



The Carlin Apartments Relocation Plan

Owner: Retirement Housing Foundation (RHF)

Prepared by: Housing Opportunities Unlimited (HOU)

June 22, 2018

TABLE OF CONTENTS

I.	OVERVIEW.....	5
II.	DEFINITIONS.....	5
III.	PROJECT SUMMARY & RESIDENT PROFILE.....	7
	Property Profile.....	7
	Resident Profile.....	8
	Affordable Apartments.....	9
IV.	OCCUPANCY STANDARDS FOR ALL RESIDENTS.....	10
V.	RELOCATION OF RESIDENTS.....	10
	Temporary On-site Relocation.....	10
	Relocation Services and Procedures.....	11
	Resident Notifications.....	12
	Moving Assistance and Relocation Expenses.....	13
VI.	RETURNING TO A RENOVATED UNIT AT THE CARLIN.....	14
VII.	RELOCATION COSTS.....	14
VIII.	ESTIMATED SCHEDULE FOR RESIDENT RELOCATION.....	14
IX.	FAILURE OF RESIDENTS TO ADHERE TO THIS PLAN.....	15
X.	APPEALS.....	15
	Filing an Appeal.....	16
	Right to Representation; Right to File Review.....	16
	Conduct of an Appeal.....	16
	Decision by the Owner.....	17
XI.	RELOCATION RECORDKEEPING AND NOTICES.....	17

APPENDICES

APPENDIX A: SITE MAP OF THE CARLIN

APPENDIX B: SCOPE OF WORK EXECUTIVE SUMMARY

APPENDIX C: CURRENT PICTURES OF THE CARLIN

**APPENDIX D: THE CARLIN RESIDENT RELOCATION NEEDS
SURVEY**

APPENDIX E: GENERAL INFORMATION NOTICE

APPENDIX F: NOTICE OF NONDISPLACEMENT

APPENDIX G: 120-DAY NOTICE TO VACATE

APPENDIX H: 30-DAY NOTICE

APPENDIX I: RELOCATION BUDGET

The Carlin Apartments Contact Sheet and Hours of Operation

Relocation Consultant Housing Opportunities Unlimited (HOU)
Lisa Mangum, Project Director
Phone: (617) 436-4500, x114
lmangum@housingopportunities.com

Office Hours M-F 9-5; evenings and weekends by apt as requested
Relocation staff office hours to be posted on site when applicable
Relocation Office will be located in the Property Management Suite
At The Carlin (4300 N Carlin Springs Rd. Arlington, VA)

Elizabeth Ortiz
Property Manager, The Carlin Apartments
Phone: 703 243-4300
Elizabeth.ortiz@rhf.org

Florence Webb
Senior Development Project Manager
Phone: 562-257-5142
Florence.webb@rhf.org

Hector Mercado
Housing Assistant-Relocation Specialist
Arlington County Housing Division
Phone: 703-228-3805
hmerca@arlingtonva.us

Hours of Operation:

Relocation staff person will be available on-site beginning the later of August 1, 2018 or 120 days prior to construction start. HOU will provide his/her contact information at that time. In the meantime, Lisa Mangum is the main contact person for HOU.

Monday thru Friday: 9:00 am – 5:00 pm, evenings by appointment

Saturday & Sunday: By appointment only

Translation services will be provided as needed.

I. OVERVIEW

The following resident relocation plan was prepared by Retirement Housing Foundation (RHF), the owner and developer overseeing the renovation of The Carlin Apartments (The Carlin). This Relocation Plan sets forth the procedures for the relocation and/or accommodation of 162 units that will be impacted by the renovations of the Carlin and is written in accordance with relevant provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) and implementing regulations at 49 C.F.R. Part 24, Section 104(d) of the Housing and Community Development Act and implementing regulations at 24 CFR Part 42 and all applicable state and local regulations including Virginia Housing Development Authority and Arlington County Tenant Relocation Guidelines. RHF is committed to providing residents with a safe, affordable and attractive place to live while ensuring residents affected by the rehabilitation are treated fairly, consistently, and equitably, so that they will not suffer disproportionate hardships as a direct result of activities designed for the benefit of the community as a whole.

