

**FLORIDA**  
**DEPARTMENT OF TRANSPORTATION**

# MOBILE HOME RELOCATION ASSISTANCE



This brochure provides an overview of the Florida Department of Transportation's Relocation assistance program with an emphasis on mobile home relocation.

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Effective Date October 2014

# **Florida Department of Transportation Relocation Assistance Program**

Sections 334.044, 339.09 and 421.55, Florida Statutes Rule 14-66, Florida Administrative Code.

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, for Federal and Federally Assisted Programs, 23 CFR and 49 CFR, Part 24, Public Law 91-646.

In the early stages of a Department of Transportation road widening project, there may be some activities such as public meetings or land surveyors in the area where you live. This activity may cause speculation, anxiety and concern about the road and who will be affected by it. These activities may take place years before the department actually starts to acquire right-of-way. If you are required to move or move personal property from the property being acquired you are considered to be displaced. Please be assured, if you are displaced, an agent representing the department will meet with you personally to fully explain the relocation program. The agent will work with you and advise you throughout your entire relocation process.

## **Are you a Displaced Person? (Displacee)**

Any person who has received written notification from the department that he/she must move, or has personal property that must be moved, from the real property acquired by the Florida Department of Transportation is referred to as a displacee.

However, in accordance with Public Law 105 -117, enacted on November 21, 1997, any person who is an alien not lawfully present in the United States is ineligible for relocation advisory services and relocation payments. The one exception is, unless such ineligibility would result in exceptional and extremely unusual hardship to a qualifying spouse, parent, or child, as defined in 49 CFR Part 24.208(h).

## **Advance Notice**

All displacees will receive at least ninety (90) days advance written notice before being required to move. It is in your best interest to work closely with your relocation agent starting immediately after you receive notice that you will be displaced. The agent will assist you in finding suitable replacement housing and ensure that you receive all of the entitlement for which you are eligible.

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## **Relocation Is An Entitlement Program**

The Relocation Assistance program is designed to provide advisory services and reimbursement payments to persons displaced by a department acquisition. Your eligibility for a relocation assistance payment is based on specific criteria governed by State and Federal guidelines. The requirements and your responsibilities for receiving such a payment will be provided to you. Questions you may have will be answered by a department agent.

## **Relocation Payments Affect on Other Benefits**

If you are presently receiving social security or welfare, your relocation payment will not affect those benefits. Also, the Internal Revenue Service does not consider relocation payments you receive as income.

## **Fair Housing**

The department complies with Title VIII of the Civil Rights Act of 1968, and its amendments which makes discriminatory practices in the purchase and rental of housing illegal if based on race, religion, sex, or national origin.

## **Special Needs Assistance**

If you require special assistance, your relocation agent will make every effort to secure the services of other organizations, such as the Department of Health, Elder Affairs, Community Affairs, local charitable organizations, housing or loan programs, which are professionally equipped to help you.

# Mobile Home Relocation Terms and Definitions

This brochure contains specific terminology relating to *mobile home relocation*. Familiarity with these terms and definitions will enhance the reader's understanding of the mobile home relocation process.

**Acquired Mobile Home** When the mobile home is included in the acquisition as part of the *real estate*, the term, "acquired mobile home" is used.

**Department** In this brochure, "Department" refers to the Florida Department of Transportation.

**Displacee** Any person, business, farm or non-profit organization that is required to relocate or move personal property as a result of a Florida Department of Transportation project.

**Displaced Mobile Home** A mobile home that must be relocated, acquired, or purchased by the Department due to a transportation project.

**Domicile** The place where a person has his or her true, fixed, permanent home and principal establishment and to which he or she has, when absent, the intention of returning.

**Initiation of Negotiations** The date the first written offer of just compensation is made by the Department to the owner to acquire real property for a transportation project.

**Mobile Home** A structure, transportable in one or more sections, with a body width of 8 feet or more, built on an integral chassis, designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, electrical systems, as applicable.

