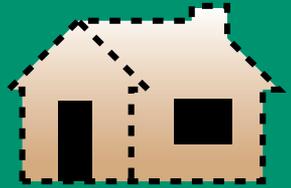




**RIGHT OF WAY**

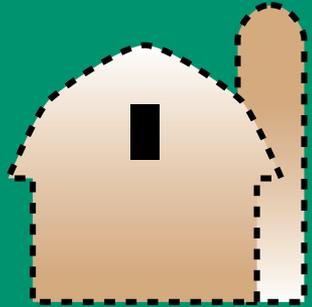
**RELOCATION**

**SERVICES**



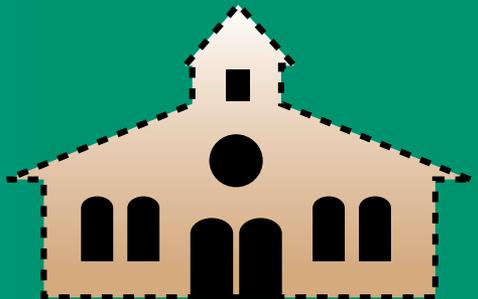
**Business**

**Residential**



**Farm**

**Non-Profit**



*The Idaho Transportation Department (ITD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. ITD assures that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ITD service, program, or activity. The department also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. In addition, the department will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.*

## ***Dear Fellow Idahoans:***

*The following tells you about the relocation program benefits available if you have to move from the path of a federally funded project. To ease the problems of finding a new place to live, to do business or to farm, the Idaho Transportation Department provides two programs:*

### **THE RELOCATION ASSISTANCE PROGRAM THE RELOCATION PAYMENTS PROGRAM**

*This booklet is a general description of these programs. It explains who is eligible for the benefits available and how they may be obtained. Please become familiar with the parts that apply to you; it may save time and possible misunderstandings later.*

*If you are to be displaced, you will be personally contacted by a Relocation Agent. The programs will be fully explained and you will be advised how to utilize them to your best advantage. You will be supplied with the forms needed to claim your payments and offered assistance in filling them out. It is the responsibility of the Relocation Agent to assist you and give you complete, factual relocation information.*



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## DECLARATION OF POLICY

Department of Transportation Policy: The United States Secretary of Transportation stated in the Department's "Replacement Housing Policy" in DOT Order 5620.1 dated 6/24/70, the following guidelines:

It is the policy of the Department of Transportation that no person shall be displaced by the Department's federal and federally-assisted construction projects unless and until adequate replacement housing has already been provided for or is built. To accomplish this policy, the following three principal points must be carried out:

- a. Specific written assurance that adequate replacement housing will be available or provided for (built if necessary) will be required before the initial approval of endorsement of any project.
- b. Construction will be authorized only upon verification that replacement housing is in place and has been made available to all affected persons.
- c. All replacement housing must be fair housing—open to all persons regardless of race, color, religion, sex, or national origin. This is in addition to the requirement that replacement housing must be offered to all affected persons regardless of their race, color, religion, sex, or national origin.

If you feel that the housing is not fair housing, then you should register a complaint with the Human Rights Commission, Statehouse, Boise ID 83720, Phone Number 208-334-2873.

## SOME IMPORTANT DEFINITIONS

**Displaced Person:** A “displaced person” is any person (individual, family, corporation, partnership, or association) who moves and /or moves personal property as the result of the acquisition of the real property, or as the result of a written notice from the Idaho Transportation Department to vacate the real property that is needed for a project. In the case of a partial acquisition, the Idaho Transportation Department shall determine if a person is displaced as a direct result of the acquisition. Relocation benefits will vary upon the type and length of occupancy.

**Relocation Claim:** A formal application for relocation assistance payment is required, using forms provided by the Relocation Agent. The claim form must be received by the Idaho Transportation Department no more than 18 months after the displacement date or when payment is received from the State whichever is later.



**Business:** Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease and/or rental of personal and/or real property, and/or for the manufacture, processing, and/or marketing of products, commodities, and/or any other person property; or for the sale of services to the public; or solely for the purpose of this Act, an outdoor advertising display or displays, when the display(s) must be moved as a result of the project; or a legal entity purposefully engaged in a legal, not-for-profit activity (“nonprofit organization”).

**Farm:** Any lawful activity conducted solely or primarily for the production of one or more agricultural products or commodities including timber for sale or home use and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator’s support.