The current construction schedule for the project calls for the plan to be implemented in approximately eighteen phases over eighteen months. RHF has procured the services of an experienced relocation services firm, Housing Opportunities Unlimited (HOU), to draft this relocation plan, and, ultimately, lead relocation activities, including conducting community meetings, coordinating resident communication (including provision of notices), assessing household relocation needs, hiring and supervising a professional moving company, assigning households to temporary relocation units and facilitating moves to temporary relocation and renovated units and providing relocation consulting services throughout the duration of the project.

This plan applies to all moves as a result of the rehabilitation of The Carlin Apartments (See *Appendix A, Site Map of The Carlin*).

II. DEFINITIONS

1. ***Affected Residents*** – All residents of The Carlin as of the date the General Information Notice was sent. This term shall not apply to any resident who is or becomes in violation of his or her lease, or currently is involved in an eviction proceeding or who was not a resident of The Carlin as of the date the General Information Notice was sent. The current tenant roster for The Carlin is on file at the RHF Management Office at The Carlin at 4300 N. Carlin Springs Road, Arlington, VA 22203.
2. ***AMI*** -- Area Median Income. Each year, HUD publishes estimates of the median family income for every metropolitan area in the United States. The median income is adjusted by the number of household members and by factors like the minimum benefit level of Social Security payments so that any family's income can be compared to the area's median income. Different percentage levels of AMI define eligibility for different types of subsidy.
3. ***Arlington County Housing Grants*** – provide rental assistance to low-income Arlington, VA residents. Applicants must meet income guidelines and personal assets cannot be greater than \$35,000.

4. **CDBG**—Community Development Block Grant. A United States Department of Housing & Urban Development program that provides funding for a wide range of community development activities, such as affordable housing.
5. **Decent, Safe and Sanitary** -- A replacement dwelling that is (a) structurally sound, weather tight and in good repair, (b) contains safe electrical wiring and a safe heating system, (c) is adequate in size to meet the space needs of the displaced person, (d) contains safe unobstructed egress that is free from barriers in cases where there is mobility impairment and (e) complies with lead-based paint requirements.
6. **HOME Program** – A United States Department of Housing & Urban Development program that provides funding to increase homeownership and affordable housing opportunities for low and very low-income Americans.
7. **Designated temporary vacant unit** – The project will entail the use on-site vacant units to which residents will temporarily relocate during the renovations of their units. Designated temporary vacant units will not be furnished. Furnishings and household items owned by the residents will be moved into the Designated temporary vacant units for them to use and access while they are temporarily living in the Designated temporary vacant units.
8. **HUD** – The United States Department of Housing and Urban Development.
9. **Leaseholder** -- Any head and/or co-head of household in occupancy as of the date of delivery of the General Information Notice issued pursuant to the URA.
10. **LIHTC** – Low-Income Housing Tax Credit. The LIHTC program provides tax incentives for developers to develop affordable housing.
11. **Person with a disability** – a person who has a physical or mental impairment which substantially limits one or more major life activities.
12. **Rehabilitation** – The act or process of expanding, remodeling, altering or renovating apartments and common areas within the development.
13. **Relocation** – A move from one unit to another in the same community or in another community as a result of the Owner’s-initiated program, using public funds.
14. **Relocation Coordinator** – A representative of the Owner whose specific task is to monitor and coordinate all relocation activity and implement the relocation plan to ensure compliance with applicable relocation regulations, guidelines and laws.
15. **Revitalization** – the act of renovating or replacing dilapidated buildings with new housing and or buildings in accordance with comprehensive plans.

16. **RHF** – Retirement Housing Foundation.

17. **Temporary Move** – When residents are not required to move permanently but must relocate for a period of less than 12 months to facilitate unit rehabilitation on the site, in this case, a stay in an on-site designated temporary vacant unit.

18. **Temporary Replacement Housing** – For households being temporarily displaced, comparable housing will be an on-site vacant unit designated temporary vacant unit. All temporary housing units will be a) decent, safe and sanitary, b) adequate in size to accommodate legal occupants and c) currently available for the household to occupy during its temporary relocation.

19. **VHDA** –Virginia Housing Development Authority.

