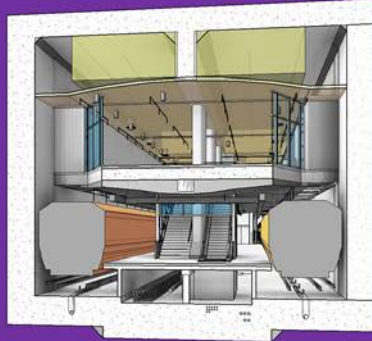


WESTSIDE SUBWAY EXTENSION PROJECT
ADVANCED PRELIMINARY ENGINEERING
Contract No. PS-4350-2000



Westside Subway Extension – Section 1 Relocation Plan (Final)

Task No. 3.03.050 (Deliverable No. 3.03.050.04-B)

Prepared for:



Prepared by:

**PARSONS
BRINCKERHOFF**

777 South Figueroa Street, Suite 1100
Los Angeles, CA 90017

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1.0 EXECUTIVE SUMMARY

Los Angeles County has been served by public transit since 1873. During this time, at least 220 private and public companies have operated transit systems that have included horse cars, cable cars, incline railways, steam trains, electric streetcars, interurban cars, trolley buses and gas, CNG or diesel powered buses. From 1873, systems including horse cars operated by the Spring and West 6th Street Railroad and the Pacific Electric Railway Company (Red Cars) were part of transit history leading to the present day network of busses, light rail and a subway system that is currently the responsibility of Metro.

Taking the residents of Los Angeles from horse drawn rail cars to today's subway system has taken time. Great progress has been made during this time and Metro is going to extend a public subway system that will take people from the center of Los Angeles City to the Westside of the County. **This phase is called the Westside Subway Extension (The Project) and it will be a high capacity, high speed, dependable alternative for those traveling to and from LA City's center. It is slated to change the way people live, work and play and the way we are viewed as a major metropolitan area around the world.**

The Project will be funded in large part by Measure R, the landmark transportation funding bill overwhelmingly approved by Los Angeles County voters in November 2008. These local funds will be used together with matching federal funds making this long awaited project a reality. The Project will connect workers, families, students and visitors to the growing rail transit network and improve the lives of all the residents of Los Angeles.

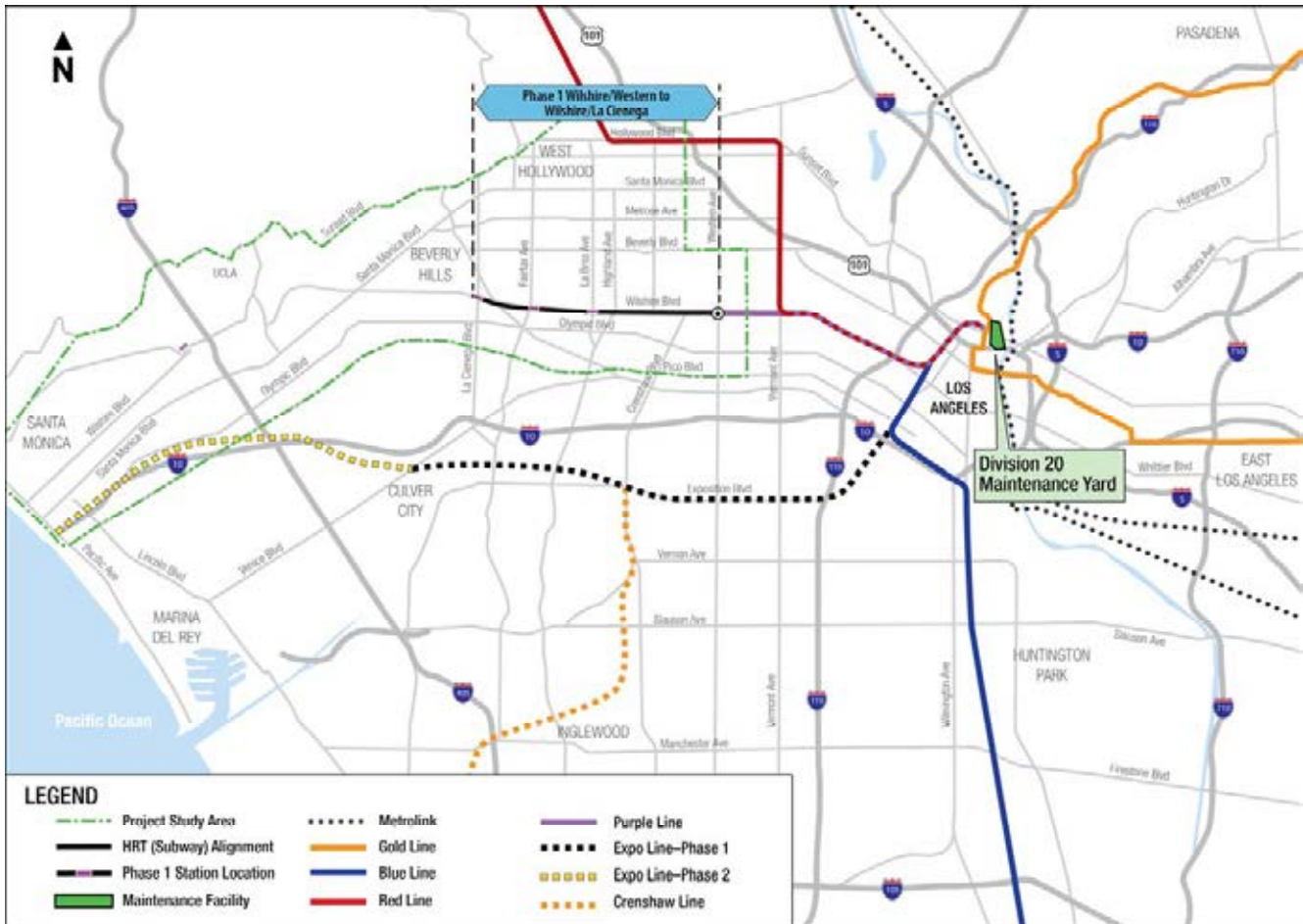
The Project will require the acquisition of privately held properties. Because the project is publically funded, Metro will provide relocation assistance to persons and businesses displaced in compliance with all applicable federal, state and local laws, regulations, rules and policies.