**Nonprofit Organization:** A “business” that is licensed and/or registered, when required by local or federal authority, for operation on a not-for-profit basis and exempt from federal income taxes.

**Comparable Replacement Dwelling:** A comparable replacement dwelling must be “decent, safe, and sanitary,” and should be functionally equivalent to your present dwelling.

**Functionally Equivalent:** The term functionally equivalent means that the comparable replacement dwelling performs the same function, provides the same utility. While a comparable replacement dwelling need not possess every feature of the displacement dwelling, the principal features must be present.

# THE RELOCATION ASSISTANCE & PAYMENT PROGRAM

**What it does:** The Idaho Transportation Department will give you assistance in finding a new place to live or in which to do business. A Relocation Agent is assigned to each highway project for this purpose. The Relocation Agent will have lists of properties being offered for sale or rent that are in suitable condition, price, or rental range for you and your family. Information concerning available properties, typical real estate purchase and leasing costs, available public housing and the services offered by other agencies in the area will also be available.

**How Soon Will I Have to Move?** You will receive at least ninety (90) days notice in writing of the date you have to move. This notice usually will not be given until the State has acquired the property.

**What is the Relocation Payments Program?** The Relocation Payments Program is designed to help pay the expenses encountered in moving when homes, businesses, farms, and nonprofit organizations must be relocated to make room for a highway project. Two different kinds of payments are involved:

## 1. Moving Expenses

Most owners and tenants of homes, mobile homes, businesses, farms, and nonprofit organizations displaced by a project will be eligible to receive payment for their actual and reasonable expenses in moving themselves, their family, business, farm operation, or other personal property, and in searching for a replacement business or farm location. Also, payment will be made for actual direct losses of tangible personal property as a result of moving or discontinuing a business, farm operation, or nonprofit organization.

## 2. Replacement Housing Payments (R.H.P.)

### a. Replacement Housing Supplements

Long term owner-occupants of homes, unable to purchase comparable replacement housing at price levels equal to what they received from the State for their homes, may be eligible to receive a *Supplemental Payment*.

### b. Rent Supplements

Tenants and short-term owner-occupants of residential units, unable to rent comparable residential units at price levels equal to the rent they are paying at the time they move, may be eligible to receive a *Supplemental Payment*.

Payments received under the Relocation Assistance Program will not be considered as income for the purpose of any income tax; nor as income or resources for the purpose of determining eligibility for assistance from the State Department of Health and Welfare. Nor are such payments considered as income for the purpose of determining the eligibility of any person for assistance under the Social Security Act or any other Federal law.

The following pages explain these payments in greater detail. If you have any questions not covered here, please feel free to ask. Copies of the rules and regulations governing the administration of the Relocation Assistance Program may be obtained from the Idaho Transportation Department, Right of Way Section, P.O. Box 7129, Boise, Idaho, 83707-1129.

# MOVING EXPENSES – RESIDENTIAL

**What are Moving Expenses?** Moving costs or moving expenses include the costs of:

1. Transportation of displaced person and personal property
2. Dismantling
3. Disconnecting
4. Crating, Uncrating
5. Packing, Unpacking
6. Loading
7. Insuring
8. Temporary Storage
9. Unloading
10. Reinstalling of personal property, including service charges in connection with such reinstalling; temporary lodging while being moved; and transportation of eligible persons.
11. Replacement value of personal property lost, stolen, or damaged.



Moving expenses do not normally include any addition, improvements, alterations or other physical changes in or to any structure in connection with moving personal property, except when required by law.

**Who May Receive Moving Expenses?** Dwelling occupants, business and farm operators, and nonprofit organizations may be eligible to claim these expenses.

**Moving Expenses-Limit on Distance:** Payments for moving are limited to a straight-line distance of 50 miles. Any additional mileage charges must be paid by the person being moved.

**Storage and Temporary Lodging Costs-Limit on Time:** If it is necessary for a person to store personal property or obtain temporary lodging, the Idaho Transportation Department will pay reasonable and necessary storage charges for no more than twelve (12) months and reasonable temporary lodging costs while goods are in transit.

The Relocation Agent must approve plans for storage and temporary lodging **IN ADVANCE**. Be sure to make this contact before moving.

**Can I Move in Advance of Purchase of My Dwelling or Place of Business?** *Do Not Move In Advance.* In order to be eligible for any benefits described in this brochure, you must be in lawful occupancy at the start of negotiations for the property to be acquired by the State, or have been ordered in writing to vacate your present residence or business.

