

***FINAL***  
**RELOCATION PLAN**

**WINONA AVENUE AREA ELEMENTARY SCHOOL**

**PREPARED FOR:**

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# INTRODUCTION

Due to the large population increase, present classroom overcrowding, projections of future growth in school enrollment and legal mandates to add overall classroom capacity, the San Diego City Schools (the District) has embarked on a process to add 13 schools to the present system. Winona Avenue Area Elementary School is planned to be constructed on an 8.26 acre site in a residential neighborhood in the City Heights community of the City of San Diego.

The Winona Avenue Area Elementary Project will require the acquisition of 49 land parcels and the relocation of approximately 208 tenant and owner-occupant households now residing in a mix of single family and multi-family structures. In addition, one non-profit commercial use, a church, is located in the relocation area. The acquisition and relocation components of the Project are expected to take place over an 8 month period beginning in June of 2002.

In accordance with its obligations under State relocation law (California Government Code Section 7260 et seq.) and the implementing guidelines (the Guidelines) (California Code of Regulations Title 25, Chapter 6), the District is responsible to ensure that displaced residents receive all appropriate relocation assistance and benefits. Additionally, pursuant to Section 6038 of the Guidelines, the District is required to prepare a relocation plan subject to public review and approval by the Board of Education.

The Plan is organized in four sections which address the following issues:

1. A general description of the Project and its location **(SECTION I)**;
2. A relocation needs assessment of those persons who will be displaced as a result of the Project **(SECTION II)**;
3. An assessment of replacement housing opportunities within City Heights and the nearby surrounding communities **(SECTION III)**; and
4. The steps and procedures that the District will follow to meet displacee needs and ensure compliance with state law **(SECTION IV)**.

## I. PROJECT SITE DESCRIPTION AND LOCATION

Winona Avenue Area Elementary School will be constructed in the City Heights neighborhood of the City of San Diego. The City Heights community is located less than one mile from both Interstates 805 and 15 and approximately 6 miles northeast of downtown San Diego. (See Figures 1 and 2).

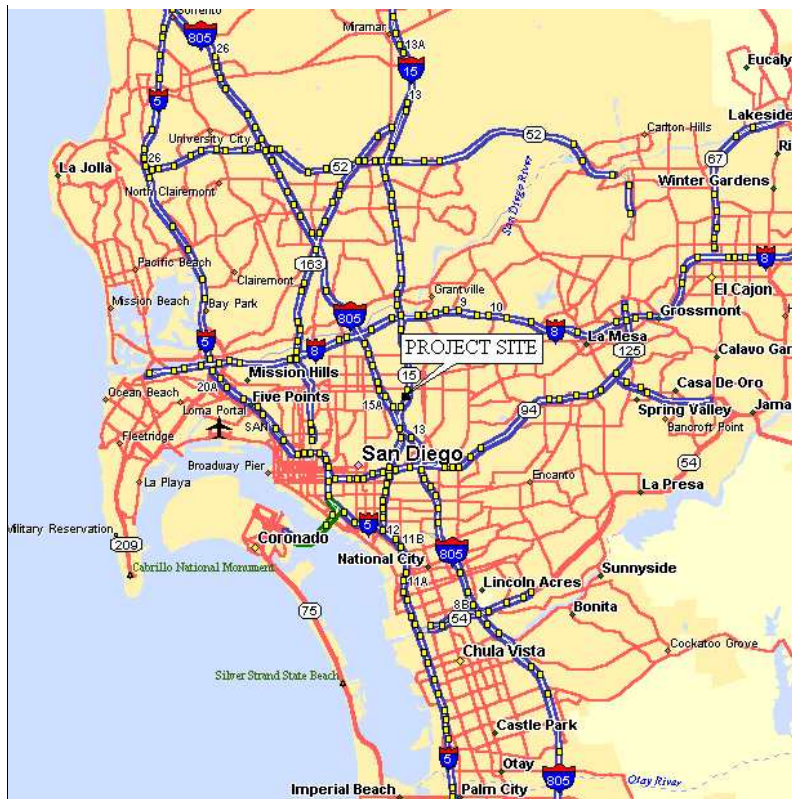


Figure 1: Regional Project Location

The Project site is bounded by Orange Avenue on the north, Polk Avenue to the south, the east side of Estrella Avenue to the west and the west side of Winona Avenue on the east. The approximately 8.26 acre site encompasses 2 city blocks in a densely populated residential area composed of single and multi-family dwellings as well as 1 non-profit commercial use. (See Exhibit A - Photographs of Representative Project Area Properties)



**Figure 2: Project Site Location**

## II. AREA CENSUS & HOUSING DATA

The 2000 U.S. Census Report (see below) indicates a population for the City of San Diego (the City) of 1,223,400. The counting method used in the Census Report groups individuals of Hispanic origin with Whites for purposes of overall population comparisons by race. The Census further provides a breakdown of the Hispanic population according to national ancestry. Overall, the Hispanic and White populations respectively constitute 25.4% and 34.8% of the City's population.

According to the Census, the housing mix in the City consists of 469,689 housing units, approximately 65% of which are single-family units. Owner-occupied units account for 49.5% of the total housing inventory. The homeowner and tenant vacancy rates as reported in the Census are 0.8% and 3.2%, respectively.

| <b>TABLE 1: 2000 - U.S. Census Data for the City of San Diego</b> |                  |             |
|---|------------------|-------------|
| <b>POPULATION</b>   | <b>1,223,400</b> | <b>100%</b> |
| White   | 736,207          | 60%         |
| Other (Incl. Two or More Races)                                   | 210,613          | 17%         |
| Asian   | 166,968          | 14%         |
| African American  | 96,216           | 8%          |
| Native American   | 7,543            | 1%          |
| Pacific Islander  | 5,853            | 1%          |
| <b>HISPANIC ORIGIN</b>  | <b>310,752</b>   | <b>100%</b> |
| Mexican   | 259,219          | 83%         |
| Other Hispanic  | 43,673           | 14%         |
| Puerto Rican  | 5,938            | 2%          |
| Cuban   | 1,922            | 1%          |

### **III. ASSESSMENT OF RELOCATION NEEDS**

#### **A. SURVEY METHODOLOGY**

Information necessary for the preparation of the Plan was obtained primarily through door-to-door interviews conducted by bi-lingual staff from Pacific Relocation Consultants (PRC). A small percentage of contacts were made by telephone with those individuals who could not otherwise be contacted personally. The interview period extended from late December, 2001, to mid-February, 2002.

#### **B. FIELD SURVEY DATA**

The Project area includes 49 improved land parcels that contain 208 occupied and 5 vacant residential dwelling units, and one non-profit commercial use. Among the 208 occupied dwellings and non-profit commercial use, there are 12 owner-occupied and 196 tenant-occupied units. Survey information was obtained from 197 of the Project area households, and from the 1 non-profit commercial use, or 95% of the Project occupants.

Inquiries made of occupants included household size and composition, income, rental data, length and type of occupancy, ethnicity, home language, disabilities/health problems, and replacement housing preferences. The business provided information as to the general size of the building, the nature of the operation and activities, number of employees and the general requirements to reestablish the business in the area. The data in this Plan are based solely on anecdotal responses. No attempt was made to qualify income or other information provided by residents or the business.

