible for a relocation payment to cover the reasonable cost of moving. Assuming you meet certain eligibility criteria, you may choose one of the following options:

Option 1: A Payment for Actual Reasonable Moving and Related Expenses; or

Option 2: A Fixed Payment In Lieu of Moving and Related Expenses

These payment options are described below:

Option 1: Payment for Actual Reasonable Moving and Related Expenses

If you choose a Payment for Actual Reasonable Moving and Related Expenses, you may claim the cost of:

1. Transportation of personal property. Transportation costs for a distance beyond 50 miles are not eligible, unless the Displacing Agency determines that relocation beyond 50 miles is justified.
2. Packing, crating, unpacking, and uncrating of the personal property.
3. Disconnecting, dismantling, removing, reassembling, and reinstalling relocated machinery, equipment, and other personal property, and certain substitute personal property. This includes connection to utilities available within the building. It also includes modifications to the personal property, including those mandated by Federal, State or local law, code or ordinance, necessary

to adapt it to the replacement structure, the replacement site, or the utilities at the replacement site, and modifications necessary to adapt the utilities at the replacement site to the personal property.

4. Storage of the personal property determined to be necessary by the Displacing Agency, not to exceed 12 months, unless the Displacing Agency determines that a longer period is warranted.
5. Insurance for the replacement value of the personal property in connection with the move and necessary storage.
6. The replacement value of property lost, stolen or damaged in the process of moving (not through fault or negligence of the displaced person, his or her agent or employee), where insurance covering such loss, theft or damage is not reasonably available.
7. Any license, permit, fees or certification required of your business at the replacement location. However, the payment may be based on the remaining useful life of the existing license, permit, fees or certification.
8. Reasonable and preauthorized professional services, the Displacing Agency determines to be necessary for (i) planning the move of the personal property, (ii) moving the personal property, and (iii) installing the relocated personal property at the replacement location.
9. Re-lettering signs and replacing stationary on hand at the time of displacement that is made obsolete as a result of the move.
10. Actual direct loss of tangible personal property incurred as a result of moving or discontinuing your business. The payment will consist of the lesser of:
 - (i) The fair market value in place of the item, as is for continued use at the displacement site, less the proceeds from its sale. (To be eligible for payment, you must make a good faith effort to sell the personal property, unless the Displacing Agency determines that such effort is not necessary. When payment for property loss is claimed for goods held for sale, the fair market value will be based on the cost of the goods to the business, not the potential selling price.); or
 - (ii) The estimated cost of moving the item as is, but with no allowance for storage; or for reconnecting a piece of equipment if the equipment is in storage or not being used at the acquired site. (If you elect to discontinue your business, the estimated cost will be based on a moving distance of 50 miles.)
11. Purchase of substitute personal property. If an item of personal property which is used as part of your business is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, you will be entitled to payment for the lesser of:
 - (i) The cost of the substitute item, including installation costs at the replacement site, minus any proceeds from the sale or trade-in of the replaced item; or
 - (ii) The estimated cost of moving and reinstalling the replaced item but with no allowance for storage. At the Displacing Agency's discretion, the estimated cost for a low cost or uncomplicated move may be based on a single bid or estimate.
12. The reasonable cost incurred in attempting to sell an item that is not to be relocated.

13. Searching for a replacement location. Your business is entitled to reimbursement for actual expenses, not to exceed \$2,500 as the Displacing Agency determines to be reasonable, which are incurred in searching for a replacement location including:
 - i) Transportation
 - ii) Meals and lodging away from home.
 - iii) Time spent searching, based on reasonable salary or earnings.
 - iv) Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such site.
 - v) Time spent in obtaining permits and attending zoning hearings; and
 - vi) Time spent negotiating the purchase of a replacement site based on a reasonable salary or earnings.
14. When the personal property to be moved is of low value and high bulk, and the cost of moving the property would be disproportionate to its value in the judgment of the Displacing Agency, the allowable moving cost payment shall not exceed the lesser of: the amount which would be received if the property were sold at the site or the replacement cost of a comparable quantity delivered to the new business location.
15. Other related moving expenses as the Displacing Agency determines to be reasonable and necessary, including:
 - i) Connection to available nearby utilities from the right-of-way to improvements at the replacement site;
 - ii) Professional services performed prior to the purchase or lease of a replacement site to determine its suitability for your business operation, including but not limited to soil testing, feasibility and marketing studies (excluding any fees or commissions directly related to the purchase or lease of such site). At the Displacing Agency's discretion, a reasonable pre-approved hourly rate may be established
 - iii) Impact fees or one-time assessments for anticipated heavy utility usage, as determined by the Displacing Agency.