If you own or rent a residential dwelling, you may be eligible for a fixed payment based on “Room Count,” or the “Actual Cost” of moving your household goods. You may choose the best method for you.

**Option 1: What Does Fixed Payment “Room Count” Mean?** The “Room Count” method has nothing to do with actual costs of moving and requires no proof of expenses. It is particularly suitable for occupants who wish to move themselves. The payments are based on the number of rooms of furniture or personal belongings. If you are the owner of a dwelling or are renting an unfurnished dwelling (you own the furniture) and:

If the Certified Number of Rooms is:	Your Moving Payment will be:
1.....	\$400
2.....	\$550
3.....	\$700
4.....	\$850
5.....	\$950
6.....	\$1050
7.....	\$1150
8.....	\$1250
For Each Additional Room Add: .....	\$100

If you are renting a furnished house, apartment or sleeping room (you do not own the furniture) your payment will be \$300 for the first room and \$50 for each additional room.

**How to Claim the “Room Count” Payment:** A few days before you move, you must notify your Relocation Agent so the agent can count and certify the number of rooms for which you can be paid.

**Which Claim Form to Use for “Room Count” Payment?**

1. After you have moved, fill out the claim form provided by the Relocation Agent. Your Relocation Agent will assist you in completing the form if needed.
2. Mail the form to the Idaho Transportation Department, Right of Way Section, P.O. Box 7129, Boise, ID 83707-1129

**When to Claim Payment:** You should file a claim for your “Room Count” moving costs as soon as you have moved. The claim must be filed within eighteen (18) months after you vacate the displacement dwelling.

**Option 2: What does “Actual Cost” mean?** Instead of the “Room Count” method, you may choose the “Actual Cost” method which provides for payment of actual reasonable expenses of moving up to 80 kilometers (50 miles), by a licensed commercial mover.

If you choose the “Actual Cost” method, your Relocation Agent will give you a letter authorizing the move and you must do the following:

1. Contact a licensed commercial mover;
2. Move, pay the mover, and get receipted bills;
3. Fill out the claim form provided. Attach the paid bills from the moving company and others to the claim form. Your Relocation Agent will assist you, if needed;
4. Mail to the Idaho Transportation Department, Right of Way Section, P.O. Box 7129, Boise, ID 83707-1129.

**When to Claim “Actual Cost” move Expenses:** You should file your claim as soon as you have moved and paid the mover. The claim must be filed within eighteen (18) months after you complete your move.



**When May I Expect payment?** You should receive payment within thirty (30) days after your moving cost claim is approved.

**What About Mobile Home Residents in an Established Mobile Home Park or Elsewhere?** Owner-Occupants may be eligible for the “Actual Cost” of moving such homes to new sites.

Tenants of mobile homes or owner-occupants who move only their personal property will be allowed moving payments the same as occupants of other dwellings.

If the displaced person owns some or all of the furniture, Option 1 will apply with the room count based on quantities of household furniture, equipment, and personal property “common” to a permanent dwelling.

A few days before you move, your Relocation Agent must certify the number of rooms to be moved.

1. After you have moved, fill out the claim form provided.
2. Mail the form to the Idaho Transportation Department, Right of Way Section, P.O. Box 7129, Boise, Idaho, 83707-1129.
3. The claim must be filed within eighteen (18) months after you move.

# REPLACEMENT HOUSING PAYMENTS

Owner-occupants and tenants who are displaced from houses, apartments, mobile homes, or sleeping rooms may be eligible for a Replacement Housing Payment in addition to moving costs.

There are three (3) kinds of payments:

1. Housing Supplement
2. Rent Supplement
3. Down Payment Supplement

These supplemental payments are to assure that all displaced persons will have enough money to buy or rent replacement housing which is at least as good as they had before and which also meets Decent, Safe, and Sanitary (D.S.&S.) standards.

## • Housing Supplement

**What is a Housing Supplement?** An owner-occupant of a dwelling may be eligible to receive a payment representing the difference, if any, between the price the Idaho Transportation Department paid for the displacement dwelling and the price to purchase a functionally equivalent dwelling. This is not extra compensation for the improvement acquired by the Department, but a supplement to assist in purchasing a substitute home.

**Who is Eligible for a Housing Supplement?** To be eligible for a Housing Supplement, a displaced person must:

1. Have actually owned and occupied the displacement dwelling for at least one hundred-eighty (180) days before the Idaho Transportation Department made its first offer; and
2. Purchase and occupy a Decent, Safe, and Sanitary dwelling within one (1) year after receiving final payment for the displacement dwelling unit acquired by the Idaho Transportation Department.