##### **1. Housing Mix**

The housing mix for the total project consists of 9 single family residences, fifteen small unit apartment complexes consisting of a total of 112 households, twenty-two small residential income properties consisting of 60 households and two apartment complexes consisting of a total of 32 households. Survey information obtained from the 197 households reflects a housing mix of occupied units, consisting of 9 single family residences, 14 duplex units and 174 multi-family units of varying bedroom sizes as indicated in the following table.

| <b>TABLE 2: Project Area Housing - Dwelling Bedroom Sizes</b> |               |            |            |              |             |             |
|---|---------------|------------|------------|--------------|-------------|-------------|
| <b># of Bedrooms</b>  | <b>Single</b> | <b>One</b> | <b>Two</b> | <b>Three</b> | <b>Four</b> | <b>Five</b> |
| <b># of Units</b>   | 2             | 89         | 82         | 18           | 5           | 1           |

## 2. Project Area Rents

Table 3 below provides a breakdown of the monthly rent for 197 tenant households. The data exclude 21 households receiving Section 8 housing assistance, 11 non-respondents and 2 resident managers that receive reduced rent. Average rents are: single - \$463; one-bedroom - \$516; two-bedroom - \$631; three-bedroom - \$811; four-bedroom - \$889; and five-bedroom - \$850.

| <b>TABLE 3: Project Area Rents (# of Respondents)</b> |                    |                    |                      |                     |                     |
|---|--------------------|--------------------|----------------------|---------------------|---------------------|
| <b>Single</b>   | <b>One Bedroom</b> | <b>Two Bedroom</b> | <b>Three Bedroom</b> | <b>Four Bedroom</b> | <b>Five Bedroom</b> |
| \$400 (1)   | \$385 (1)          | \$475 (1)          | \$675 (1)            | \$889 (1)           | 850 (1)             |
| \$525 (1)   | \$395 (3)          | \$495 (2)          | \$725 (1)            |                     |                     |
|   | \$400 (12)         | \$500 (9)          | \$730 (1)            |                     |                     |
|   | \$425 (4)          | \$525 (7)          | \$800 (2)            |                     |                     |
|   | \$435 (2)          | \$535 (1)          | \$850 (1)            |                     |                     |
|   | \$445 (1)          | \$550 (4)          | \$1100 (1)           |                     |                     |
|   | \$475 (3)          | \$590 (1)          |                      |                     |                     |
|   | \$495 (1)          | \$600 (3)          |                      |                     |                     |
|   | \$500 (9)          | \$650 (10)         |                      |                     |                     |
|   | \$525 (3)          | \$660 (1)          |                      |                     |                     |
|   | \$545 (1)          | \$670 (1)          |                      |                     |                     |
|   | \$550 (14)         | \$675 (2)          |                      |                     |                     |
|   | \$565 (1)          | \$695 (3)          |                      |                     |                     |
|   | \$575 (7)          | \$700 (12)         |                      |                     |                     |
|   | \$584 (1)          | \$715 (1)          |                      |                     |                     |
|   | \$595 (2)          | \$725 (5)          |                      |                     |                     |
|   | \$600 (7)          | \$750 (7)          |                      |                     |                     |

| <b>TABLE 3: Project Area Rents (# of Respondents)</b> |           |           |  |  |  |
|---|-----------|-----------|--|--|--|
|   | \$615 (6) | \$800 (1) |  |  |  |
|   | \$650 (1) |           |  |  |  |
|   | \$750 (1) |           |  |  |  |
|   |           |           |  |  |  |

### 3. Occupancy

Survey data indicate a total Project population of 809 individuals, consisting of 430 adults and 379 children. The combined average occupancy per household for both tenants and owner-occupants is 5 persons per dwelling unit. Tenant households, as would be expected, tend to have greater occupancies than owner-occupied units.

There are 59 instances of overcrowding in tenant occupied units based upon the District’s housing occupancy standards. These standards, generally, allow for up to 3 persons in a one-bedroom unit, 5 persons in a two-bedroom unit, 7 persons in a three-bedroom unit and 10 persons in a four-bedroom unit.

Replacement housing referrals to be provided to displacees will reflect the housing requirements dictated by the District’s occupancy standards. To mitigate overcrowding among project residents, 49 households will require 1 additional bedroom and 10 will require 2 additional bedrooms. Household size across the Project is as shown below:

| <b>TABLE 4: Household Size Distribution</b> |     |     |       |      |      |     |       |       |      |     |        |
|---|-----|-----|-------|------|------|-----|-------|-------|------|-----|--------|
| # in Household                              | One | Two | Three | Four | Five | Six | Seven | Eight | Nine | Ten | Eleven |
| # Households                                | 20  | 32  | 31    | 35   | 32   | 23  | 13    | 5     | 1    | 2   | 3      |

### 4. Replacement Housing Needs

The overall replacement housing needs for the Project are based upon survey data concerning household size and the application of the District’s replacement housing occupancy standards. There are 12 owner-occupants in the proposed Project area. One owner-occupant is elderly, and will most likely not be purchasing a new home. Family members have been contacted and will be handling acquisition negotiations with the District. The remaining 11 owner-occupants have indicated their intention to

repurchase and occupy replacement dwellings. One of the owner-occupant households resides in a one-bedroom home, five households reside in two-bedroom homes, five households reside in three-bedroom homes and one household resides in a four-bedroom home.

A summary of the Project’s replacement housing requirements is shown in Table 5:

| <b>TABLE 5: Replacement Housing Needs - Owners &amp; Tenants</b> |            |            |              |             |             |
|--|------------|------------|--------------|-------------|-------------|
| <b>Bedroom Size</b>  | <b>One</b> | <b>Two</b> | <b>Three</b> | <b>Four</b> | <b>Five</b> |
| <b>Owners</b>  | 1          | 5          | 5            | 1           | 0           |
| <b>Tenants</b>   | 56         | 81         | 36           | 11          | 1           |

**5. Income**

Income information was provided by 184 tenant households. According to income standards for the County of San Diego adjusted for family size as published by the Department of Housing and Urban Development (HUD), 137 Project area tenant households qualify as Very Low income (50% or less of median), 39 qualify as Lower income (80% or less of median), 8 qualify as Moderate income (81%-120% of median), with none beyond 120%. The range of reported annual household income among 184 respondents was \$6,576-\$60,996.

| <b>TABLE 6: Income Levels of Residential Households (184 Respondents)</b> |            |                 |             |
|---|------------|-----------------|-------------|
| <b>Very Low</b>   | <b>Low</b> | <b>Moderate</b> | <b>High</b> |
| 137   | 39         | 8               | 0           |

**6. Ethnicity/Language**

There were 197 responses to the question of ethnicity. Ninety households identified themselves as Hispanic, 38 as African- American, 31 as Asian, 14 as White, and 24 identified themselves as Other.

Sixty-five households (33% of respondents) identified Spanish as their primary language. Primary languages of 30 households included Somalian and Asian dialects. The remaining households identified English as their primary language.

| <b>TABLE 7: Project Area Population by Ethnicity (197 Respondents)</b> |                        |                  |
|--|------------------------|------------------|
| <b>Ethnicity</b>   | <b># of Households</b> | <b>Project %</b> |
| Hispanic   | 90                     | 46%              |
| African-American   | 38                     | 19%              |
| Asian  | 31                     | 16%              |
| White  | 14                     | 7%               |
| Other  | 24                     | 12%              |

**7. Senior/Handicapped Households**

There are 5 households with the head of household identified as being sixty-two years or older. Additionally, there are 9 identified physically handicapped individuals. The disability in each case is one of mobility and first floor replacement dwellings will be required. Special care will be provided in each case to provide referrals to replacement dwellings that accommodate the needs of each household.