Under Federal and State law, Metro is required to adopt a formal Relocation Plan, which documents how it is planning to assist persons and businesses that may be impacted by the acquisition of real property within the project area. Before the adoption of a Final Relocation Plan, a Final Relocation Plan will be available for public review and comment. The public will have an opportunity to submit comments regarding the Final Relocation Plan. Comments and responses will be incorporated into a Final Relocation Plan that will be submitted for review and consideration by Metro and Federal Transit Administration.

This Relocation Plan describes the method of implementing relocation procedures for the fair, uniform and equitable treatment of persons displaced from their homes and businesses when acquisition and development occurs. It identifies the administrative requirements for conducting relocation and sets forth relocation standards, occupancy standards, methods for obtaining replacement housing, relocation assistance available to non-residential displacees, payments available and other related provisions of relocation practices.

1.1 Project Description

The Section 1 Westside Subway Extension (The Project) is a 3.9 mile subway heavy rail line that would operate as an extension of the Los Angeles County Metropolitan Transportation Authority Purple Line from its current terminus at Wilshire/Western Station to a new western terminus in Beverly Hills at the intersection of Wilshire Boulevard and La Cienega Boulevard. Figure 1-1 shows the proposed Westside Subway Extension Section 1 alignment and stations.

Figure 1-1: Proposed Section 1 Westside Subway Extension Alignment and Stations


The Project traverses two jurisdictions, the City of Los Angeles and Beverly Hills. Population and employment densities along the Project Corridor are among the highest in the Los Angeles metropolitan region. There are numerous points of interest located throughout the corridor, including major employment centers, tourist attractions, entertainment venues, medical centers and cultural and educational institutions. As a second central business district for the Los Angeles region, the corridor includes one of the key employment centers, Beverly Hills.

This Relocation Plan focuses on properties affected within Section 1 of The Project (Figure 1-1). Section 1 includes extending the existing Metro Purple Line westerly from the intersection on Wilshire Boulevard and Western Avenue to Wilshire Boulevard and La Cienega Boulevard. This 3.9 mile subway extension’s tunnel alignment follows the existing public right-of-way for Wilshire Boulevard. There are three (3) station locations that will be located at: Wilshire/La Brea, Wilshire/Fairfax and Wilshire/La Cienega.