## **How Will the Amount of This Payment be Determined?**

**1.)** — A study will be made by the Idaho Transportation Department to find the market selling price of a Decent, Safe, and Sanitary dwelling functionally equivalent to your own.

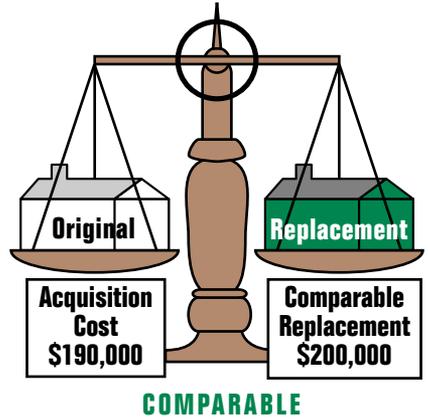
If the price paid to you for your dwelling is lower than the price found by the study, the difference is the maximum Housing Supplement. The final amount of the supplement will be computed from the amount actually paid for the replacement home but normally not more than the maximum.

2.) — If the dwelling you owned and occupied was mortgaged for not less than one hundred-eighty (180) days before the State's first offer to purchase, you may be entitled to an increased interest payment if the mortgage on the replacement dwelling has a higher rate of interest than the mortgage on the displacement dwelling.

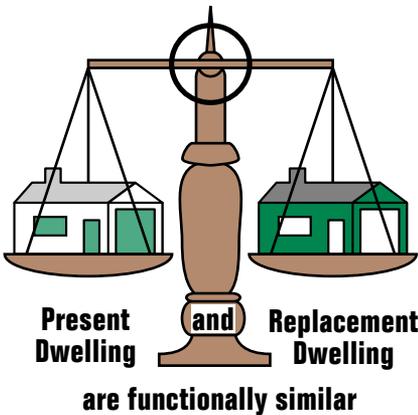
3.) — You may also receive reimbursement for reasonable expenses incurred for title search, recording fees, and other closing costs connected with the purchase of the replacement dwelling, but not including prepaid expenses.

The total supplemental payment for replacement housing (the total of 1, 2 & 3 above) normally cannot exceed \$22,500.

A written statement of the maximum amount of the housing supplement, if any (Part 1 of this payment), will be given to you at the time the Idaho Transportation Department purchases your property. The amount for Parts 2 and 3, if any, will depend on the details of the purchase of a replacement home. The total cannot normally exceed \$22,500.



**Price Differential Payment may be any amount up to \$10,000**



**What is Meant by Comparable Replacement Dwelling?** A comparable replacement shall be “functionally equivalent” to the displacement dwelling, providing the same utility. While a comparable replacement dwelling need not possess every feature of the displacement dwelling the principal features must be present.

**Be Careful!** The Idaho Transportation Department is required by law to certify that the home you purchase and occupy is Decent, Safe, and Sanitary in order for you to be eligible for the supplement.

On request, the Idaho Transportation Department will inspect any dwelling you may wish to purchase to determine whether or not it qualifies you for supplemental payments.

**When Can I File a Claim?** You may file a claim for the supplement payment any time after you have purchased and occupied a Decent, Safe, and Sanitary dwelling. However, you must file your claim no later than eighteen (18) months after the date on which you were required to vacate the displacement dwelling.

**If You Prefer to Rent Rather Than Buy:** If you are a displaced home owner who is qualified for a Housing Supplement but plan to rent rather than buy, you may qualify for a Rent Supplement payment.

**How Will the Amount of the Rent Supplement be Determined?** The Rent Supplement which normally cannot exceed \$5,250, will be forty-two (42) times the difference between:

1. The amount necessary to rent a Decent, Safe, and Sanitary replacement dwelling functionally equivalent to the displacement dwelling; and
2. The fair rental value of the displacement dwelling.