**8. Preferred Relocation Areas**

The majority of residents who were surveyed expressed a preference to remain in the City Heights community in order to maintain current school enrollment, access to employment, recreational resources and public transportation. Other local areas mentioned by residents as possible relocation sites included North Park, Sherman Heights, Point Loma and Lemon Grove.

## **IV. RESIDENTIAL RELOCATION RESOURCES**

Replacement housing availability in City Heights and surrounding areas was analyzed during a two month resource survey. The following illustrates survey results for both tenants and owner-occupants.

### **A. METHODOLOGY**

The replacement housing survey was conducted within a five mile radius of the Project area. The search areas included City Heights, North Park, University Heights, Hillcrest, Mission Hills, Normal Heights, College Area and Oak Park. The resource study period extended from mid-December of 2001 until mid-February of 2002. The following resources were utilized to conduct the survey:

- Classified rental listings from The San Diego Union Tribune and "For Rent" publications;
- Extensive drive-by surveys of residential areas adjacent to the project site;
- Contacts with real estate/property management companies serving the community;
- Internet sources

### **B. REPLACEMENT HOUSING AVAILABILITY**

#### **1. Rental Housing**

Survey data demonstrates that average project area rents are substantially under market rates in all bedroom size categories. The median market rents versus actual project area averages for 1, 2, 3, 4 and 5 bedroom units in San Diego are higher than Project area rents, as shown in Table 8.

| <b>TABLE 8: Comparison of Market and Project Area Rent</b> |                           |                                  |
|--|---------------------------|----------------------------------|
| <b>Bedroom Size</b>  | <b>Median Market Rent</b> | <b>Average Project Area Rent</b> |
| <b>1 Bedroom</b>   | \$650                     | \$516                            |
| <b>2 Bedroom</b>   | \$845                     | \$631                            |
| <b>3 Bedroom</b>   | \$1,195                   | \$811                            |
| <b>4 Bedroom</b>   | \$1,675                   | \$889                            |
| <b>5 Bedroom</b>   | \$2,050                   | \$850                            |

The housing resource survey identified a total of 232 available 1, 2, 3, 4 and 5 bedroom units. Availability by bedroom size and rental rates are summarized in the table below.

| <b>TABLE 9: Cost Index of Available Rental Housing Resources</b> |             |               |               |                 |                 |
|--|-------------|---------------|---------------|-----------------|-----------------|
| <b>Bedroom Size</b>  | <b>One</b>  | <b>Two</b>    | <b>Three</b>  | <b>Four</b>     | <b>Five</b>     |
| <b># Found ( # needed)</b>                                       | 116 (57)    | 101 (86)      | 63 (41)       | 19 (12)         | 2 (1)           |
| <b>Rent Range</b>  | \$450-\$865 | \$633-\$1,165 | \$795-\$2,200 | \$1,595-\$1,900 | \$1,900-\$2,200 |
| <b>Median Rent</b>   | \$650       | \$845         | \$1,195       | \$1,675         | \$2,050         |

## **2. For Sale Housing**

The resource survey identified 12 one-bedroom homes, ranging in price from \$99,500 to \$225,000; 52 two-bedroom homes, ranging in price from \$139,900 to \$242,500; 35 three-bedroom homes, ranging in price from \$179,000 to \$369,000; and 11 four-bedroom homes, ranging in price from \$229,999 to \$509,000. The median price for one-bedroom homes is \$149,000; \$242,500 for two-bedroom homes; \$269,000 for three-bedroom homes; and \$379,000 for four-bedroom homes.

## **C. RELATED ISSUES**

### **1. Concurrent Residential Displacement**

In addition to the Winona Avenue Area Elementary School, the District plans construction of four other elementary schools in the Mid-City area: Central Area, 52<sup>nd</sup> Street Area (aka Jackson/Marshall Area), Edison/Hamilton/Parks Area and

Adams/Franklin Area elementary schools. Land acquisition and relocation schedules associated with the construction of these planned new schools, with the exception of Central Area Elementary (relocation process to be completed on or before July 10, 2002), are, to some extent, likely to overlap. The degree to which the concurrence of projects will affect the availability of replacement housing is a function of project approval timing and general housing market conditions.

Acquisition and relocation activities associated with Central Area and Winona Area elementary schools will coincide from June to mid-July of 2002. At that point, the relocation of residents affected by the Central Area Elementary School project relocation should be at least 95% complete. Based on this premise, the Winona Area Elementary School relocation efforts are not expected to be substantially impeded by the materialization of the remaining projects.

Contacts with other potential displacing agencies such as the City Heights Community Development Corporation and the City of San Diego have indicated the possibility of one project (future low income housing development) consisting of 38 residential displacements (33 tenants, 5 homeowners) in the City Heights area which may coincide at some point with the Winona project. In this event, competition for housing resources could be an issue for a brief period of time.

## **2. Temporary Housing**

No need is anticipated for temporary housing.

## **V. THE RELOCATION PROGRAM**

### **A. PROGRAM ASSURANCES, STANDARDS AND OBJECTIVES**

The relocation program to be implemented by the District will conform to the standards and provisions of the State of California Relocation Assistance Law, Government Code, Section 7260, *et. seq.*, the California Code of Regulations; and, rules, regulations and procedures adopted by the District. Pursuant to the relocation guidelines adopted, program objectives will be as follows:

1. To fully inform eligible Project occupants of the nature of and procedures for obtaining relocation assistance and benefits;
2. To determine the needs of each residential displacee eligible for assistance;
3. To provide an adequate number of referrals to comparable, decent, safe and sanitary housing units within a reasonable time prior to displacement, and assure that no residential occupant is required to move without a minimum of 90 days written notice to vacate;
4. To provide current and continuously updated information concerning replacement housing opportunities;
5. To provide assistance that does not result in different, or separate treatment due to race, color, religion, national origin, sex, marital status or other arbitrary circumstances;
6. To supply information concerning federal and state housing programs and other governmental programs providing assistance to displaced persons;
7. To assist each eligible person to complete applications for benefits;
8. To make relocation benefit payments in accordance with State of California guidelines, including the provisions of the Last Resort Housing sections, where applicable;

9. To inform all persons subject to displacement of the District's policies with regard to eviction, and property management; and,
10. To establish and maintain a formal grievance procedure for use by displaced persons seeking administrative review of decisions with respect to relocation assistance.

## **B. CITIZEN PARTICIPATION**

Public meetings were held on October 15, 2001 and December 19, 2001 at Euclid Elementary School in the City Heights community to discuss the District's plans and relocation program with respect to the Winona Project. Both meetings were well attended by project area residents. The meetings included descriptive presentations by District staff and PRC. Questions were taken from community residents and housing advocates in attendance.

In addition to the process of holding public meetings, the District observes the following protocol with respect to relocation plan development.

1. Provide public with full and timely access to documents relevant to the relocation program;
2. Provide technical assistance necessary to interpret elements of the Relocation Plan and other pertinent materials;
3. Issuance of a general notice concerning the availability of the Plan for public review, as required, 30 days prior to its proposed adoption. Distribution of the Plan, upon request, to all affected and interested parties;
4. The inclusion of written or oral comments concerning the Plan as an attachment to the Plan when it is forwarded to the District's Board of Education for adoption.