The Displacing Agency's relocation agent will explain all eligible moving costs, as well as, those which are not eligible. You must be able to account for all costs that you incur, so keep all your receipts. The Displacing Agency will inform you of the documentation needed to support your claim.

You may minimize the amount of documentation needed to support your claim, if you elect to "self-move" your property. Payment for a self-move is based on the amount of an acceptable low bid or estimate obtained by the Displacing Agency. If you self-move, you may move your personal property using your own employees and equipment or a commercial mover. If you and the Displacing Agency cannot agree on an acceptable amount to cover the cost of the self-move, you will have to submit full documentation in support of your claim.

You may elect to pay your moving costs yourself and be reimbursed by the Displacing Agency or, if you prefer, you may have the Displacing Agency pay the mover directly. In either case, let the Displacing Agency's relocation agent know before you move. The Displacing Agency agent can help you select a reliable and reputable mover.

When a payment for "actual direct loss of personal property" or "substitute personal property" is made for an item, the estimated cost of moving the item may be based on the lowest acceptable bid or

estimate obtained by the Displacing Agency. If not sold or traded-in, the item must remain at the old location and ownership of the item must be transferred to the Displacing Agency before you may receive the payment.

In addition to the reimbursable expenses described above, a small business, farm or non-profit organization may be eligible to receive a payment of up to \$25,000 for expenses actually incurred in relocating and reestablishing its operation at a replacement site. Eligible expenses must be reasonable and necessary, as determined by the Displacing Agency. They may include but are not limited to the following:

1. Repairs or improvements to the replacement real property as required by federal, state or local law, code or ordinance.
2. Modifications to the replacement property to accommodate the business operation or make replacement structures suitable for conducting the business.
3. Construction and Installation costs for exterior signage to advertise the business.
4. Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling or carpeting.
5. Advertising of replacement location.
6. Estimated increased costs of operation during the first 2 years at the replacement site, for such items as:
 - a. Lease or rental charges
 - b. Personal or real property taxes
 - c. Insurance premiums, and
 - d. Utility charges (excluding Impact fees)
7. Other items that the Displacing Agency considers essential to the reestablishment of the business.

The following is a non-exclusive listing of reestablishment expenditures not considered to be reasonable, necessary or otherwise eligible:

- Purchase of capital assets, such as, office furniture, filing cabinets, and machinery or trade fixtures.
- Purchase of manufacturing materials, production supplies, product inventory, or other items used in the normal course of the business operation.
- Interest costs associated with any relocation expense or the purchase of replacement property.
- Payment to a part-time business in the home which does not contribute materially to the household income.

Option 2: Fixed Payment In Lieu of a Payment for Actual Reasonable Moving and Related Expenses

A displaced business, non-profit organization or farm may be eligible to choose a fixed payment in lieu of the payments for actual moving and related expenses and actual reasonable reestablishment expenses. The payment may not be less than \$1,000.00 or more than \$40,000.00. For a business or

farm, the payment is based on the average annual net earnings before Federal, State and local income taxes during the 2 taxable years immediately prior to the taxable year in which it was displaced. For a non-profit organization, the payment is based on the average of 2 years annual gross revenues less administrative expenses.

In order to qualify for this payment, the Displacing Agency must determine that:

1. The business owns or rents personal property which must be moved in connection with the displacement and for which an expense would be incurred in such move, and the business vacates or relocates from its displacement site.
2. The business cannot be relocated without a substantial loss of existing patronage (clientele or net earnings).
3. The business is not a part of a commercial enterprise having more than three other entities which are not being acquired by the Displacing Agency, and which are engaged in the same or similar business activities.
4. The business is not operated at the displacement dwelling/site solely for the purpose of renting such dwelling/site to others.
5. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

If the business or farm was not in operation for the full two years prior to displacement, the net earnings are based on the actual period of operation at the acquired site projected to an annual rate. Average net earnings may be based on a different period of time when the Displacing Agency determines it to be more equitable. Net earnings include any compensation paid to the owners of the business, a spouse or dependents. Proof of net earnings must be furnished to the Displacing Agency through income tax returns, certified financial statements, or other reasonable evidence which the Displacing Agency determines is satisfactory.