**Mobile Home Owner-Occupant** A person who owns a mobile home and occupies it as a dwelling.

**Mobile Home Owner** A person who *owns* a mobile home but does *not occupy* it as a dwelling.

**Mobile Home Tenant** A person who rents and occupies a mobile home as a dwelling.

**Notice of Eligibility** Notification by the department in writing of a displacee's eligibility to receive relocation assistance such as advisory services, move cost reimbursements, and/or replacement housing payments.

**Personal Property** (1) A mobile home not considered part of the real estate which may or may not be movable to another site. (2) Household furniture, clothing and other belongings which will be moved

**Purchased Mobile Home** A mobile home purchased by the department as *unmovable personal* property and not included in the acquisition of the real property.

**Real Property\Real Estate** Land, including all improvements located on the land. A mobile home *permanently* attached to the land is considered part of the real estate. If the department purchases the land the mobile home is located on, and the mobile home is considered real estate, it will be included as part of the real estate acquisition.

**Statement of Eligibility** A written statement showing the dollar amount of the maximum replacement housing payment a displacee may be eligible to receive.

# Decent, Safe, and Sanitary (DS&S) Housing

Before you move into and occupy a replacement dwelling, the relocation agent will perform an inspection to determine that the property meets the DS&S requirements. It is important that this inspection be completed prior to occupancy so your benefits are not jeopardized.

A decent, safe and sanitary residence will include but is not limited to the following:

- ✓ A living space large enough to accommodate the people who will live with you
- ✓ An adequate and safe electrical system
- ✓ A safe, drinkable water supply
- ✓ Hot and cold water
- ✓ An operable sewage system or septic tank
- ✓ Stove and refrigerator space and service connections
- ✓ Adequate lighting
- ✓ Safe, unobstructed doorways
- ✓ Proper ventilation
- ✓ Bathtub or shower
- ✓ Private toilet
- ✓ Adequate heat (Will heat to approximately 70 degrees)
- ✓ Structurally sound

## Comparable Replacement Housing

If you are displaced from your residence, the department will assist you in locating other housing that is functionally equivalent and comparable to the residence you are living in at the time the department makes the first written offer to purchase your dwelling. It will have approximately the same amount of living space and will be located in a similar neighborhood.

For Example:

If you are living in a 28' X 52' double wide mobile home, containing 1,456 square feet, three (3) bedrooms, two (2) baths, living room, dining room and family room, the agent will try to find a comparable replacement mobile home approximately the same size with the same number of rooms.

## **MOBILE HOME AS PERSONAL PROPERTY**

If a mobile home is *not permanently attached* to the land on which it is located and it can be transported to another mobile home site, it may be considered personal property. The displacee may own or rent the land.

The owner of a mobile home that is considered personal property, which has been displaced by the department, may be reimbursed for the actual, reasonable, and necessary costs to transport the mobile home to another site, within 50 miles, with the personal household property secured inside. Estimates must be obtained from professional mobile home movers and reimbursement will be based on the lower estimate.

In addition, a displacee may be eligible for reimbursement of the following:

- (1) The reasonable cost of disassembling, moving and reassembling any attached appurtenances such as porches, decks, skirting, and awnings;
- (2) Utility hook-ups to nearby utilities, and permits required by the local county codes and regulations;
- (3) A non-refundable mobile home park entrance fee that is determined by the Department to be reasonable;
- (4) A payment of \$550 for packing and securing items inside the mobile home;
- (5) A replacement housing payment for an appropriate replacement site;
- (6) Necessary and reasonable repairs or modifications to the mobile home.

## **MOBILE HOME AS PERSONAL PROPERTY THAT CANNOT BE MOVED**

Listed below are some of the reasons a mobile home may not be movable:

- (1) The structural condition of the mobile home is such that it cannot be moved without substantial damage or unreasonable costs; or
- (2) The mobile home is not, and cannot economically, be made decent, safe and sanitary (DS&S); or

- (3) The mobile home does not meet comparable mobile home park eligibility requirements, if a park is the only option available; or
- (4) The District Relocation Administrator determines that other conditions would prohibit the relocation of the mobile home.