### **C. RELOCATION ADVISORY ASSISTANCE**

The following specific services will be provided:

1. Each Project household will be personally interviewed to gather information appropriate to the determination of needs and preferences regarding replacement of existing accommodations.
2. A printed “informational brochure” (See Exhibits, following) will be provided to all displaced households. Brochures in Spanish will be provided upon request. Signed acknowledgments will be obtained to verify receipt of this material.
3. Prior to relocation of residential occupants, every reasonable effort will be made to provide at least 3 comparable housing referrals to displacees, pursuant to California Code of Regulations, Chapter 6, Section 6042(c). In no event shall a tenant be required to move until comparable housing is made available. Resource surveys and referrals will be undertaken and updated on a continuous basis over the duration of the project.

In general, comparable housing shall mean an apartment, or house that meets the following criteria:

- (a) The unit is decent, safe and sanitary - electrical, plumbing and heating systems in good repair - no major, observable hazards or defects.
- (b) The unit is located in an area not subjected to unreasonable adverse environmental conditions from either natural, or man-made sources, and not generally less desirable with respect to public utilities, transportation, public and commercial facilities, including schools and municipal services and reasonably accessible to the displaced person’s place of employment.
- (c) The unit is available both on the private market and to all persons regardless of race, color, sex, marital status, religion or, national origin.

- (d) The monthly rental rate is within the financial means of the displaced person.
  
- 4. Transportation will be provided, if necessary, for any displaced occupant to inspect replacement sites within the local area. Specific assistance may also be provided to help elderly tenants find housing near friends, relatives, medical facilities and services and convenient transportation.
  
- 5. Assistance will be offered to all displacees in connection with arrangements for the purchase of real property, the completion of applications for replacement housing and the filing of claim forms to request relocation benefits.
  
- 6. Special assistance in the form of referrals to governmental and non-governmental social service agencies will be made, if needed. Agencies to which referrals may be made include, but are not necessarily limited to the following:
  - (a) Federal Social Security Administration
  - (b) San Diego Neighborhood Housing Services
  - (c) San Diego Housing Commission
  - (d) San Diego Home Loan Counseling Service
  - (e) San Diego County Department of Social Services

#### **D. RELOCATION BENEFITS**

Relocation benefits will be provided in accordance with the provisions of the State of California Relocation Law, Government Code Section 7260 et. seq., Title 25, Chapter 6, Relocation Assistance and Real Property Acquisition Guidelines, and District rules, regulations and procedures pertaining thereto. Benefits will be paid to eligible displaced persons upon submission of required claim forms and documentation in accordance with District adopted procedures.

Specific eligibility requirements and benefit plans will be detailed on an individual basis with all displacees. In the course of personal interviews and follow-up visits, each

household will be counseled as to available options and the consequences of any choice with respect to financial assistance.

District staff will process advance payment requests in order to alleviate hardships for tenants who do not have access to sufficient funds to pay move-in costs such as first month's rent and/or security deposits. Requests for advance payments will be processed expeditiously to help avoid the loss of desirable, appropriate replacement housing.

The relocation process includes: household interviews; needs analyses; appropriate replacement housing referrals; preparation and service of appropriate notices; file documentation, eligibility determinations, processing of claims; moving coordination; and other general services intended to assist displacees. Timely funding and an appropriate level of service to those being displaced are critical to the project.

## **1. Residential Moving Expense Payments**

All residential occupants to be relocated will be eligible to receive a payment for moving expenses except as noted. Moving expense payments will be made based upon the actual cost of a professional move or a fixed payment based on a room-count schedule.

### **a. Actual Cost (Professional Move)**

Displacees may elect to have a licensed professional mover perform the move. The actual cost of the moving services, based on at least two acceptable bids, will be compensated by the District in the form of a direct payment to the moving company upon presentation of an invoice. Transportation costs are limited to a distance of 50 miles in either case. In addition to the actual move, costs associated with utility re-connections (i.e., gas, water, electricity, telephone, and cable, if any), are eligible for reimbursement.

### **b. Fixed Payment (based on Room Count Schedule)**

An occupant may elect to receive a fixed payment for moving expenses which is based on the number of rooms occupied in the displacement dwelling. In this

case, the person to be relocated takes full responsibility for the move. The fixed payment includes all utility connections as described in (a), above.

At a minimum, the fixed schedule payment for single occupancy efficiency units, furnished with the tenants own personal property, is \$575 including all utility connections at the replacement location. The current schedule for fixed moving payments is set forth in the following Table 10:

| <b>TABLE 10: Schedule of Fixed Moving Payments</b> |         |
|--|---------|
| <b>Unfurnished Dwelling</b>                        |         |
| One room   | \$575   |
| Two rooms  | \$750   |
| Three rooms  | \$925   |
| Four rooms   | \$1,100 |
| Five rooms   | \$1,325 |
| Six rooms  | \$1,550 |
| Seven rooms  | \$1,775 |
| Eight rooms  | \$2,000 |
| each additional room                               | \$200   |
| <b>Furnished Dwelling</b>                          |         |
| First Room   | \$375   |
| Each additional room                               | \$60    |

## **2. Rental Assistance To 90-Day Tenants Who Choose to Rent**

Residential tenants who have established residency in the Project area for a minimum of 90 days prior to the District’s offer to purchase the property and who choose to re-rent, may be eligible to receive a Rental Assistance Payment in addition to compensation for moving expenses.

Except in the case of “Last Resort” situations, as described in Section IV, (See F - Last Resort Housing Payments) and pursuant to California Relocation Law, rental

assistance payments are limited to a maximum of \$5,250, based upon monthly housing need over a 42 month period. The following table demonstrates how monthly need is determined:

| <b>TABLE 11: Computation of Rental Assistance Payments</b> |                |  |
|--|----------------|--|
| 1. Old Rent  | \$544          | Old Rent, plus Utility Allowance                   |
| <b>or</b>  |                |  |
| 2. Ability to Pay  | \$445          | 30% of the Gross Household Income*                 |
| 3. Lesser of lines 1 or 2                                  | <b>\$445</b>   |  |
| <b>Subtracted From:</b>                                    |                |  |
| 4. Actual New Rent   | \$550          | Actual New Rent including Utility Allowance        |
| <b>or</b>  |                |  |
| 5. Comparable Rent   | \$575          | Determined by District; includes Utility Allowance |
| 6. Lesser of lines 4 or 5                                  | <b>\$550</b>   |  |
| <b>7. Yields Monthly Need:</b>                             | <b>\$105</b>   | Subtract line 3 from line 6                        |
| <b>Rental Assistance</b>                                   | <b>\$4,410</b> | <b>Multiply line 7 by 42 months</b>                |

\* Gross income means the total annual income of an individual less the following: (1) a deduction of \$500 for each dependent in excess of three; (2) a deduction of 10% of total income for the elderly or disabled head of household; (3) a deduction for recurring extraordinary medical expenses defined for this purpose to mean medical expenses in excess of 3% of total income, where not compensated for, or covered by insurance or other sources; (4) a deduction of reasonable amounts paid for the care of children or sick or incapacitated family members when determined to be necessary to employment of the head of household or spouse, except that the amount deducted shall not exceed the amount of income received by the person who would not otherwise be able to seek employment in the absence of such care.