1.1.1 Why Metro Needs Property for the Subway

The Westside Subway Extension will travel underground, mostly below public rights-of-way. Metro will, however, need to acquire or secure use of some private property in order to build and operate the subway. In

some cases the property will be acquired on a permanent basis. In other cases, Metro will only need the property temporarily. Property will be required for primarily three purposes:

- Construction staging
- Station portals (entrances)
- Below ground easements (subsurface easement)

Currently Metro owns two pieces of property along the proposed alignment, the parcels at Wilshire/Crenshaw and Wilshire/La Brea. Those properties were purchased in the 1980s for potential future transportation projects. The Wilshire/La Brea site currently houses a Metro Customer Service Center, some commercial uses and a metered parking lot. The Wilshire/Crenshaw property consists of a surface parking lot.

Construction Staging

Construction staging at Hollywood/ Highland during construction of that station. Note traffic continuing to flow on Hollywood Bl.



During Project construction, property will be necessary for construction staging areas. Land for construction staging is needed where building the Project requires excavating from the street level down, typically where subway stations are located. Staging space includes areas for active construction activities, storage of equipment and materials, field offices, parking, and other related construction activities. Some construction staging locations will also be used to insert, launch and eventually extract *tunnel boring machines* (TBMs), as well as for earth removal.

Staging locations will be located off-street and immediately adjacent to where the underground station “box” will be built. Two staging areas are preferred at each construction location for a combined area of about 1 acre. For station sites that will also be used to launch TBMs, a larger staging area of approximately 3 acres is required.

The Metro-owned property at the northwest corner of Wilshire and La Brea will be used for construction staging to support the Wilshire/La Brea Station and as a launch site for TBMs. Although no station is planned at Wilshire/Crenshaw, it is likely that the Metro-owned parking lot on the southeast corner at this location will be used for additional construction staging purposes. Metro will need to acquire property at other locations where construction staging will be required.

Metro may purchase a “fee interest” in order to become the owner of the property required for construction staging. Alternatively, Metro could lease the property from the current owner and return the site after construction is completed. In either case, the property could be developed at some point following station construction, or in some cases, developed at the same time that Project construction is concluding. Whether these sites are developed by Metro or a private entity, the plans would need to be consistent with existing zoning and codes, and would have to go through any required approval processes.

Station Portals

The Project may also require the acquisition of a portal easement at station locations. The entrance to the station from the surface is called a portal and is located off-street. The portal entrance provides access to the station concourse and boarding platforms, and allows passengers to enter and exit the station. The Project is being planned to have one portal at each of three stations along the alignment. The station boxes will also be designed with “knock-out panels” to allow other property owners to provide additional portals for the stations at their cost either during subway construction or in the future. When possible, the station portals are located at the construction staging site in order to keep the construction impacts contained to a central area.

Each station portal will have escalators, staircases and elevators for passenger access. Additional portals may not require all these elements. Metro is considering using the property it owns at the northwest corner of Wilshire/La Brea for that station’s entrance. Property and/or easements for station portals at other station locations will be acquired from private or public property owners. Portals can be located in open plazas, incorporated into a development during construction, or a subsequent development could incorporate a station portal.

Metro may purchase the fee interest in property thereby obtaining ownership of the portal entrance area or alternatively purchase an easement from the property owner. In some cases, where an existing building is already constructed on the property, it may be feasible to integrate the portal into the existing building. In this situation, Metro will acquire a portal easement and work with the owner to modify the building to accommodate the station entrance.

Sub-Surface Easements

Between stations, subway tunnels are generally 50-70 feet below ground. Tunnels for the Westside Subway Extension are planned to be significantly deeper in some areas.



In some areas, project tunnels may need to pass underneath existing homes and businesses. Portions of subway stations and other underground facilities may also need to be located beneath private property. In these cases, Metro will purchase a subsurface easement from the property owner. This is accomplished through a one-time payment and the easement deed is recorded. A subsurface easement for the Project would be similar to underground easements that a utility or cable company obtains for fiber optic cables, water lines, gas lines, etc. Between stations, tunnels are generally 50-70 feet below the surface though they are anticipated to be much deeper in certain areas for this Project.

In the majority of cases, there will be little or no impact to the surface of the property from subway operation. The subway tunnel is generally constructed below existing utility easements and will not affect existing oil rights or other easements associated with the property. If existing utilities are impacted, they will be relocated prior to construction.