III. PROJECT SUMMARY & RESIDENT PROFILE

Property Profile

Completed in 1996, The Carlin is a 10-story high rise with 162 one- and two-bedroom apartments, located 10 minutes from Washington, DC. This is a Senior Community. The first floor is all common area, offices, mail area, laundry, beauty shop, and lobby. Floors 2-10 each contain 18 units (17 one-bedroom and 1 two-bedroom units per floor), for a total unit mix of 153 one-bedroom (including 4 handicap-accessible units) and 9 two-bedroom units. One two-bedroom unit is currently being used as an “employee” unit. Each unit averages 500 square feet of space. Eighty percent of the units are at or below 60% AMI, and 20% are at or below 50% AMI. There is subterranean parking and some at-grade parking; there is controlled access to the building for a secure environment. Residents have access to a wide range of social activities as well as an optional meal program, and there is a Social Service Coordinator who is available for resident’s personal needs. Upon the closing of the project’s construction financing, residents will start to be temporarily relocated in phases as the renovation requires. The renovation could start as early as December 2018.

RHF plans to substantially rehabilitate all the units and the common area in The Carlin. The proposed project will bring up-to-date, or replace, all systems in the building in compliance with EarthCraft energy-efficient standards. Among planned system improvements include, entry system, fire alarm, security camera system, nurse call system and trash disposal system. In unit renovations will include the following:

- Installation of hard surface flooring throughout the unit
- New kitchen appliances, cabinets, countertops, sinks, plumbing hardware and electrical fixtures
- Complete bathroom remodels, including new cabinets, plumbing fixtures, sinks, toilets, showers, roll-in showers for ADA units, grab bars, electrical fixtures and flooring.
- Replacement of electrical water heaters with energy efficient hot water tanks
- Replacement of unit entry and interior doors and hardware
- New window coverings

- Replacement of all gas in the building with Energy Star electric appliances and air conditioners

Common area rehabilitation will include redesign of first floor common area (to include spaces for exercise room, arts and crafts room, game room, multi-media center, computer room, storage room, common area kitchen, special events area, laundry room, food bank distribution center, lobby and back-of-house office area), roof repair or replacement, elevator repairs, HVAC replacement and emergency power generator repairs or replacement. The project is also planning additional landscaping, hardscape repairs, enlarging of patio areas, and redesigned entry. See *Appendix B, Scope of Work Executive Summary* and *Appendix C, Current Pictures of The Carlin*.

Sources of financing for The Carlin renovations include the following:

- First Mortgage—Task Exempt Bonds
- Limited Partner Equity-Tax Credit Investor
- RHF Seller Loan
- HOME/CDBG Funds—Arlington County
- Construction Interest Paid from Operations
- GP Equity
- Reserves
- Deferred Developer Fee

Of the 162 units at The Carlin, there are currently 155 occupied residential units in the following distribution: 146 one-bedroom and 9 two-bedroom units. The renovation will retain the current unit mix, program, and affordability requirements. No change to unit footprints or program is anticipated. Please see Table 1 below for the current and future breakdown by unit size and income level.

Bedroom Size	Table 1: Current and Proposed Unit Mix by Income Level for The Carlin		
	LIHTC-60%	LIHTC-50%	Total
1 BR	120	33	153
2 BR	8	0	8
Total	128	33	161

*3 1BR and 8 2BR units are also HOME-funded.

**an additional 2 bedroom is offline, used as “employee” unit

Resident Profile

The Carlin, as of 6/11/18, had the following resident demographics:

- 174 residents in 155 occupied units
- 63% of residents are female; 37% are male

- Residents are 62 years of age and older. There are no children on this property. 63% of residents are between the ages of 70 and 89 years, and 8% (14 residents) are over the age of 90
- 44% of residents speak a language other than English as their primary language, with Spanish being the most common language spoken other than English. Other languages represented at the Carlin include Amharic (8%), Chinese (6%) and Vietnamese, Arabic, Italian, Russian and Korean.
- 43% of residents are disabled
- 39% of households have Section 8 mobile vouchers and 37% receive Arlington County Housing Grant assistance
- The majority (61%) of residents have lived at the property over 5 years, and a significant number (26%) have lived there for over 10 years.
- Income level breakdown (in terms of %AMI). All residents were income-qualified at initial lease.

As part of their scope of work, the Relocation Contractor will be conducting assessments of all 155 resident households to determine residents’ special needs during the renovation. Care will be provided to ensure seamless provision of services to the largely elderly resident population during the temporary relocation period.