### **3. Downpayment Assistance To 90-Day Tenants Who Choose to Purchase**

Residential tenants who are otherwise eligible to receive the Rental Assistance Payment described above, may choose to utilize up to the full amount of their rental assistance payment (including Last Resort benefits) to purchase a home.

In cases involving eligibility for a Last Resort Housing supplement, District staff will make available, in a lump sum disbursement, the total amount of assistance for which a tenant qualifies, provided that the entire amount is used for the downpayment, and incidental costs associated with the purchase of a replacement home. Provision shall

be made in escrow for the return of this payment to the District, in the event escrow should fail to close.

#### **4. Payments to Owner-Occupants**

Residential owner-occupants who have established residency for at least 180 days prior to the District's offer to purchase will be eligible for up to \$22,500 in replacement housing assistance. The Replacement Housing Assistance Payment will be determined on the basis of 3 separate elements: a) Purchase Price Differential; b) Mortgage Interest Differential; and, c) Incidental Expenses.

##### **(a) Purchase Price Differential**

The Purchase Price Differential is based on three factors:

District Acquisition Price - The price paid by the District for the project area dwelling;

Actual Purchase Price - The actual price paid for a replacement dwelling; and,

Comparable Replacement Cost - The cost of a decent, safe and, sanitary dwelling comparable to the dwelling acquired by the District.

For purposes of determining the purchase price differential, the price paid for a replacement home is compared to the acquisition price of the dwelling in the project area and the price of an available decent, safe and sanitary dwelling comparable to the acquired unit. If the purchase price of a replacement home is less than the cost of a comparable replacement home, the payment will be limited to the actual difference. If the purchase price exceeds the cost of a comparable replacement home, the payment will be based on the cost of the comparable replacement home.

(b) **Mortgage Interest Differential**

This element of the overall Replacement Housing Assistance Payment is meant to compensate homeowners for the loss of favorable financing. The computation of this payment is based upon the lessor of the current versus the new mortgage amount. To be eligible for this differential payment, the mortgage on the dwelling being acquired must have been a valid lien for at least 180 days prior to the District's initial written offer to purchase same.

(c) **Incidental Expenses - Closing Costs**

This payment is to compensate for one-time, non-recurring closing costs. These would normally include the cost of a property survey; preparing a legal description and deed; recording fees; title insurance; revenue stamps and transfer taxes (not to exceed the cost to buy a comparable replacement home); loan application; loan origination; appraisal fees; credit report; certification for structural soundness; and, termite inspection, when required. This does not provide for prepaid expenses, such as property taxes and insurance.

The total Replacement Housing Payment is the sum of the Purchase Price Differential, Mortgage Interest Differential, and compensable Incidental Expenses.

**5. Payments To Non-Tenured Residential Tenants**

With the exception of those eligible for Last Resort Housing assistance (See Section IV, Part F - Last Resort Housing), residential tenants with less than 90 days of continuous occupancy prior to the District's offer to purchase the property will be eligible to receive only a payment for their moving expenses in accordance with Section 1b above.

**E. GENERAL INFORMATION ON PAYMENT OF RELOCATION BENEFITS**

Claims and supporting documentation for relocation benefits must be filed with the District within 18 months from the date the claimant moves from the acquired property. The procedure for the preparation and filing of claims and the processing and delivery of payments will be as follows:

1. Claimant(s) will provide all necessary documentation to substantiate eligibility for assistance.
2. Assistance amounts will be determined in accordance with the provisions of California Relocation Law.
3. Required claim forms will be prepared by PRC staff.
4. Supervisory District staff will review, and approve claims for payment or request additional information.
5. The District will issue benefit checks which will be available at the PRC office for receipt by claimants.
6. Final payments to tenants will be issued within 3 weeks after confirmation premises have been completely vacated, and actual residency at the replacement unit is verified.
7. Receipts of payment will be obtained, and maintained in the relocation case file.

#### **F. LAST RESORT HOUSING**

A displaced person will be entitled to supplementary benefits in the form of Last Resort Housing assistance when the computed total of rental or replacement housing assistance eligibility exceeds \$5,250 in the case of tenants or \$22,500 for owner-occupants.

Last Resort Housing assistance will also be extended to residential tenants who do not meet the 90-day residency test and whose “ability-to-pay” (defined as 30% of gross

household income) is not sufficient to cover the cost of comparable, decent, safe and sanitary replacement housing.

Last Resort Housing payments will be disbursed on a lump sum basis. Tenants who continue to rent will receive payments following their move to appropriate replacement housing and submission of necessary documentation to the assigned relocation consultant. Payments to tenants who intend to purchase replacement housing will be deposited directly into an escrow account with provisions to allow the District to recover its funds should escrow fail to close within a reasonable period of time.

## **G. RELOCATION TAX CONSEQUENCES**

In general, relocation payments are not considered income for the purpose of the Internal Revenue Code of 1968, or the Personal Income Tax Law, Part 10 of the Revenue and Taxation Code.

The above statement on tax consequences is not intended to be provision of tax advice by the District, Consultants, servants or assigns. Project site displacees are encouraged to consult with personal tax advisors concerning the tax consequences of relocation payments.

## **H. GRIEVANCE PROCEDURES**

The District's Grievance Policy 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. Briefly stated, tenants and owners to be relocated will have the right to ask for administrative review when they believe themselves aggrieved by a determination as to eligibility; the amount of a relocation payment; the failure, by the District, to provide comparable replacement housing referrals; or, the District's property management practices.

## **I. EVICTION POLICY**

1. With the exception of persons considered to be in “unlawful occupancy”, a displaced person’s eviction does not affect eligibility for relocation assistance and benefits. Relocation records will be documented to reflect the specific circumstances surrounding any eviction.
2. Eviction may be undertaken only 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) Refusal to accept one of a reasonable number of offers of replacement dwellings; and/or,
  - (f) A requirement under State, or local law or emergency circumstances that cannot be prevented by reasonable efforts on the part of the District.

## **J. PROJECTED DATES OF DISPLACEMENT**

Development of the Project site has been under analysis for a considerable period of time. The Board approved an EIR (Environmental Impact Report) in November, 2001 and is expected to consider the adoption of this Plan in May, 2002.

The delivery of offers to purchase project area properties is anticipated to begin in June of 2002. The District expects to have completed all necessary property acquisition and resident relocation by January, 2003.

**K. ESTIMATED RELOCATION COSTS**

The project will be funded with Proposition MM Funds. The following estimate for relocation benefits was developed based on data available at the time of interviews for this Plan (i.e. December, 2001-February, 2002).

The estimate for relocation-related payments for this Project is as follows:

|                          |                          |
|--------------------------|--------------------------|
| <b>\$3,750,000.00</b>    |                          |
| <b><u>375,000.00</u></b> | <b>(10% Contingency)</b> |
| <b>\$4,125,000.00</b>    |                          |

This estimated relocation budget does not include provision for relocation administrative services; neither does it include any funds that may be disbursed to property owners for property acquisition, nor any provision for other services which may be necessary for the implementation of the Plan and Project.

Should circumstances arise that change either the number of residential occupants, or the nature of their residency, the District will authorize any additional funds for compensation that may need to be appropriated. The District pledges to appropriate the necessary funds, on a timely basis, to ensure the successful completion of the project.