For a qualified non-profit organization, gross earnings may include membership fees, class fees, cash donations, tithes and receipts from sales or other forms of fund collection that enables the non-profit organization to operate. Administrative expenses are those for administrative support such as rent, utilities, salaries, advertising and other like items as well as fund raising expenses. Operating expenses for carrying out the purposes of the non-profit organization are not included in administrative expenses. The monetary receipts and expense amounts may be verified with certified financial statements or financial documents required by public agencies.

The Displacing Agency will inform you as to your eligibility for this payment option and the documentation you must submit to support your claim. Remember, when you elect to take this payment option you are not entitled to reimbursement for any other moving expenses, i.e. **Option A** described above.

11. I Own an Outdoor Advertising Display. What Relocation Payment Will I Receive?

As the owner of an outdoor advertising display, you are eligible for a Relocation Payment For Actual Reasonable Moving and Related Expenses. You are not eligible to receive a Payment In Lieu of a Payment For Actual Reasonable Moving and Related Expenses.

If you choose not to relocate or replace the sign, the payment for "direct loss of personal property" would be the lesser of: (1) the depreciated reproduction cost of the sign, as estimated by the Displacing Agency, less the proceeds from its sale, or (2) the estimated cost of moving the sign without temporary storage. The Displacing Agency will inform you as to the exact costs that may be reimbursed.

12. How do I Receive a Relocation Payment?

You must file a claim for a relocation payment. The Displacing Agency's relocation agent will provide you with the required claim forms, assist you in completing them, and explain the type of documentation that you must submit in order to receive your relocation payments. If you must pay any relocation expenses before you move (e.g., because you must provide a security deposit if you lease your new location), discuss your financial needs with the Displacing Agency. You may be able to obtain an advance payment. An advance payment may be placed in "escrow" to ensure that the move will be completed on a timely basis.

If you are a tenant, you must file your claim within 18 months after the date you move. If you own the property, you must file within 18 months after the date you move, or the date you receive the final acquisition payment, whichever is later. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, the Displacing Agency may extend this period.

You will be paid promptly after you file an acceptable claim. If there is any question regarding your right to a relocation payment or the amount of the payment, you will be notified, in writing, of the problem and the action you may take to resolve the matter.

13. Non-Discrimination

No person shall on the grounds of race, color, national origin or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under the Displacing Agency's relocation assistance program pursuant to Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, and other applicable state and federal anti-discrimination laws. You may file a complaint if you believe you have been subjected to discrimination. For details contact the Displacing Agency.

14. Appeals

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Displacing Agency's Relocation Assistance Program may have the appeal application reviewed by the Displacing Agency in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Displacing Agency.

15. Tax Status of Relocation Benefits

California Government Code Section 7269 indicates no relocation payment received shall be considered as income for the purposes of the Personal Income Tax Law, Part 10 (commencing with Section 170 01) 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. Furthermore, federal regulations (49 CFR Part 24, Section 24.209) also indicate that no payment received under this part (Part 24) shall be considered as income for the purpose of the Internal Revenue Code of 1954, which has been redesignated as the Internal Revenue Code of 1986. The preceding statement is not tendered as legal advice in regard to tax consequences, and displacees

should consult with their own tax advisor or legal counsel to determine the current status of such payments.

(IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting marketing or recommending to another party any matters addressed herein)

16. Lawful Presence Requirement

Pursuant to the Public Law 105-117, in order to be eligible to receive non-residential relocation benefits in federally-funded projects, in the case of an unincorporated business, each owner must be either a citizen or national of the United States, or an alien who is lawfully present in the United States. The owner of a sole proprietorship and all owners of a partnership must provide information regarding their lawful presence in the United States, and a for-profit or a non-profit corporation must certify that it is authorized to conduct business within the United States. Owners of sole proprietorships or partnerships, who are not lawfully present in the United States, or who decline to provide this information, are not eligible for relocation assistance, unless such ineligibility would result in an exceptional and extremely unusual hardship to the alien's spouse, parent, or child, any of whom is a citizen or an alien admitted for permanent residence. Exceptional and extremely unusual hardship is defined as significant and demonstrable adverse impact on the health or safety, continued existence of the family unit, and any other impact determined by the Displacing Agency to negatively affect the alien's spouse, parent or child. Relocation benefits will be prorated to reflect the number of owners with certified lawful presence in the United States.