**If your mobile home is considered personal property but cannot be moved to another site, the department may offer to purchase the mobile home.**

The purchase price will be based on the fair market value of the mobile home which must be established by a person qualified to appraise mobile homes. The ownership must be evidenced by a bill of sale and the title to the mobile home.

If the cost of a comparable mobile home is more than the purchase price of the mobile home bought by the department, you may be eligible for a replacement housing payment (see page 7). You will also be eligible to receive:

- Reimbursement for the cost to move your household personal property to another location within 50 miles.
- Relocation advisory assistance

## **MOBILE HOME AS REAL ESTATE**

Land is real estate and if a mobile home is permanently attached to the land and cannot be moved to another site, the mobile home may be considered part of the real estate. When the property is appraised by the department, a determination will be made as to whether the mobile home is part of the real estate. If it is, the land and the mobile home will be acquired (bought) by the department through the real estate acquisition process.

The displacee will not be eligible for reimbursement of costs to transport the mobile home to another site.

If you occupy a mobile home that is acquired by the department as real estate, and you have received notification of your relocation eligibility from the Department, you are eligible to receive:

- (1) Relocation advisory assistance.
- (2) Reimbursement of moving costs to move furniture and other personal property to a comparable replacement dwelling within 50 miles.

You may also be eligible for a replacement housing payment to assist with the rental or purchase of a comparable, decent, safe and sanitary replacement dwelling. There are specific requirements that must be met to become eligible for a replacement housing payment.

## **REPLACEMENT HOUSING PAYMENTS**

A Replacement Housing Payment (RHP) assists persons who are displaced from their residence to obtain a replacement dwelling that is comparable and functionally equivalent to the displaced residence. If a comparable replacement dwelling costs more to purchase or rent than the displaced dwelling, a replacement housing payment may be computed to pay the difference. Specific requirements must be met to become eligible for a replacement housing payment.

## **OCCUPANCY REQUIREMENTS AND TYPES OF RHP'S**

**YOUR LENGTH OF OCCUPANCY**, as an owner or tenant, in the displaced mobile home located on the acquired site, prior to the date of the first written offer to acquire the site (also called the initiation of negotiations), determines the type of replacement housing payment you may be eligible to receive.

### **PURCHASE ADDITIVE 90 Day Occupancy Required**

- For a Mobile Home: If you have owned and occupied the mobile home at the displacement site for 90 days or more prior to the initiation of negotiations you are a 90 day occupant. You may have owned or rented the land the mobile home is located on.
- For Land: If you have owned and lived on the land 90 days or more prior to the initiation of negotiations you are a 90 day occupant. You may have owned or rented the mobile home.

### **RENT SUPPLEMENT 90 Day Occupancy Required**

- For a Mobile Home: If you have occupied the mobile home, as an owner or tenant, at the displacement site at least 90 days prior to the initiation of negotiations you are a 90 day occupant. You may have owned or rented the land it is located on.
- For Land: If you have lived on the land as an owner or tenant at least 90 days prior to the initiation of negotiations you are a 90 day occupant. You may have owned or rented the mobile home.

## DOWN PAYMENT SUPPLEMENT

- Your rent supplement may be converted into a down payment supplement to assist you in purchasing your replacement residence and/or replacement site.

## PURCHASE ADDITIVE RHP FOR 90 DAY OWNER OCCUPANTS

If a replacement mobile home and/or lot cost more than the current value of the mobile home and/or lot the department is displacing, the purchase additive payment will make up the difference between the two. However, the department must limit the purchase additive amount to the difference between what the department paid for your present dwelling and the value of a dwelling the department selects as most comparable.

In addition to the purchase additive you may be eligible for reimbursement of reasonable incidental expenses required to purchase the replacement mobile home and/or lot. Examples are, title transfer, inspection fees, credit report, appraisal fees, etc. You may also be eligible for an increased interest differential payment if the interest rate on a new loan for the mobile home and/or lot is higher than the interest rate on the displaced mobile home and/or lot, and it has been a valid lien on the property for at least 180 days prior to the department making its first written offer.