The properties to be acquired for the Project which were identified in the EIS/EIR have been refined during the preliminary engineering phase. The Project’s engineering consultants have identified parcels that are to be acquired for the three station sites on Wilshire Boulevard and the Division 20 Yard expansion downtown. The

priority acquisition parcels will be the parcels for the first three stations that currently have Need-By-Dates ranging from September 2013 to September 2014.

The Real Estate Program will be phased to be completed in advance of construction requirements. The projected acquisition schedule to acquire the currently certified parcels anticipates an 18-month period for the delivery of real estate for the Project.

1.2 Special Assumptions

It was not possible to conduct survey interviews with all occupants within the proposed project area prior to writing this Final plan. Some landowners objected to interviewers being on their property. Some occupants were not available or refused to provide information. Information regarding the building size, unit configuration, site size, number and type of rental units and occupants was obtained from information provided by Metro, site occupants, landlords or extrapolated from on-site visits. Additional information was taken from public records, internet websites and “drive by” inspections from the street.

2.0 RELOCATION PLAN OVERVIEW

This portion of the Final Relocation Plan summarizes Metro’s Relocation Program for the Project. This summary has been provided for general information purposes only and should not be interpreted as law. Should this summary contain any information inconsistent with the laws governing relocation assistance, the laws will take precedence. Metro’s Relocation Program will be in compliance with the federal Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (URA and/or California Relocation Act (Gov. Code 7260 *et seq.*); and the Relocation Policies and Procedures of Metro.

Metro’s Relocation Program establishes a uniform policy for the fair and equitable treatment of persons displaced as a direct result of programs and projects undertaken with Federal financial assistance. The primary purpose of the Relocation Program is to ensure that persons shall not suffer disproportionate injuries as a result of programs and projects designed for the benefit of the public as a whole and to minimize the hardship of displacement.

Metro’s Business Relocation Assistance and Residential Relocation Assistance brochures are contained in Appendices H and I, respectively.

2.1 Statutory Requirements

Real estate acquisition and relocation activities will be conducted in a manner consistent with applicable state and federal laws and procedures. The following specific federal regulations apply to the Westside Project’s property acquisition and relocation program

- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and subsequent amendments (URA)
- 49 CFR Part 24, dated January 4, 2005, title Uniform Relocation Assistance and Real Property Acquisition Regulations for Federal and Federally assisted Programs, Final Rule (final rule)
- FTA Circular C5010.1D dated November 1, 2008, titled Grant Management Requirements.

The Final Rule regulations are the final step in the development of a government wide single rule for implementing the Uniform Act. The amended regulations cover the appraisal and acquisition of real property, relocation assistance services, moving expense payments, replacement housing payments, and other allowable expense payments mandated by the Uniform Act. The amended federal regulations provided by the U.S Department of Transportation as set forth and made effective January 4, 2005 will be followed. The California Department of Transportation (CALTRANS) right of way guidelines provide general guidance to the acquisition process based on State law. California State law governs property owner rights and the eminent domain process. In addition, Metro has developed its own internal policies and procedures.

Other guiding documents will include this Relocation Plan for the Westside Extension Project. The Relocation Plan will identify owners and tenants potentially eligible for relocation services and benefits, outline relocation policies and procedures, and survey the availability of replacement housing and business sites.

Eminent Domain

Metro is empowered to acquire property through authority conferred by the State of California in Public Utilities Code Section 130051.15. Eminent Domain procedures are set forth in the California Code of Civil Procedures 1230.010, etc. Metro conducts all real estate acquisition and relocation activities consistent with applicable state and federal procedures. Metro will make every effort to acquire properties voluntarily.

2.2 Purpose of the Final Relocation Plan

The purpose of the Final Relocation Plan is to:

- a) Describe the project, its schedule and financing plan;
- b) Identify the anticipated impact that the project would have on the occupants of property that may be acquired;
- c) Identify the availability of potential replacement sites for impacted occupants;
- d) Identify the relocation program's administrative requirements, payments available and other related provisions of relocation practices; and
- e) Explain the methods of implementing relocation procedures for the fair, uniform and equitable treatment of persons displaced from their homes and businesses.

The Final Relocation Plan will be circulated for public review and comment for 30 days. The public will have an opportunity to submit comments regarding the Final Relocation Plan. Comments and responses will be incorporated into a Final Relocation Plan that will be submitted for review and consideration.