**EXHIBIT A - PHOTOGRAPHS OF REPRESENTATIVE  
PROJECT AREA PROPERTIES**

**EXHIBIT B - HUD ANNUAL INCOME LIMITATIONS  
SAN DIEGO COUNTY (2001)**

The table below describes income standard by household sizes for the **County of San Diego** as established by the U.S. Department of Housing.

| <b>Area Median: \$56,900</b> |                               |                            |                             |                               |
|------------------------------|-------------------------------|----------------------------|-----------------------------|-------------------------------|
| <b>Family Size</b>           | <b>Very Low Annual Income</b> | <b>Lower Annual Income</b> | <b>Median Annual Income</b> | <b>Moderate Annual Income</b> |
| <b>1 Person</b>              | 19,900                        | 31,850                     | 39,850                      | 47,800                        |
| <b>2 Person</b>              | 22,750                        | 36,400                     | 45,500                      | 54,650                        |
| <b>3 Person</b>              | 25,600                        | 40,950                     | 51,200                      | 61,450                        |
| <b>4 Person</b>              | 28,450                        | 45,500                     | 56,900                      | 68,300                        |
| <b>5 Person</b>              | 30,750                        | 49,150                     | 61,450                      | 73,750                        |
| <b>6 Person</b>              | 33,000                        | 52,800                     | 66,000                      | 79,250                        |
| <b>7 Person</b>              | 35,300                        | 56,450                     | 70,550                      | 84,700                        |
| <b>8 Person</b>              | 37,550                        | 60,100                     | 75,100                      | 90,150                        |

Figures are per the Department of Housing and Community Development (California), Division of Housing Policy Development, **April, 2001**.

**EXHIBIT C - INFORMATIONAL STATEMENT FOR  
FAMILIES AND INDIVIDUALS**

# SAN DIEGO CITY SCHOOLS

## INFORMATIONAL STATEMENT FOR FAMILIES AND INDIVIDUALS

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

### I. GENERAL INFORMATION

The premises in which you now reside are located in an area to be developed as a new elementary school by the 'San Diego City Schools' (the 'District'). As the project schedule proceeds, it will be necessary for you to move from your dwelling. You will be notified in a timely manner as to the date by which you must move.

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

The District has retained the services of *Pacific Relocation Consultants*, a qualified professional relocation firm, to assist you. The firm is available to explain the program and benefits. Their address and telephone number is:



***Pacific Relocation Consultants***  
3225 4<sup>th</sup> Avenue  
San Diego, CA 92103  
Phone: (619) 688-7980

Spanish speaking representatives are available. **Si necesita esta información en Español, por favor llame a su representante.**

**PLEASE DO NOT MOVE PREMATURELY. THIS IS NOT A NOTICE TO VACATE YOUR DWELLING.** However, if you desire to move sooner than required, you must contact your representative with *Pacific Relocation Consultants* 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 District's relocation assistance program.

### II. ASSISTANCE IN LOCATING A REPLACEMENT DWELLING

The District, through its representatives, will assist you in locating a comparable replacement dwelling by providing referrals to appropriate, and available housing units. You are encouraged to actively seek such housing yourself. When a suitable replacement dwelling unit has been found, your relocation consultant will carry out an inspection and advise you as to whether the dwelling unit meets decent, safe and sanitary housing requirements. A decent, safe and sanitary housing unit provides adequate space for its occupants, proper weatherproofing and sound heating, electrical

and plumbing systems. Your new dwelling must pass inspection before relocation assistance payments can be authorized.

**III. MOVING BENEFITS**

There are two types of moving payments. You have the option of selecting either one of the following types of moving payments:

**A. Fixed Moving Payment**

A Fixed Moving Payment is based upon the number of rooms you occupy and whether or not you own your own furniture. The payment is based upon a schedule approved by the District, and ranges, for example, from \$375 for a tenant in one room furnished by the Lessor (Owner), to \$2,000 for eight rooms in a dwelling furnished by the Tenant (Lessee). (For details see the table below). Your relocation representative will inform you of the amount you are eligible to receive if you choose this type of payment.

| FIXED MOVING SCHEDULE (CALIFORNIA) |            |                                 |          |
|------------------------------------|------------|---------------------------------|----------|
| Occupant owns furniture            |            | Occupant does NOT own furniture |          |
| 1 room                             | \$575.00   | 1 room                          | \$375.00 |
| 2 rooms                            | \$750.00   | each additional room            | \$60.00  |
| 3 rooms                            | \$925.00   |                                 |          |
| 4 rooms                            | \$1,100.00 |                                 |          |
| 5 rooms                            | \$1,325.00 |                                 |          |
| 6 rooms                            | \$1,550.00 |                                 |          |
| 7 rooms                            | \$1,775.00 |                                 |          |
| 8 rooms                            | \$2,000.00 |                                 |          |
| each additional room               | \$200.00   |                                 |          |

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

**B. Actual Moving Expense (Professional Move)**

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

**IV. REPLACEMENT HOUSING PAYMENT - TENANTS AND CERTAIN OTHERS**

You may be eligible for a payment of up to \$5,250 to assist you in renting, or purchasing a comparable replacement dwelling. In order to qualify, you must either be a tenant who has occupied your present dwelling for a least 90 days prior to the District's first offer to purchase the property, or an owner who has occupied your dwelling for between 90 and 180 days prior to the District's first offer to purchase the property.

**A. Rental Assistance.** If you qualify, and **wish to rent** your replacement dwelling, your rental assistance benefits will be based upon the difference, over a forty-two (42) month period, between the rent you must pay for a comparable, replacement dwelling and the lesser of your current rent or thirty percent (30%) of your

gross monthly household income. You will be required to provide your relocation representative with monthly rent and household income verification prior to the determination of your eligibility for this payment.

- OR -

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

## V. REPLACEMENT HOUSING PAYMENT - HOMEOWNERS

- A. If you owned and occupied a dwelling purchased by the District for **at least 180 days** prior to the first offer to purchase, you may be eligible to receive a payment of up to \$22,500 to assist you in purchasing a comparable replacement unit. If you owned and occupied the displacement dwelling for **at least 90 days but not more than 180 days** immediately prior to the date of the District's offer to purchase, you may be eligible for a payment of up to \$5,250. This payment is intended to cover the following items:

1. **Purchase Price Differential** - An amount which, when added to the amount for which the District purchased your property, equals the lesser of the actual cost of your replacement dwelling; **or** the amount determined by the District as necessary to purchase a comparable replacement dwelling. Your relocation representative will explain both methods to you.
2. **Mortgage Interest Differential** - The amount which covers the increased interest costs, if any, required to finance a replacement dwelling. Your relocation representative will explain limiting conditions.
3. **Incidental Expenses** - Those one time costs incidental to purchasing a replacement unit, such as escrow fees, recording fees, and credit report fees. Recurring expenses such as prepaid taxes and insurance premiums are not compensable.

## VI. QUALIFICATION FOR, AND FILING OF RELOCATION CLAIMS

To qualify for a Replacement Housing Payment, you must rent or purchase and occupy a comparable replacement unit **within one year from the later of** the following:

1. For a tenant, the date you move from the displacement dwelling;
2. For an owner-occupant, the date you receive final payment for the displacement dwelling, or, in the case of condemnation, the date the full amount of estimated "just compensation" is deposited in a court of competent jurisdiction; or,
3. The date the District fulfills its obligation to make available comparable replacement dwellings.