### **Example A: You own and occupy the mobile home and land.**

You have owned and lived in the mobile home on that site for 15 years. The department acquired your mobile home and lot as real estate for \$25,000. The relocation agent has found a comparable mobile home and lot that will cost \$30,000.

Comp. Replacement mobile home & lot	\$30,000
Amt. paid for displaced mobile home & lot	<u>-\$25,000</u>
Amt. of Purchase Additive.....	\$ 5,000

### **Example B: You own and occupy the mobile home, and rent the land.**

The mobile home cannot be moved to another site due to its age and structural condition. The department has agreed to purchase the mobile home at the appraised fair market value of \$13,000. A comparable replacement mobile home can be purchased for \$15,000. A comparable lot can be rented for the same amount you paid for rent on the displaced lot; therefore, there is no eligibility for a replacement housing payment for the lot rent.

Comparable Replacement mobile home	\$15,000
Amt. paid for displaced mobile home	<u>-\$13,000</u>
Amount of Purchase Additive.....	\$ 2,000

# RENT SUPPLEMENT

## RHP FOR 90 DAY OCCUPANTS

If your rent payment, including the cost of utilities, on a comparable replacement dwelling is higher than you have been paying for the displaced mobile home, you *may* be eligible to receive a rent supplement that will make up the difference for a period of 42 months.

**Example C: You rent and occupy both the mobile home and lot.**

You are paying \$250 per month to rent the mobile home and lot, plus \$125 per month for utilities, a total of \$375. The relocation agent has found a comparable replacement mobile home and lot to rent for \$400 including utilities.

Comparable replacement rental & utilities	\$400
Less cost of rent & utilities at displaced mobile home	<u>-\$375</u>
Difference per month	\$ 25
Times 42 months	<u>x 42</u>
Amount of rent supplement .....	\$1,050

# COMBINATION PURCHASE ADDITIVE/RENT SUPPLEMENT

**Example D: You own and occupy the mobile home and rent the lot.**

You have lived on this site for 15 years and you own the mobile home which cannot be moved. The Department has agreed to purchase your mobile home at its fair market value for \$ 10,000. You rent your lot for \$150 per month. A comparable mobile home will cost \$12,000. A comparable replacement lot rents for \$175 per month.

**Purchase additive for mobile home**

Comparable replacement mobile home	\$12,000
Less Amt. paid for displaced mobile home	<u>-\$10,000</u>
Amt. of purchase additive for mobile home	\$ 2,000

**Rent supplement for lot**

Comparable replacement lot rent	\$ 175
Less rent paid for the displacement lot	<u>- \$ 150</u>
Difference per month	\$ 25
Times 42 months	<u>42</u>
.....Amountofrentsupplement	\$1,050

In this example you would be eligible to receive a purchase additive in the amount of \$2,000 for the mobile home and a rent supplement in the amount of \$1,050 for the lot.

## **DOWNPAYMENT SUPPLEMENT CONVERTING YOUR RENT SUPPLEMENT INTO A DOWN PAYMENT**

If you have received your written notice of eligibility for a rent supplement you may be able to convert the rent supplement into a down payment on a replacement dwelling, and/or lot, if you choose to purchase instead of rent. The entire amount of the rent supplement must be applied toward the purchase of your replacement residence and/or lot. It may include incidental expenses such as appraisal fees, cost of a survey, loan application fees, title insurance and other related costs required to purchase the replacement dwelling and/or land for the mobile home.

If your rent supplement eligibility is less than \$7,200, and you would like to convert it to a down payment supplement, you may be able to increase the amount up to \$7,200. This increase is to assist residential tenants in becoming owners.

**Example E: You rent both the mobile home and lot.**

Using Example C on page 9, your rent supplement eligibility is \$1,050. You have found a mobile home, including the lot, you would like to purchase for \$12,000.