Affordable Apartments

When applying to rent an affordable apartment at The Carlin, income eligibility will be capped at 50% and 60% of area median income, based upon the previously described unit mix by income level in Table 1. See below Table 2 for household size income limits.

Table 2. Income Limits for Affordable Apartments		
Number of Persons in Household	50%	60%
1	\$41,050	\$49,260
2	\$46,900	\$56,280
3	\$52,750	\$63,300
4	\$58,600	\$70,320
5	\$63,300	\$75,960
6	\$68,000	\$81,600

The maximum allowable rents for the affordable apartments are as follows:

Bedroom Size	County Housing Grant	LIHTC
1BR	\$1,189	\$1,229
2BR	\$1,344	\$1,454

RHF has been phasing in these maximum rents on a monthly basis, with all rental increases to be completed prior to the renovations.

IV. OCCUPANCY STANDARDS FOR ALL RESIDENTS

Occupancy standards are established for the comfort and well-being of our residents and to prevent overcrowding. The standards for occupancy are the same for all apartments. Please see table below.

Unit Type	1-Bedroom	2-Bedroom
Maximum Number of Occupants	2	4

V. RELOCATION OF RESIDENTS

The rehabilitation of The Carlin will occur in approximately 16 phases of construction with each mobilization containing approximately 9 units each. Each residential floor will have 2 phases of construction. It is anticipated that each phase of construction will take 4 weeks. Construction will start on the 10th floor and work down. RHF has identified its General Contractor, Compo Construction, based in Norfolk, VA.

Temporary On-site Relocation

Once renovations commence, on-site vacant units will be used as designated temporary vacant units to which each household will be temporarily relocated during the phase in which their unit is being renovated. There are currently 7 vacant one-bedroom units which will be used as designated temporary vacant units for the temporary relocation of households. It is anticipated that through attrition additional designated temporary vacant units will become available before relocation begins for the project.

To be eligible for relocation assistance, residents should remain in “good standing”, that is, not be in violation of their lease and current with their rental payments. One-on-one interviews will be conducted by the Relocation Contractor with each household to obtain relevant resident information, identify particular relocation needs and explain the process and all eligible benefits. At least 30 days prior to their move date, temporarily relocated residents will receive a notice that identifies their temporary relocation unit and the anticipated duration of their temporary relocation. The Relocation Coordinator will ensure that all conditions of the temporary relocation are reasonable. The Relocation Coordinator will review each household relocation survey and, working with the resident, will offer each temporarily relocated household an available apartment at The Carlin that is suited to

meet the needs of that household. Temporary units will be decent, safe and sanitary, and will be comparable to the resident's current unit.

Temporary relocated residents will not be required to sign a lease but will be required to sign a housing agreement with RHF, with respect to the temporary relocation and be required to comply with the terms of the agreement. While living in the temporary unit, temporarily relocated residents will be expected to continue paying their rent directly to RHF, which should be of equal value. There will be no reduction in services at The Carlin during the resident relocation process.

Relocation Services and Procedures

Housing Opportunities Unlimited (HOU) has current and previous experience conducting relocation efforts in Arlington County and the Commonwealth of Virginia. HOU Relocation staff will be responsible for conducting resident meetings, providing tenant notices (including General Information Notice, Notice of Nondisplacement, 120-Day and 30-Day Notices to Vacate), providing referrals to supportive services and technical assistance, identifying comparable housing units, scheduling and coordinating relocation moves, coordinating utility transfers, conducting follow-up visits, administering relocation benefits, and communicating on an ongoing basis with tenants, as needed and documenting the relocation activities.

An HOU Relocation Coordinator and Moving Coordinator will be on-site at The Carlin implementing the requirements of the Relocation Plan. The Relocation staff will be scheduled to work between 9am and 5pm as well as some evenings and Saturdays, to ensure that they are accessible to residents during the day and evening. The Relocation staff will work weekends when moves are taking place. Tenants will have the opportunity to meet personally with the property management staff and Relocation staff at their request throughout the relocation and rehabilitation process.