2.3 Preparation of the Final Relocation Plan

Interviews Conducted: Relocation Agents from Del Richardson & Associates, Inc. (DRA) conducted voluntary surveys with available property occupants. The Surveys were conducted in April, May and June of 2012. More specifically, we interviewed owners and/or tenants. During the same period, a survey was conducted to identify replacement unit resources available within a five mile radius.

The information gathered provided business and household characteristics and relocation needs, identified barriers to relocation and costs.

Interviews Not Conducted: Some owners requested that we not enter their property. Some occupants were not available or chose not to participate in the interview process.

In the case that no interview could be conducted, information was obtained from public documents and was used to extrapolate and assess the demographic, financials and other characteristics of those owners and tenants that were not surveyed. This information was then incorporated into the findings of this Final Relocation Plan.

The Relocation Consultants analyzed the characteristics of the occupants surveyed to determine replacement business and housing needs, relocation planning needs, and the estimated cost of providing Relocation Assistance under Metro's Relocation Assistance Program.

3.0 WESTSIDE SUBWAY EXTENSION SECTION 1 PROJECT DESCRIPTION

3.1 Locally Preferred Alternative (LPA)

Beginning in 2007, Metro conducted a thorough environmental review of the Westside Subway Extension Project. This effort began with the initial Alternatives Analysis (AA) in 2007-08 and was followed in 2009-10 with the Draft Environmental Impact Statement/Environmental Impact Report (Draft EIS/EIR). Following the Draft EIS/EIR, the report was released for public comment and multiple public meetings. After responding to public comments a Final Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR) was released after being approved by Metro’s board. These combined efforts included in-depth study and analysis of various transportation modes, alignments and many other technical issues. On April 26, 2012 Metro’s Board approved the project definition for Section 1 of the Westside Subway Extension alignment and station locations shown in Figure 3-1 below.

Figure 3-1: Proposed Section 1 Westside Subway Extension Alignment and Stations



The Section 1 Westside Subway Extension is a 3.9 mile subway heavy rail line that would operate as an extension of the Los Angeles County Metropolitan Transportation Authority Purple Line from its current

terminus at Wilshire/Western Station to a new western terminus in Beverly Hills at the intersection of Wilshire La Cienega Boulevards.

The Project traverses two jurisdictions, the Cities of Los Angeles and Beverly Hills (Project Corridor). Population and employment densities along the Project Corridor are among the highest in the Los Angeles metropolitan region. There are numerous points of interest located throughout the corridor, including major employment centers, tourist attractions, entertainment venues, medical centers and cultural and educational institutions. As a second central business district for the Los Angeles region, the corridor includes one of the key employment centers, Beverly Hills.

This Relocation Plan focuses on properties affected within Section 1 of The Project (See Figure 3-1). Section 1 includes extending the existing Metro Purple Line westerly from the intersection on Wilshire Boulevard and Western Avenue to Wilshire Boulevard and La Cienega Boulevard. This 3.9 mile subway extension's tunnel alignment follows the existing public right-of-way for Wilshire Boulevard. There are three (3) station locations that will be located at: Wilshire/La Brea, Wilshire/Fairfax and Wilshire/La Cienega.

3.2 Alignment

The twin tunnels for the Westside Subway Extension alignment would begin at the existing Wilshire/Western Station. From this station, the alignment would travel westerly within the existing Wilshire Boulevard right-of-way. Stations would be located at the intersections of Wilshire/La Brea, Wilshire/Fairfax, and Wilshire/La Cienega. All three of these station boxes would be located within the Wilshire Boulevard right-of-way with station portals extending to off-street entrances.

The Project includes three new underground stations:

- Wilshire/La Brea—The station box would be located under the center of Wilshire Boulevard in between Detroit Street and Orange Drive. A double crossover would be located east of this station. The entrance would be on the northwest corner of Wilshire Boulevard and La Brea Avenue.
- Wilshire/Fairfax—The station box would be under the center of Wilshire Boulevard from just west of Fairfax Avenue to just west of Ogden Drive. The entrance would be on the southeast corner of Wilshire Boulevard and Orange Grove Avenue.
- Wilshire/La Cienega—The station box would be under the center of Wilshire Boulevard immediately east of La Cienega Boulevard. A double crossover would be located east of this station. The entrance would be on the northeast corner of Wilshire Boulevard and La Cienega Boulevard.