You may convert the rent supplement of \$1,050 into \$7,200 for your down payment and incidental expenses to purchase the \$12,000 mobile home and lot. You will be responsible for the remainder of the \$12,000 purchase price and all expenses over the \$7,200.

**Example F: You own a movable mobile home and rent your lot.**

You own the displaced mobile home and the department will reimburse the cost to transport and set it up at a replacement site. You have been renting your lot for \$150 per month and your relocation agent has found a comparable lot that rents for \$200 per month.

Comparable replacement lot	\$ 200
Less lot rent at acquired	<u>-\$ 150</u>
Difference per month	\$ 50
Times 42 months	<u>x 42</u>
Rent Supplement for lot.....	\$2,100

You have found a lot you would like to purchase for \$5,000. You may increase your rent supplement up to \$7,200 if you purchase the lot for \$5,000 and apply the remaining \$2,200 to incidental expenses. If there are no incidental expenses,

you would receive only the \$5,000. The total amount of the supplement must be applied toward the purchase of the lot and incidental expenses.

## **Residential Moving Cost Reimbursement**

The department will reimburse the actual, reasonable and necessary cost to move personal property displaced by the department. With the District Relocation Administrator's prior approval, you may also receive payment for other related costs such as transportation to the new location, moving insurance and short term storage of personal property.

### **The Three Move Cost Reimbursement Options**

**(1) Use a commercial mover to handle the entire move for you**

Move cost estimates must be obtained from qualified movers based on an inventory of your personal property to be moved. You may choose a mover other than the one with the lower estimate; however, your reimbursement will be based on the lower amount. Pre-move and post move inventories are required.

**(2) A self move based on actual reasonable and necessary costs**

You must save all invoices, receipts, and other documentation, of the costs you incurred to move and submit them to the Relocation Agent when filing your claim for a reimbursement payment. If a question arises as to the reasonableness of an expense, the department may obtain estimates from qualified movers. Pre-move and post move inventories are required.

**(3) A self move using a pre-calculated fixed move cost schedule**

The schedule is based on the number of rooms of furniture that must be moved.

For example:

If you have four furnished rooms and you own the furnishings the schedule will allow one fixed payment in the amount of \$1050 in lieu of all moving and other related costs.

**Note:** If the mobile home is transported to another site with the household personal property still inside, the department will make one payment of \$550 to pack and secure the items inside the mobile home (See page 5).

## Appeal Rights

If you are required to move and you do not agree with the eligibility determination or amount of payment that the District Relocation Administrator has determined you are eligible to receive, you may file an appeal with the State Relocation Administrator.

You must file a written appeal no later than sixty (60) days from the date you receive the written notification your request or claim has been denied by the District Relocation Administrator.

Ask the agent for the appeal form number 575-040-25. The appeal should be addressed to:

Florida Department of Transportation  
State Relocation Administrator  
605 Suwannee Street, Mail Station 22,  
Tallahassee, Florida, 32399-0450

If the State Relocation Administrator denies your claim, he/she will advise you of your right to appeal that decision under Sections 120.569 and 120.57, Florida Statutes, to the Clerk of Agency Proceedings. This will result in an administrative hearing or an informal proceeding.

# Florida Department of Transportation

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Department of Transportation District Office Address

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District Relocation Administrator's Name and Telephone Number

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District Relocation Agent's Name and Telephone Number

When contacting the department please provide the following reference numbers.

W.P.I./Segment No: \_\_\_\_\_

Parcel No: \_\_\_\_\_

**Please Note:** On some projects the department may contract with a private company to represent the Department in assisting you with your relocation. If this is such a project, the Company's name will appear below. Even if your project is under such a contract, you may still contact the Department of Transportation at the above address and telephone number if you feel it is necessary.

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Name of Company Representing the Department of Transportation

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Address

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Name of Company's Agent

Telephone Number \_\_\_\_\_

# MISSION STATEMENT

The department will provide a safe transportation system that ensures the mobility of people and goods, enhances economic prosperity and preserves the quality of our environment and communities.



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# NOTES