As mentioned previously, HOU Relocation staff will be conducting a relocation needs assessment survey with the residents of The Carlin. Resident issues/needs (i.e., reasonable accommodation issues, services, etc.), housekeeping/hoarding concerns, pest infestations, planned hospitalizations or vacations, pets, frail elderly/disabled needs that are identified through this survey will guide relocation planning (See *Appendix D, The Carlin Resident Relocation Needs Survey*). The following additional relocation tasks will also be undertaken:

- Relocation Coordinator will conduct workshops to explain relocation procedures in detail. This includes providing written information on moving assistance, benefits, rights, privileges and protections.
- Relocation staff will provide each tenant with a 120-Day Notice to Vacate no less than 120 days prior to the date by which the tenant must move informing them of the planned renovations, why they are required to move and the move date (See **Resident Notifications** section of this plan for more information regarding the 120-Day Notice to Vacate).
- Relocation staff will also provide each tenant with a 30-Day Notice to Vacate no less than 30 days prior to the day that the tenant has to move, notifying each tenant of their upcoming temporary relocation into the on-site designated temporary vacant unit. This notice will identify the address of the temporary replacement unit, which will be based on the appropriate bedroom

size needed and any special physical needs as well as the anticipated duration of the temporary relocation date (See **Resident Notifications** section of this plan for more information regarding the 30-Day Notice to Vacate).

- Relocation Coordinator will explain to residents moving temporarily into designated temporary vacant units that they must sign a Temporary Transfer and Occupancy form (TT&O) to transfer their rights and responsibilities under their lease away from their home unit to the designated temporary vacant unit for the duration of their stay.
- Relocation Coordinator (HOU) will coordinate moving company services with a licensed and bonded moving company who will move all residents' belongings to temporary relocation unit and back to renovated unit. The moving company will provide residents with boxes and packing tape to pack up their valuables; the moving company will pack the remainder of the residents' belongings and unpack them when returning to their renovated unit. The resident's household items will all be moved into the on-site temporary designated temporary vacant units, with any overflow being directed to storage for safe keeping. HOU and Moving Company will ensure all items will be inventoried before relocation to designated temporary vacant units or overflow storage.
- Relocation Coordinator will collaborate with property management to ensure that each home unit is free from pests before being relocated; pest control services will be provided for those units requiring treatment for pests.
- Relocation staff will coordinate turn-over of designated temporary vacant units between phases of relocation, including facilitating cleaning/janitorial and routine maintenance services.
- 15 days prior to their upcoming relocation, the Relocation Coordinator will re-visit each of the families to check on their progress with packing and answer any questions the residents may have about their impending move.
- 48 hours prior to the move, the Relocation Coordinator will re-visit each family to ensure that the family is ready to move and confirm their move time with them.
- Relocation Coordinator will assist residents with completing required paperwork for temporary and/or rehabbed unit.
- On the day of the move, the Relocation Coordinator will meet with each household individually to handle any last-minute issues and to ensure that the resident's belongings are moved.
- Relocation Coordinator will make referrals to social service providers (as needed) to address social service-related barriers to relocation and ensure transfer of current social services (i.e., home delivered meals, homemaking and personal care, emergency response services, etc.) for seamless service provision to residents. Resident assistance will be provided to identify Arlington County agencies that address special needs of the population of The Carlin.

Resident Notifications

Throughout the pre-construction and construction periods, the Relocation Contractor and RHF will communicate with residents to keep them informed of progress and to answer questions about the Rehabilitation Plan and the implementation of the Relocation Plan through periodic meetings, notices and door-to-door personal communication. RHF will hold periodic meetings on relocation throughout the renovation process so that residents have several opportunities to learn about the relocation process, receive regular updates or learn of changes to the plan, and ask questions. Meetings will be held at a place convenient to the residents. Ample time will be allotted for questions.

Interpretation services will be offered at relocation meetings, and distributed documents will be translated.

The management office welcomes residents to stop by the office at any time during regular business hours. To ensure adequate time to discuss any concerns, RHF recommends that residents come by the office to schedule an appointment. Relocation staff will be available during business hours by appointment or on a pre-determined schedule.

A copy of this relocation plan will be available to all Affected Residents upon completion and approval. Residents will be able to view and obtain a copy of this plan along with any translation of this plan, as required or requested, through the RHF Management Office at The Carlin at 4300 N. Carlin Springs Road, Arlington, VA 22203. Residents will receive the final Relocation Plan once it has been approved by Arlington County and HUD.