Stations would consist of a station “box,” or area in which the basic components are located. All station boxes would be located within the street right-of-way and all would be constructed by the cut-and-cover method. The station box would be accessed from street-level entrances by stairs, escalators, and elevators that would bring patrons to a mezzanine level where the ticketing functions are located. Three types of mezzanines are possible—center, single-ended or double-ended. The 450-foot platforms are one level below the mezzanine level and will allow level boarding (i.e., the train car floor is at the same level as the platform). Stations consist of a center platform.

Each station is equipped with under-platform exhaust shafts, over-track exhaust shafts, blast relief shafts, and fresh air intakes. In all stations it is anticipated that only one station entrance would be constructed as part of

the Project, but additional entrances could be constructed as a part of station area development (by others). Platforms would be well-lighted and include seating, trash receptacles, artwork, signage, safety and security equipment (closed-circuit television, public announcement system, passenger assistance telephones), and a transit passenger information system. The fare collection area includes ticket vending machines, fare gates, and map cases. No parking is planned at any of the stations.

3.3 Supporting Facilities and Other Components

To support this Project, Metro's rail fleet would be increased. In order to accommodate this growth in rail fleet, more storage capacity would be needed. Additional storage space has been identified south of the existing Division 20 Maintenance and Storage Facility between 4th and 6th Street Bridges. This would require purchasing 4.5 acres of vacant private property abutting the southern boundary of the existing facility and the construction of additional maintenance and storage tracks.

Several other components would be required for construction and operation of the project. These components include traction power substations (TPSS) and emergency generators. TPSSs are required to provide traction power for the HRT and would be located in a below grade structure at every station along the alignment with the exception of the Wilshire/Fairfax Station. Stand by generators would be located at the Wilshire/La Brea and Wilshire/La Cienega Stations.

3.4 Section 1 Property Description

This Relocation Plan focuses on Section 1 of the Project, a 3.9 mile long tunnel from the intersection of Wilshire Boulevard and Western Avenue to Wilshire Boulevard and La Cienega along with the addition of three new stations:

- Wilshire/La Brea
- Wilshire/Fairfax
- Wilshire/La Cienega

As part of the LPA, Metro is also planning several enhancements to the Division 20 Maintenance and Storage Facility located in Downtown Los Angeles. In addition, construction staging sites will be procured at Wilshire/Western and Wilshire/Crenshaw.

The properties to be acquired for the Project which were identified during the EIS/EIR have been refined during the advanced preliminary engineering phase. The Project's engineering consultants have identified parcels that are to be acquired for the three (3) station sites. The Project has also prepared a Property Identification Plan of the proposed acquisitions. The priority acquisition parcels will be the parcels for the first three stations that have Need-By-Dates ranging from September 2013 to September 2014. Three (3) of the parcels with the early Need-By-Dates are already owned by Metro.

The currently certified acquisitions are for stations sites and construction lay down areas at Wilshire/Western, Wilshire/Crenshaw, Wilshire/La Brea, Wilshire/Fairfax and Wilshire/La Cienega. The Real Estate Program will be phased to be completed in advance of construction requirements. The projected acquisition schedule to acquire the currently certified parcels anticipates an 18-month period for the delivery of real estate for the Project.

This Relocation Plan will cover the relocation activities surrounding the development of four stations, Existing Wilshire/Western, Wilshire/La Brea, Wilshire/Fairfax and Wilshire/La Cienega. As part of the LPA, Metro is also planning several enhancements to the Division 20 Maintenance and Storage Facility located in Downtown Los Angeles.

Specific project information will be found in the following sections. As part of this discussion and in addition to specific information drawn from individual surveys, we are including general information about the commercial and residential populations located in the general location of the three stations, namely zip codes, 90010, 90005, 90036, 90048, 90211 and 90013(Division 20 Yard).

3.5 Project Area Map

Figure 3-2: Section 1 of Westside Subway Extension Project Map



3.4 Projected Dates of Displacement

Many factors affect dates of displacements in a project of this size. Based on the current projections for the Project, displacements are projected to occur on a phased basis for early acquisitions beginning in the fourth quarter of 2012 and continuing through the fourth quarter of 2014. Every effort will be made to keep the

community at large aware of project deadlines. In addition, all persons displaced by the project will receive written notice of the planned project, their eligibility for relocation benefits and a minimum of 90 Days written notice to vacate.