## • Rent Supplement

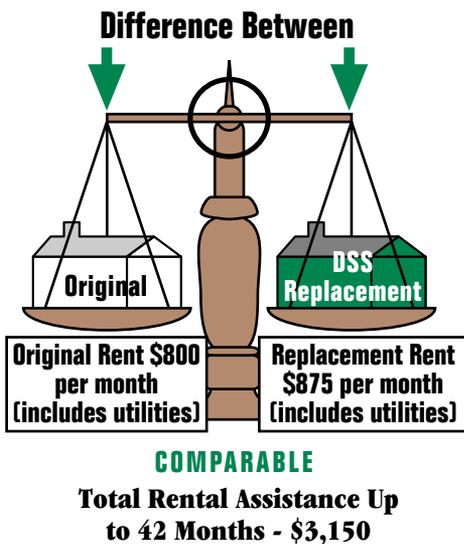
**What Are Rent Supplements?** Eligible tenants and short-term owner-occupants who choose to rent rather than to buy may qualify for a Rent Supplement if the fair rental value of the displacement dwelling is less than the amount required to rent an available, functionally equivalent, Decent, Safe, and Sanitary replacement dwelling.

**How Will the Amount of the Payment be Determined?** The Rent Supplement, which normally cannot exceed \$5,250, will be forty-two (42) times the difference between:

1. The base rent for a replacement dwelling; and
2. The base rent for your current dwelling.

The amount of rent used in 1 above shall be the lesser of:

1. The amount computed by the State as necessary to rent a replacement dwelling; or
2. The rent the displaced person actually pays for a replacement dwelling.



Such Rental Supplements, when added to your present rent payments, will enable you to rent qualifying housing for up to forty-two (42) months.

**What Must I Do to Qualify?** You must rent and occupy a Decent, Safe, and Sanitary dwelling within one year after you vacate the displacement dwelling acquired by the State.

On request, the Idaho Transportation Department will have an inspection made of any dwelling you may wish to rent to determine whether it qualifies you for supplemental rent payments.

**Who Determines the Amount of the Rent Supplement?** The amount necessary to rent Decent, Safe, And Sanitary accommodations functionally equivalent to the displacement dwelling will be determined by the Idaho Transportation Department from a study of available accommodations in your community or surrounding area.

**When Can I File a Claim?** You may file a claim for the supplement payment any time after you have rented and occupied a Decent, Safe, and Sanitary dwelling. However, you must file your claim no later than eighteen (18) months after the date on which you vacate the displacement dwelling.

## • Down Payment Supplement

### What Are Down Payment Supplements?

Eligible tenants and short-term owner-occupants who choose to buy rather than to rent may receive a Down Payment Supplement. The payment, not to exceed \$5,250, will be the amount normally required as a down payment on a comparable dwelling if such purchase were financed by a conventional mortgage.



The Down Payment Supplement will be limited to the lesser of:

1. Required down payment for a comparable dwelling; or
2. Required down payment for a replacement dwelling; or
3. Amount computed as rent supplement; or
4. Actual down payment made on a replacement dwelling.

Subject to the above limits, your payment may include reimbursement for reasonable expenses incurred for title search, recording fees, and other closing costs connected with the purchase of the replacement dwelling.

**What Must I Do to Qualify?** To receive a Down Payment Supplement, you must purchase and occupy a Decent, Safe, and Sanitary dwelling within one (1) year after:

1. *For a Tenant*, the date you vacate the acquired dwelling; or
2. *For an Owner-Occupant*, the latter of:  
the date you receive final payment or  
the date you vacate the acquired dwelling.

## DECENT, SAFE, AND SANITARY DWELLING

**What is Meant by a Decent, Safe, and Sanitary Dwelling?** A qualifying house, apartment, or mobile home is one that meets Decent, Safe, and Sanitary standards which are described as follows:

1. Conforms to local housing, and occupancy codes for existing structures;
2. Has continuing and adequate supply of potable water;
3. Has kitchen with hot and cold water and sink with sewage connections. Must have areas for stove and refrigerator with available utility connections;
4. Has adequate heating system which will maintain a minimum temperature of 21°C (70°F) in the living area under normal weather conditions;
5. Has a separate, well-lighted and ventilated bathroom that provides privacy to the user; contains a sink, bathtub or shower stall, and a toilet; all in good working order and properly connected to appropriate sources of water and sewage drainage system;
6. Has an adequate and safe wiring system for lighting and other electrical services;
7. Is structurally sound, weather tight, in good repair and adequately maintained;
8. Has a safe unobstructed exit leading to a safe open space at ground level;
9. Meets the following standards of habitable floor space:
  - a. 14 square meters (150 square feet) for the first occupant; and
  - b. At least 9 square meters (100 square feet) for each additional occupant, or 7 square feet (70 square feet) if a mobile home.