The following outlines the anticipated process for resident notification:

- **General Information Notice (GIN)** – written notice indicating that the property is slated for rehabilitation will be hand-delivered and signed for by each resident or mailed certified mail, return receipt requested to all residents of The Carlin. The notice will advise residents not to move, explain the nature of the proposed rehabilitation project, and describe in general terms the relocation assistance available to all residents of The Carlin. See *Appendix E*.
- **Notice of Non-Displacement** – written notice to be sent to all households who will be temporarily relocated, indicating that the household will not be displaced from the property but may need to be temporarily relocate while unit renovations are occurring, will be hand-delivered and signed for by each resident or sent certified first-class mail, return receipt requested. See *Appendix F*.
- **120-Day Notice to Vacate** – the Relocation Coordinator will send this notice to each Carlin household a minimum of 120 days prior to the day the household must move, notifying them that renovations will require them to temporarily move and provides their move date. The initial date of receipt will be the effective date of this notice. This notice will also provide information regarding the relocation advisory services and relocation payments to which they are entitled, office hours and contact information of the Relocation Contractor as well as contact information for the management company. This notice will be delivered in person to each occupied apartment and mailed certified, return receipt requested to all residents of The Carlin. See *Appendix G*.
- **30-Day Notice to Vacate** – the Relocation Coordinator will send this notice to each Carlin household a minimum of 30 days prior to the day that the tenant has to temporarily relocate to inform them of the location of their temporary relocation unit, the date and approximate time of their move and outlines resident responsibilities regarding their move. See *Appendix H*.

Moving Assistance and Relocation Expenses

The following details the moving assistance and covered relocation expenses that will be provided, at no cost, to all residents of the Carlin:

- Packing supplies (boxes and tape)
- Services of a bonded moving company that will provide packing assistance and move resident belongings to their temporary relocation unit and back to their renovated unit
- The moving company can provide packing and unpacking assistance
- Storage of belongings, as needed, during unit renovations
- All utilities (cable, telephone and Internet services) will be provided in the temporary relocation unit
- Reimbursement for any reasonable out-of-pocket expenses incurred in connection with a temporary move

VI. RETURNING TO A RENOVATED UNIT AT THE CARLIN

All Carlin residents will be able to return to their same unit at the completion of disrupting renovation activities, unless they are found to be eligible for a different sized unit or have an approved reasonable accommodation which necessitates their being assigned to a unit with special features, etc. All households are expected to continue to qualify for occupancy at the property after the renovation.

VII. RELOCATION COSTS

RHF has budgeted \$674,984 for The Carlin temporary relocation effort. See *Appendix I, The Carlin Relocation Budget*.

VIII. ESTIMATED SCHEDULE FOR RESIDENT RELOCATION

June 26, 2018	Initial Resident Meeting
June 27, 2018	Submit Relocation Plan to Arlington County
July 2018	Relocation Team begins one-on-one interviews with residents to gather information on each household's needs during renovations
July 11, 2018	Arlington County Tenant Landlord Commission public hearing on The Carlin Relocation Plan
September 2018	Relocation Plan approved
	120-Day Notices too Vacate delivered to residents advising of upcoming renovations and relocation
	Relocation staff available part-time on-site for resident inquiries

December 2018	30-Day Notices delivered to residents in initial phase(s)
	Construction begins
January 2018	Phased relocation begins
July 2020	Renovations are complete

IX. FAILURE OF RESIDENTS TO ADHERE TO THIS PLAN

RHF will exercise its authority judiciously in order to ensure residents comply with this Relocation Plan and enable the rehabilitation activities to occur in a timely fashion. URA benefits, including moving expenses, will be paid to any resident for whom the sole and only basis of eviction is the refusal to cooperate with relocation.

The property manager may initiate actions under the eviction procedures if a resident refuses to comply with the following:

- A. Move or relocate
- B. Meet with property management/HOU staff regarding relocation or
- C. Cooperate in the relocation process.

However, property management and Relocation staff will undertake every effort to best accommodate resident needs during their relocation and coordinate resident relocation with the support of resident emergency contacts/family members so as to avoid eviction action.