3.6 Project Funding

The Project will be funded from Measure R, approved by voters in November 2008. These local funds will be used together with matching federal funds which will make this long awaited project a reality.

4.0 PRELIMINARY RELOCATION COSTS

This preliminary estimated relocation cost analysis was developed from information gathered from Metro staff, appraisals, available property occupant surveys, estimates derived from available surveys, research of the area’s real estate market, and DRA’s relocation experience for Section 1, covering relocations at the following locations: Wilshire/La Brea, Wilshire/Fairfax, Wilshire/La Cienega and Division 20 Yard Expansion.

Relocation assistance benefits for the residential occupants are based upon estimated moving costs and estimated replacement housing payments. In some cases an estimated economic rent was used in the replacement housing payment calculation. Relocation assistance payments for business occupants are based upon the estimated actual and reasonable cost to move disconnect and reconnect, personal property from the affected site to a replacement site, including the reasonable cost for permits, professional services, and business reestablishment.

This preliminary analysis is based upon Metro’s current understanding of the affected residents and business operations. The cost to acquire real property and improvements pertaining to realty, *and the cost associated with potential loss of business goodwill are not included in this analysis.*

Table 4-1: Estimated Relocation Costs for Section 1

| | TOTAL | Plus 30% Contingency | GRAND TOTALS |
|-------------------------|----------------|----------------------|----------------|
| Non – Residential Costs | \$6,892,000.00 | \$2,067,600.00 | \$8,959,600.00 |
| Residential Costs | \$669,614.00 | \$200,884.20 | \$870,498.20 |
| Combined Costs | \$7,481,614.00 | \$2,244,484.20 | \$9,830,098.20 |

Metro will not proceed with displacement activities until it has secured the funds to pay relocation assistance payments to eligible occupants. Funds will be sufficient to provide full relocation assistance in accordance with Metro’s Relocation Assistance Program.

Concurrent Displacement

At the time of the preparation of this plan there were no known concurrent property acquisitions planned in the project area. Neither the Community Redevelopment Agency of the City of Los Angeles, The Los Angeles Unified School District, Los Angeles Housing Department, nor CALTRANS appears to have projects planned along the Project route.

5.0 RELOCATION IMPACT

This section of the Final Relocation Plan for Section 1 addresses the anticipated impact related to the potential acquisition of 19 occupied full take parcels / properties needed for Construction Staging, Metro Station Entrances, and the Division 20 Yard Expansion for the Project. Based on site surveys conducted by DRA in May and June of 2012, there are currently 13 households, 88 businesses and 2 vacant lots that would be displaced by the Project. Because the displacements will happen over an extended period of time, it is expected that the occupants of various units will change, however this study provides a snapshot of the types and numbers of occupants that can be expected to be displaced. The types of potentially impacted businesses includes: parking lots, restaurants, retail stores, art galleries, medical offices, business offices, service businesses, and banks. 12 of the 13 residential displacements are in multi-family dwellings.

Table 5-1: Summary of Potentially Impacted Commercial Occupants for Section 1

| Type of Use | # of Businesses | # of Full Time Employees | # of Part Time Employees |
|---------------------------|-----------------|--------------------------|--------------------------|
| Restaurant | 6 | 35 | 16 |
| Office | 37 | 105 | 3 |
| Retail | 24 | 72 | 34 |
| Parking Lots / Billboards | 10 | 0 | 0 |
| Educational | 4 | 14 | 18 |
| Medical | 8 | 25 | 3 |
| TOTAL | 89 | 239 | 68 |

5.1 Businesses Impacts

The majority of impacted businesses will be able to relocate within the 90 Day time frame provided by the 90 Day Notice to vacate. Metro will strive to give business with more complex moves enough additional lead time as is appropriate to mitigate the potential hardship that relocation can entail.

Some current uses have been identified as having a potential need for advanced planning and noticing and/ or enhanced relocation services. Metro will work with these displacees as early in the process as possible to give them the lead time and professional services they require. These uses include:

- Retail Banking:** Due to the need to meet regulatory requirements (State Banking Commission, Comptroller of the Currency etc), location requirements, lead time to purchase specialized equipment & fixtures and the complexity of tenant improvements necessary at the relocation site, the three retail bank branch offices in the project area will require enhanced services and lead time.