Habitable floor space means the part used for sleeping, living, cooking, and dining, and does not include closets, pantries, bathroom, service or utility rooms, hallways, foyers, unfurnished attics, storage spaces, cellars, and similar spaces. In addition, the floor space must be divided into sufficient rooms to be adequate for the family. All rooms must be adequately ventilated.

A qualifying sleeping room is one which is located in a building which meets the minimum requirements of items 1,4,6,7, and 8 listed above and meets the following additional requirements:

1. Has 9 square meters (100 square feet) of floor space for the first occupant and 5 square meters (50 square feet) of floor space for each additional occupant;
2. Has available lavatory and toilet facilities that provide privacy, including a door that can be locked, if facilities are separate from the room.

**Who May Be Eligible?** A *long-term owner-occupant* is one who has owned and occupied a dwelling for at least one hundred-eighty (180) days before the State made its first written offer. As a long-term owner-occupant, you may be eligible for a Housing Supplement if you buy or a Rent Supplement if you rent.

A short-term owner-occupant is one who has owned and occupied a dwelling for less than one hundred-eighty days, but not less than ninety (90) days from the State's first written offer. As a short-term owner-occupant, you may be eligible for a Down Payment Supplement if you buy or a Rent Supplement if you rent.

A *tenant* who has legally occupied a dwelling for not less than ninety (90) days before the State's written offer to purchase the property, may be entitled to a Down Payment Supplement if the tenant buys, or a Rent Supplement if the tenant rents.

## CLAIMING SUPPLEMENTAL PAYMENTS

### **How to Claim Payment for Replacement Housing Supplement or Rent Supplement:**

You will be advised personally of the benefits for which you may be eligible under the Relocation Assistance Program.

1. A form letter will also notify you of the amount of either of the foregoing supplements to which you may be entitled. Fill out the claim forms provided. Your Relocation Agent will assist you if needed.
2. Mail to: Idaho Transportation Department, Right of Way Section, P.O. Box 7129, Boise, Idaho, 83707-1129. Remember: The time limit for filing a claim is eighteen (18) months after you vacate the displacement dwelling.
3. Upon receipt of your claim, your Relocation Agent will certify that you have moved to a Decent, Safe, and Sanitary dwelling and submit your claim for processing.

**When May I Expect Payment of Either Claim?** You should receive payment within thirty (30) days after your claim is approved.

## MOVING EXPENSES—BUSINESS, FARM, OR NONPROFIT

If you are a Business Operator, Farm Operator, or Nonprofit Organization, you may be eligible for an "Actual Cost" moving payment or an "Agreed Self Move" expense payment, or a "Displaced Business" (Farm Operation or Nonprofit Organization) payment depending upon the particular circumstances of your case. You may choose the method best for you.



**What is a “Business Operator”?** The term business operator means any person involved in any lawful activity, except a farm operation, conducted primarily:

1. For the purchase, sale, lease and/or rental of personal and/or real property, and/or for the manufacture, processing, and/or marketing of products, commodities, and/or any other personal property; or
2. Primarily for the sale of services to the public; or
3. By a nonprofit organization

Some moving and related expenses may be payable when outdoor advertising displays are required to be moved.

**What is a “Farm Operator”?** A farm operator is any person who conducts any activity solely or primarily for the production of one or more agricultural products or commodities, including timber, for sale or home use and in sufficient quantity as to contribute materially to the operator’s support. This means that the farm operation contributes at least one-third of the operator’s income.

**What if Only Part of My Business or Farm Operation Must be Moved?** If only part of your business or farm must be moved, you may be eligible to receive the actual cost of moving personal property of the business or farm out of the area required for the highway.

## ● “Actual Costs” Move

Most displaced businesses, farms, or nonprofit organizations can claim:

1. Actual reasonable and necessary costs of moving inventory, machinery, office equipment, and similar business related personal property, up to a distance of 80 kilometers (50 miles). There is no dollar limit on this amount, but every dollar claimed must be supported by a receipted bill.
2. Actual direct loss of tangible personal property as a result of moving or discontinuing a business, farm operation, or nonprofit organization, but not to exceed the cost of moving the item.
3. Purchase of substitute personal property subject to certain limitations.
4. Actual reasonable expenses in looking for a replacement business or farm site, not to exceed \$2,500.
5. Certain actual reestablishment expenses, not to exceed \$10,000.

**When to Claim Actual Moving Costs:** You should file your claim as soon as you have moved and paid the mover. The claim must be filed within eighteen (18) months after removal of the personal property, or the date the business operation vacated the premises, whichever is later.