X. APPEALS

Grounds for Appeal

If a resident contends that this Relocation Plan is not being implemented properly or believes the Owner has failed to properly consider the person's request for relocation assistance, the resident may file a written appeal to The Carlin Apartments, c/o Retirement Housing Foundation (4300 N. Carlin Springs Road, Arlington, VA 22203), where staff is responsible for ensuring that the Relocation Advisory Agent:

- A. Properly determines whether the resident qualifies or will qualify as a person who is eligible for relocation assistance;
- B. Properly determines the amount of any relocation payment required by this plan;
- C. Properly provides an appropriate temporary relocation unit; and
- D. Properly responds to an appeal in a timely manner.

Relocation staff shall inform residents, in writing, of their right to appeal to Retirement Housing Foundation. Grounds for an appeal may include:

1. A determination by the Owner of the individual's eligibility or ineligibility as an Affected Resident, as defined by the Relocation Plan;
2. A determination by the Owner of the scope and amount of relocation assistance made available to an Affected Resident, including advisory services, moving expenses, and replacement housing payments;
3. Any decision to temporarily relocate the family, including the terms and conditions of the temporary move, or the amount and scope of temporary relocation benefits; and/or
4. The Owner's determination that an Affected rejected an offer of a comparable replacement unit without good cause.

Grounds for appeal shall not include suspension of discretionary relocation benefits to Former Residents.

Filing an Appeal

An appeal must be filed in writing with Retirement Housing Foundation within sixty (60) calendar days of the date of the contested action, or by referral from RHF staff, in which event written notice from the resident is not required. The date of the contested action is the date on which a determination was communicated to the resident. If the appeal is based on an event for which a date of action cannot be determined, the appeal must be filed within sixty (60) calendar days of the action.

Right to Representation; Right to File Review

Any person requesting an appeal shall have the opportunity to examine and to copy all documents, records and regulations that are relevant to the appeal prior to any hearing. The Owner may charge a reasonable fee for copies of more than fifty (50) pages. Any person requesting an appeal shall have the right to be represented by counsel or any other person of their choice.

Conduct of the Appeal

An appeal shall be scheduled as promptly as possible. All requests for appeals shall be heard within ten calendar days from the time of the request for the appeal. The appellant shall have at least five calendar days advance written notice of the date, time and place of the hearing. If the appellant requires a change in the date of the hearing, the resident must contact the Owner at least forty-eight (48) hours in advance of the scheduled hearing. Upon the resident's showing of good cause, the Owner shall arrange an alternate date and time for the hearing and notify all parties.

The appeal will be conducted by a representative of the Owner who is not the person who took the action under appeal. The hearing shall be informal, and oral or documentary evidence pertinent to the facts and issues raised by the appeal may be received without regard to admissibility under the rules of evidence applicable to judicial proceedings. At the appeal, the appellant shall have the right to:

- examine and to copy all documents, records and regulations that are relevant to the appeal prior to any hearing;
- be represented by counsel or any other person of their choice;
- present evidence and arguments in support of the appeal, to controvert evidence relied on by the Owner, and to confront and cross-examine all witnesses on whose testimony or information the Owner relies; and
- a decision based solely and exclusively upon the facts presented at the hearing.

Decision by the Owner

Within five (5) calendar days after the hearing, the hearing officer shall prepare a written decision, which shall include a statement of its findings of fact and specific reasons for the results. A copy of the decision shall be mailed or delivered to the parties or their representatives and a copy shall be kept in the resident's file.

XI. RELOCATION RECORDKEEPING AND NOTICES

An occupant list will be maintained that when the project is completed will identify:

- A. All persons occupying the site on or before the date of Initiation of Negotiation (ION)
- B. All persons moving onto the property on or after the project begins (*if applicable*)
- C. Addresses of families who have moved from the site

As required by 49 C.F.R. part 24, the following notices will be delivered by certified mail, return receipt requested or hand-delivered.

- A. General Information Notice (See *Appendix E*)
- B. Notice of Nondisplacement (See *Appendix F*)
- C. 120-Day Notice to Vacate (See *Appendix G*)
- D. 30-Day Notice (See *Appendix H*)

HOU will maintain the following records in each resident file for this relocation project:

1. General Information Notice (GIN)
2. Notice of Nondisplacement
3. 120-Day Notice to Vacate
4. 30-Day Notice
5. Relocation Survey