17. Additional Information

If you have further questions after reading this brochure, please contact the Displacing Agency's relocation agent at **OPC**.

EXHIBIT B

GENERAL INFORMATION NOTICE

DEVELOPER LETTERHEAD

November 8, 2019

Business Owner

«Claimant_Name»

«Displ_Address»

«Displ_City», «Displ_State» «Displ_Zip»

RE: GENERAL INFORMATIONAL NOTICE - Non-Residential Occupant to Be Displaced

Dear Occupant:

National Community Renaissance (“Developer”) has acquired and is interested in developing the property you currently occupy at **24551 Raymond Way, Lake Forest, CA 92630** for proposed new construction of affordable housing units (Project), which may receive funding assistance from the Department of Housing and Urban Development (HUD). This notice is to inform you of your rights under Federal and/or State relocation law.

If the Developer acquires the property and you are displaced for the Project, you will be eligible for relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended and/or Title 25 of the California Code of Regulations.

However, you do not have to move now.

This is not a notice to vacate the premises or a notice of relocation eligibility.

The Developer has retained the professional firm of **Overland, Pacific & Cutler, LLC (OPC)** to represent the Developer and assist you in the relocation process.

In order to assess and better plan for the relocation needs of possible displaced businesses in the Project, the Developer is preparing a Relocation Plan. To prepare this Relocation Plan, OPC staff will need to meet with you to assess your relocation needs. OPC will begin interviewing the week of **November 11th** and will be trying to contact you then. If you want to make an appointment that is convenient for you, please call one of the OPC relocation agents identified below:

Eddie Quintero or Gabe Becerra - (800) 400-7356

You should continue to pay your monthly rent to your landlord, because failure to pay rent and meet your obligations as a tenant may be cause for eviction and loss of relocation assistance. You are urged not to move or sign any agreement to purchase or lease a unit before receiving formal notice of eligibility for relocation assistance. **If you move on your own, or are evicted before receiving such notice, you will not be eligible to receive relocation assistance.** Please contact us before you make any moving plans.

If the Developer acquires the property and you are eligible for relocation assistance, you will be given advisory services including referrals to replacement sites, and at least 90 days advance written notice of the date you will be required to move. You would also receive either a payment for actual moving and reestablishment expenses, or a fixed payment in lieu of a payment for actual moving and reestablishment expenses.

Pursuant to the Public Law 105-117, in order to be eligible to receive non-residential relocation benefits in federally-funded projects, in the case of an unincorporated business, each owner must be either a citizen or national of the United States, or an alien who is lawfully present in the United States. The owner of a sole proprietorship, and all owners of a partnership, must provide information regarding their lawful presence in the United States, and a for-profit or a non-profit corporation must certify that it is authorized to conduct business within the United States. Owners of sole proprietorships or partnerships, who are not lawfully present in the United States, or who decline to provide this information, are not eligible for relocation assistance, unless such eligibility would result in exceptional hardship to a qualifying spouse, parent, or child. Relocation benefits will be prorated to reflect the number of owners with certified lawful presence in the United States.

Again, this is not a notice to vacate and does not establish eligibility for relocation payments or other relocation assistance. If the Developer decides not to move forward with the Project, you will be notified in writing.

Any person aggrieved by a determination as to eligibility for, or the amount of, a payment authorized by the Developer's Relocation Assistance Program may have the appeal application reviewed by the Developer in accordance with its appeals procedure. Complete details on appeal procedures are available upon request from the Developer.

If you have any questions about this or any other relocation issues, please contact me at **(949) 951-5263**.

Sincerely,



Michele Folk, SR/WA, R/W-RAC, R/W-URAC, R/W-NAC
Senior Vice President
Overland, Pacific & Cutler, LLC

Received by

Delivered on/by: ____/____

X_____
Recipient's Signature

Posted on/by: ____/____

Date

Mailed/receipt received on: ____/____

EXHIBIT C

PUBLIC COMMENTS & RESPONSES