**How to Claim Payment for Your Moving Costs:** Fill out the claim form provided. Your Relocation Agent will assist you if needed. Attach the paid bills from the moving company and any others to the claim form. Mail to: Idaho Transportation Department, Right of Way Section, P.O. Box 7129, Boise, Idaho, 83707-1129.

If you choose the “Actual Cost” method, you must do the following:

1. Prepare the certified inventory of the items to be moved;
2. Have your Relocation Agent obtain two estimates from licensed moving companies;
3. Provide your Relocation Agent with reasonable advance written notice of the approximate move date;
4. Move, pay the mover, get receipted bills;
5. Prepare the certified inventory of the items that were moved;
6. Fill out the claim form provided. Attach the paid bills from the moving company and any others to the claim form. Your Relocation Agent will assist you if needed.
7. Mail to: Idaho Transportation Department, Right of Way Section, P.O. Box 7129, Boise, Idaho, 83707-1129.



**When May I Expect Payment?** You should receive payment within thirty (30) days after your moving cost claim is approved.

Instead of “Actual Cost” payments, some businesses, farms, or nonprofit organizations may elect to receive an “Agreed Self Move” payment or a “Displaced Business (Farm Operation or Nonprofit Organization)” payment.

## • Agreed Self Move

**What is the “Agreed Self Move Expense”?** This is an alternate procedure applicable only to businesses, farms, or nonprofit organizations who wish to move through their own efforts and utilizing their own equipment. It is an amount negotiated between the State and the business, farm, or nonprofit organization, not to exceed the lower of two estimates obtained by the State.

### **How Does the “Agreed Self Move” Payment Work?**

1. *Before you are ready to move*, advise your Relocation Agent, you are interested in a Self Move. Prepare a certified inventory of the items to be moved.
2. The State will obtain two estimates from licensed moving companies and/or specialists (depending on the nature of the items to be moved).
3. You will then be contacted for the purposes of negotiating an agreed amount to cover the cost of moving through your own efforts. Upon reaching an agreement, you will be authorized to move.

4. Upon completion of your move, prepare a certified inventory of the items that were moved. Then advise your Relocation Agent you have moved. Fill out the claim form provided. It must be filed within eighteen (18) months after the move is completed. Your Relocation Agent will assist you, if needed.
5. Your claim will be reviewed and approved on the basis upon which you and the State previously agreed.

## ● **Fixed Payment (“in lieu”)**

**What is a “Fixed Payment” for Moving Expenses (in lieu)?** Instead of “Actual Cost” or the “Agreed Self Move” moving expense payments, and Re-establishment expense payment, you may ask to be paid an amount equal to the average annual net earnings of the business or farm. Expect that such payment shall not be less than \$1,000 nor more than \$20,000. Nonprofit organizations are also eligible for a fixed payment. However, such payment is calculated differently than business and farm operations. Contact your Relocation Agent for more specific information.

**What qualifies a Business for the Fixed Payment (“in lieu”)?** For a business to be eligible, the Idaho Transportation Department must determine that:

1. The business owns or rents personal property which must be moved in connection with such displacement, and for which an expense would be incurred in such move, and the business vacates or relocates from its displacement site; and
2. The business cannot be relocated without substantial loss of patronage, as measured by a substantial decrease in the dollar volume of business; and
3. The business is not part of a commercial enterprise having at least three other establishments which are not being acquired and which are engaged in the same or similar business; and
4. The business contributes materially to the income of the displaced owner; and
5. The business is not operated at a displacement dwelling for the purpose of renting such dwelling or site to others.

**What qualifies a Farm Operation for the Fixed Payment?** For a farm to be eligible to choose this option:

1. The farm operator must have discontinued or relocated his entire farm operation at the present location; or
2. The partial acquisition caused a substantial change in the nature of the farm operation.

**What Are Average Annual Net Earnings?** Average annual net earnings are one-half of any net earning of the business or farm operation, before Federal, State or Local income taxes, during the two taxable years immediately preceding the taxable year in which the business or farm operation is displaced.

**How Are Average Annual Net Earnings Determined?** You may support earnings by submitting copies of State or Federal income tax returns or a certified financial statement.

For the purposes of this allowance, these net earnings will include compensation paid by the business or farm to the owner or the owner's family during the two-year period. In the case of a corporation, net shall include compensation paid to the spouse or dependents of the owner of a majority interest in the corporation.