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

## VII. LAST RESORT HOUSING ASSISTANCE

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

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

## **VIII. RENTAL AGREEMENT**

As a result of the District's action to purchase the property where you live, you may become a tenant of the District for a period of time. If this occurs, you will receive notification which will specify the monthly rent to be paid; when rent payments are due; where they are to be paid; and, other pertinent information.

Except for the causes of eviction set forth below, no person lawfully occupying property to be purchased by the District will be required to move without having been provided with at least ninety (90) days written notice from the District. Eviction will be undertaken only in the event of one, or more of the following infractions:

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

## **IX. APPEAL PROCEDURES - GRIEVANCE**

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

## **X. TAX STATUS OF RELOCATION BENEFITS**

Relocation benefit payments are not considered as income for the purpose of the Internal Revenue Code of 1986 or the Personal Income Tax Law, Part 10 (commencing with Section 17001) of Division 2 of the Revenue and Taxation Code, or the Bank and Corporation Tax law, Part 11(commencing with Section 23001) of Division 2 of the Revenue and Taxation Code. The preceding statement is not tendered as legal advice in regard to tax consequences and, displacees should consult with independent tax advisors, or legal counsel to determine the current status of such payments.

## **XI. ADDITIONAL INFORMATION AND ASSISTANCE AVAILABLE**

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

**EL DISTRITO ESCOLAR  
DE SAN DIEGO  
INFORMACION PARA FAMILIAS E INDIVIDUOS**

- I. INFORMACIÓN GENERAL**
- II. AYUDA PARA ENCONTRAR UNIDAD DE REEMPLAZO**
- III. BENEFICIOS DE MUDANZA**
- IV. PAGO EN REEMPLAZO DE VIVIENDA - INQUILINOS**
- V. PAGO DE REEMPLAZO DE VIVIENDA - DUEÑOS**
- VI. CALIFICACIONES PARA LLENAR RECLAMOS DE REUBICACIÓN**
- VII. PAGOS DE ULTIMO RECURSO**
- VIII. CONTRATO DE RENTA**
- IX. PROCEDIMIENTOS DE APELACIÓN-AGRAVIO**
- X. ESTADO DE IMPUESTO POR BENEFICIOS DE REUBICACIÓN**
- XI. INFORMACIÓN ADICIONAL Y ASISTENCIA DISPONIBLE**

**I. INFORMACIÓN GENERAL**

La vivienda en que usted vive está en una área que va ser rehabilitado a una nueva escuela elemental por 'el Distrito Escolar de San Diego' ("el Distrito"). De acuerdo a procedimiento de la agenda, tal vez será necesario que usted se cambie de su residencia. Usted será notificado(a) con tiempo razonable hasta la fecha en que deberá cambiarse.

Por favor lea esta información, será de mucha ayuda para determinar su elegibilidad y la cantidad de beneficios en su reubicación. Le recomendamos que guarde esta información como referencia futuro.

El Distrito ha contratado los servicios de la compañía Pacific Relocation Consultants, una empresa profesional muy calificada para ayudarlo. La empresa está a su disposición para explicarle el programa y los beneficios. El dirección y numero de teléfono es:



**Pacific Relocation Consultants**

**3225 4th Avenue**

**San Diego, CA 92103**

**Teléfono: (619) 688-7980**

**POR FAVOR NO SE MUDE ANTES DE TIEMPO. ESTO NO ES UN AVISO PARA DESOCUPAR SU VIVIENDA.** Si usted desea mudarse antes de lo requerido, debería ponerse en contacto con la empresa Pacific Relocation Consultants para que no pierda ninguno de sus beneficios. Este es únicamente un folleto de información general y no tiene la intención de proporcionar una descripción detallada ni de la ley ni de los reglamentos relacionados que pertenecen al programa de reubicación del Distrito.

**II. AYUDA PARA ENCONTRAR UNIDAD DE REEMPLAZO**

El Distrito, a través de sus representantes, le ayudaran a localizar una vivienda de reemplazo proporcionándole listas de viviendas disponibles. Es importante que usted se mantenga activo buscando.

En cuanto encuentre una vivienda de reemplazo, su representante hará una inspección de la unidad para determinar si la unidad reúne todos los requisitos de una vivienda que es decente, segura y limpia. Una unidad que es decente, segura e y limpia debe proveer cupo suficiente para sus ocupantes, estar a prueba de mal temporal y sistema adecuado de calefacción, plomería, y electricidad. Su vivienda de reemplazo debe pasar una inspección antes de autorizar pagos de beneficios.

**III. MUDANZA**

Si tiene que mudarse debido a un proyecto del Distrito, recibirá un pago para asistirle en su cambio físico. Dos formas de pago están disponibles. Usted puede escoger uno de los tipos de pagos de mudanza siguientes:

**A. Pago Fijo de Mudanza**

Un Pago Fijo está basado en el numero de cuartos que ocupa y si es dueño de los muebles o no. El pago está basado en un programa aprobado por El Distrito, y escala, por ejemplo, de \$375 por una habitación amueblado por el Arrendador (Dueño), hasta \$2,000 por 8 habitaciones con muebles del Inquilino (Arrendatario). (Para detalles, vea la tabla de abajo). Su representante le informará la cantidad que recibirá al ser elegible.

| PAGO FIJO DE MUDANZA      |            |                                 |          |
|---------------------------|------------|---------------------------------|----------|
| Ocupante Dueño de Muebles |            | Ocupante no es Dueño de Muebles |          |
| 1 cuarto                  | \$575.00   | 1 cuarto                        | \$375.00 |
| 2 cuartos                 | \$750.00   | Cada Cuarto Adicional           | \$60.00  |
| 3 cuartos                 | \$925.00   | X                               |          |
| 4 cuartos                 | \$1,100.00 |                                 |          |
| 5 cuartos                 | \$1,325.00 |                                 |          |
| 6 cuartos                 | \$1,550.00 |                                 |          |
| 7 cuartos                 | \$1,775.00 |                                 |          |
| 8 cuartos                 | \$2,000.00 |                                 |          |
| Cada Cuarto Adicional     | \$200.00   |                                 |          |

Si usted escoge el pago fijo de mudanza, será responsable de su cambio y el Distrito no asumirá ninguna responsabilidad por perdida o daño relacionado con su cambio.

**B. Gastos Actuales de Mudanza (Compañía Profesional)**

Si usted decide elegir una mudanza autorizada y quiere que el Distrito pague la factura, puede reclamar el costo ACTUAL del cambio de sus cosas personales hasta una distancia de 50 millas. Su representante de reubicación le informará del numero de presupuestos estimativos según se requiera, y le asistirá en preparar un plan que el Distrito pueda aprobar.

**IV. PAGO EN REEMPLAZO DE VIVIENDA - INQUILINOS**

Usted puede ser elegible para un pago hasta de \$5,250 como ayuda para rentar o comprar una propiedad comparable. Para calificar, debe de haber sido un inquilino en residencia en su vivienda actual por lo menos de 90 días, o un dueño-ocupante que ha vivido en la vivienda por no menos de 90 días y no mas de 180 días, antes de la primera oferta del Distrito para comprar la propiedad.