Example:	<b>2002</b>	<b>2003</b>	<b>2004</b>
	Annual Net Earnings	Annual net Earnings	Year Displaced
	\$25,000.00	\$28,000.00	
Average -	\$26,500.00 = Fixed Payment		

**How to Claim a “Fixed Payment” Moving Expense:** Fill out the claim form provided. Your Relocation Agent will assist you, if needed.

Mail to: Idaho Transportation Department, Right of Way Section,  
P.O. Box 7129, Boise, Idaho, 83707-1129.

**When May I Expect Payment?** You should receive payment within thirty (30) days after your claim is approved.

## ● Re-Establishment Expenses

**What is a Re-establishment Expense?** A business, farm, or non-profit organization may be eligible to receive up to \$10,000 for certain kinds of actual expenses necessary to re-establish the business or farm operation. Eligible expenses must be reasonable and necessary. The agency will determine the limits of the various kinds of expenses. The expenses may include, but are not limited to the following:

- Repairs or improvements to the replacement property as required by code or ordinance.
- Modification to the replacement property to accommodate the business operation.
- Construction and installation costs for exterior signing.
- Advertisement of replacement location.
- Estimated increased costs of operation during the first two (2) years at the replacement site.

## • Some Ineligible Relocation Expenses:

1. The cost of moving items not considered to be personal property.
2. Loss of good will, profits, or trained employees.
3. Personal injury.
4. Legal fees for any appeal of your relocation benefits.
5. Costs for storage on property already owned by you.

## ADVERTISING SIGNS

If you have a sign that has to be moved from the right of way, the Relocation Agent will obtain two bids from licensed sign companies. The bids will contain the depreciated reproduction cost of the sign and estimated cost of moving the sign. The lesser of the two is the amount of compensation you will receive to move your sign.

How to Claim a Sign Moving Expense: Fill out the claim form provided. Your Relocation Agent will assist you, if needed.



Mail to: Idaho Transportation Department, Right of Way Section, P.O. Box 7129, Boise, Idaho, 83707-1129.

**When May I Expect Payment?** You should receive payment within thirty (30) days after your claim is approved.

## APPEAL

### **What if a Person is Denied a Payment or Believes it Should be Greater?**

If you have been denied a payment or eligibility for assistance you believe you should receive, you should write to the District Engineer at the District Office address shown on page 20. You must make your appeal within sixty (60) days from the date you received notice of the State's initial determination. Your letter should state all the facts as to why you disagree with the State's determination. The District Engineer will promptly and carefully review the facts of the case and notify you of the decision within a few days.

If you are still dissatisfied after this first review of your case, you may appeal to the Chief Engineer of the Idaho Transportation Department, the address is: Idaho Transportation Department, P.O. Box 7129, Boise, Idaho, 83707-1129.

This appeal must be made within thirty (30) days after receiving the decision from the District Engineer. The Chief Engineer will set up an appeal hearing to review all pertinent facts. You have the right to be represented by legal counsel at the hearing solely at your expense. You also have the right to review and copy all non-confidential material pertinent to your appeal. The Chief Engineer will notify you in writing of the appeal results.

An alien not lawfully present in the United States shall not be eligible to receive relocation payments or any other assistance provided under 49 CFR Part 24 of the Uniform Act.

# IDAHO TRANSPORTATION DEPARTMENT DISTRICT OFFICES

## **District No. One**

**600 West Prairie  
Coeur d'Alene, ID  
83815-8767  
Phone: (208) 772-1200**

## **District No. Two**

**PO Box 837  
(2600 North and South Highway)  
Lewiston, ID  
83501-0837  
Phone: (208) 799-5090**

## **District No. Three**

**PO Box 8028  
(8150 Chinden Blvd.)  
Boise, ID  
83707-2028  
Phone: (208) 334-8300**

## **District No. Four**

**PO Box 2-A  
(216 Date Street)  
Shoshone, ID  
83352-0820  
Phone: (208) 886-7800**

## **District No. Five**

**PO Box 4700  
(5151 South 5th Street)  
Pocatello, ID  
83205-4700  
Phone: (208) 239-3300**

## **District No. Six**

**PO Box 97  
(206 North Yellowstone)  
Rigby, ID  
83442-0097  
Phone: (208) 745-7781**

# Administrative District Boundaries

# IDAHO

## TRANSPORTATION DEPARTMENT

For more information on the Idaho Transportation Department, Right of Way Section, visit our web site at: <http://itd.idaho.gov/row/new>