**A. Asistencia de Renta**

Si usted califica y **desea rentar** su vivienda de reemplazo, sus beneficios se basarán en la diferencia sobre un periodo de cuarenta y dos (42) meses entre la renta que tiene que pagar por una vivienda comparable, y lo menor de la renta actual o treinta por ciento (30%) de los ingresos mensuales en bruto.

Usted deberá informar a su representante de su renta y sus ingresos mensuales antes de establecer su elegibilidad para el pago.

- O -

## B. Asistencia de Pago de Enganche

Si usted califica y **desea comprar** su vivienda de remplazo, puede aplicar la cantidad total de su pago de asistencia de renta para un pago de enganche. Su representante de reubicación le explicará los procedimientos necesarios para aplicar este pago.

## V. PAGO DE REEMPLAZO DE VIVIENDA - DUEÑOS

A. Si Usted ha sido dueño-ocupante de una vivienda comprada por la Agencia **por lo menos de 180 días** antes de la primera oferta para comprar, será elegible para un pago de hasta \$22,500 para asistirle a comprar una vivienda de reemplazo. Si Usted es dueño-ocupante desplazado que tiene **entre 90 y 179 días** de residencia en su casa inmediatamente antes de la fecha del primer oferta para comprar su propiedad, será elegible por un pago de hasta \$5,250. Este pago cubre las siguientes cosas:

1. **Diferencia en el Precio de Compra** - Una cantidad, cuando agregado con la cantidad que la Agencia pagó por su propiedad, que es igual del costo actual de su vivienda de remplazo; o la cantidad determinada por la Agencia que es necesaria para comprar una vivienda de reemplazo comparable, cualquier es menos. Su representante le explicará los dos métodos en detalle.
2. **Diferencia en Los Gastos de Financiamiento** - Un pago que cubra el costo del aumento en los intereses, si hubiera alguno, para financiar una vivienda de reemplazo. Su representante le explicara las condiciones limitadas.
3. **Gastos Incidentales** - Estos son los gastos que ro recurren que se cobran normalmente al comprador de una vivienda. Unos cargos típicos incluyen los costos de "escrow", recordación e inspección de crédito. Fondos reservados en el proceso de "escrow" para cumplir con obligaciones de impuestos de propiedad, intereses y aseguranza de casa no son compensables.

B. **Asistencia de Renta - Opción para Dueños-Ocupantes** - Si Usted es un dueño-ocupante y elige rentar en vez de comprar una vivienda de reemplazo, puede ser elegible para un pago de asistencia de renta de hasta \$5,250. El pago se basará en la diferencia entre lo que es la renta del mercado de su vivienda actual y la renta del mercado en una vivienda de reemplazo comparable.

Si Usted recibe un pago de asistencia de renta como mencionado arriba, y decide después comprar una vivienda de reemplazo, puede pedir un pago que es igual a la cantidad que recibirá si había comprado inicialmente una vivienda de reemplazo comparable, menos la cantidad que ya recibió como pago de asistencia de renta.

## VI. CALIFICACIONES PARA LLENAR RECLAMOS DE REUBICACIÓN

Para calificar por un Pago de Remplazo de Vivienda, tiene que rentar o comprar una vivienda de reemplazo comparable **durante un año de lo que ocurra después de:**

1. Para inquilino, la fecha que desocupo su vivienda,
2. Para dueño-ocupante, la fecha en que recibirá pago final por su vivienda o, en caso de un procedimiento de condenación, la fecha del deposito de compensación justa con la corte, o
3. La fecha por lo cual el Distrito cumple con la obligación de recomendar por lo menos de tres viviendas de reemplazo comparable.

Todos los reclamos de reubicación deben ser presentados **dentro de dieciocho (18) meses** de la fecha en la cual usted recibe el pago final por su propiedad, o la fecha en la cual se mudó, lo que ocurra después.

## VII. PAGOS DE ULTIMO RECURSO

Si viviendas de reemplazo comparable no son disponibles cuando se tiene que mover, o si viviendas de reemplazo no son disponibles dentro de los límites monetarios ya citados, el Distrito le dará asistencia de último recurso para que pueda rentar o comprar una vivienda de reemplazo oportunamente. Asistencia de último recurso es basado en las circunstancias individuales del desplazado. Su representante de reubicación le explicará el proceso para determinar si califica por asistencia de último recurso.

Si es inquilino y prefiere comprar en vez de rentar una vivienda de reemplazo comparable, la cantidad total será aplicada a la residencia de reemplazo como pago de entrada.

## **VIII. CONTRATO DE RENTA**

Como resultado de una acción del Distrito para comprar la propiedad donde usted vive, usted pasa a ser un inquilino del Distrito. En este caso, se le pedirá que firme un contrato de renta, que especificará la renta mensual, cuando pagos se vencen, donde se pagan, y otra información pertinente.

Excepto por las causas de desalojo dichas abajo, ninguna persona que legalmente ocupa una propiedad del Distrito es requerida a cambiarse si no tiene un aviso escrito por lo menos de 90 días. Desalojo es dado solamente por una o más de las siguientes razones:

- A. Falla de no pagar renta, excepto en casos donde este es debido a la falta del dueño de no mantener los predios en una condición habitable, o cuando los servicios básicos han sido discontinuados o interrumpidos por un largo plazo.
- B. La perpetración de un hecho peligroso o ilegal en los predios.
- C. La falta de mantener los términos del acuerdo de renta entre 30 días de haber sido notificado.
- D. Continuar con un desorden público, después de haber sido notificado.
- E. Después de haber recibido una cantidad razonable de referencias a viviendas de reemplazo.
- F. Cuando la evicción es requerida por leyes estatales o locales y no puede ser evitada por medio de esfuerzos del Distrito.

## **IX. PROCEDIMIENTOS DE APELACIÓN-AGRAVIO**

Cualquier persona con una queja por una determinación de elegibilidad en un pago de reubicación o de la cantidad de un pago, puede pedir que su reclamo sea revisado o reconsiderado de acuerdo con el procedimiento de apelaciones establecido. Los detalles completos de apelación y procedimientos están disponibles solicitándolos a el Distrito.

## **X. ESTADO DE IMPUESTOS POR BENEFICIOS DE REUBICACIÓN**

Pagos por beneficios de reubicación no son considerados como ingreso económico para el propósito del Código Interno de Ingresos de 1986, o de la Ley para Impuestos Personales, Parte 10 (comenzando con la sección 17001) de la División 2 del Código de Ingresos e Impuestos, o el Banco y la Ley de Impuestos para Corporaciones, Parte 11 (comenzando con la Sección 23001) de la División 2 del Código de Ingresos e Imposición de Tributos. La anterior declaración no es un consejo legal con respecto a consecuencias de impuestos, y personas desplazadas deben consultar con consejeros de impuestos independientes, o consejo legal para determinar el estado actual de tales pagos.

## **XI. INFORMACIÓN ADICIONAL Y ASISTENCIA DISPONIBLE**

Los responsables de proveer asistencia de reubicación esperan ayudarle en todas las formas posibles para minimizar la difícil tarea de reubicar a una nueva casa. Su cooperación será de mucha ayuda y gratamente apreciada. Si tiene preguntas durante el proceso, no dude en comunicarse con su representante de reubicación.

**EXHIBIT D - BUSINESS INFORMATIONAL BROCHURE**

**EXHIBIT E - ADDENDUM NO. 1**  
**(SUBJECT TO PUBLIC COMMENT)**

**NO COMMENTS RECEIVED**