Regulatory agencies must approve bank locations and facilities before issuing permits. This may require up to a one year lead time necessitating early noticing for these locations. Additional professional services can be provided to assist with procuring these entitlements.

Much like a franchise, bank branch offices cannot infringe upon the territory of other branches of their brand. Enhanced efforts will be made to assist with the search for replacement sites.

- **Retail Art Galleries:** There are three retail art galleries in this segment of the project. The owners of these galleries expressed an interest in relocation close to their current location(s) near the Los Angeles County Museum of Art. Every effort will be made to assist them to find relocation sites in the immediate area. Referrals to real estate professionals with extensive knowledge of the local commercial real estate can be made to augment the efforts of the relocation agent assigned to their cases.

The art galleries will also require adequate wall space in order to properly display large scale art installations. Replacement sites will need to have high ceilings and walls covered with plywood or other hard material to allow for repeated installations.

- **Restaurants:** Obtaining health permits to operate a restaurant in Los Angeles County can frequently take up to six months. Also many times restaurant fixtures must be custom made to fit the space and thus require additional lead time to order and install.

Every effort will be made to give restaurants in the project as much advanced notice as possible before they are displaced. Referrals will be made to architects, contractors and entitlement specialists who are familiar with the construction and permitting of restaurants in Los Angeles County.

A restaurant with established clientele will most likely want to stay in the immediate area. In order to minimize potential problems, relocation sites that are already equipped for restaurant use will be sought out in the vicinity.

- **Educational:** Vocational and academic schools are subject to multiple regulatory issues (Federal, State & Local). Clientele for these businesses are very location sensitive and efforts will be made to identify relocation sites in the immediate area. Due to the timeframes required for governmental approvals, lead time is a critical issue especially for vocational schools that accept Federal funds. Every effort will be made to give these facilities as much advanced notice as possible.

Services will be offered to assist these displacees with the permitting and approval process. If necessary, entitlement specialists knowledgeable in the field of education can be utilized to move the process forward in a timely manner.

Depending on the displacee's choice of relocation sites, extensive buildouts may be necessary for the vocational school. The Relocation Agent will work with this displacee as early in the process as possible to locate a suitable replacement site.

- **Satellite Facilities:** If a displacee has a satellite facility that is not being taken for the project, but is rendered unusable due to the relocation of the main facility, consideration will be given to relocating the satellite facility as well. This may have a serious impact on the potential loss goodwill for such a displacee. To minimize the impact of losing the satellite facility, the Agency will need to work with the landlord of the satellite facility to come to terms regarding the early termination of the lease. Should a displacee lose its satellite facility, relocation benefits will be extended to that site as well.

- **Outdoor Advertising / Billboards:** Several outdoor advertisements / billboards exist in the project area. These structures can be difficult to relocate due to changing laws restricting their use. Many are "grandfathered" in at their existing locations and may not be able to meet current requirements at a new location, particularly along the Wilshire Corridor.

Advertising structures that can be relocated may be compensated according to the State of California Department of Transportation Poster Panel Removal Schedule, (7-EX-14 (REV 1/2011)) or other appropriate methods.

Relocation Agents will work closely with all business owners to keep them apprised of the Project schedule. In addition, Relocation Agents will provide information on available replacement sites and compensation under LACTMA’s Relocation Assistance Program.

Table 5-2: Summary of Potentially Impacted Residential Occupants for Section 1

| Type of Unit | # of Units | # of 1 Bedrooms | # of 2 Bedrooms | # of 5 Bedrooms | # of Adults | # of Children | Disabilities |
|---------------|------------|-----------------|-----------------|-----------------|-------------|---------------|--------------|
| Multi Family | 12 | 2 | 10 | 0 | 15 | 6 | 3 |
| Single Family | 1 | 0 | 0 | 1 | 6 | 1 | 1 |
| TOTAL | 13 | 2 | 10 | 1 | 21 | 7 | 4 |

5.2 Residential Impacts

The Project will also impact residential households. The majority of the households do not have members with special needs and will be able to relocate without extraordinary accommodations. Four of the surveyed households identified members who have physical disabilities. Comparables and other housing referrals made to these households will take their particular disabilities into account. If necessary, such items as wheelchair ramps, safety grab bars and medical appliances can be installed at the replacement site. Specialized medical transportation can be supplied to those who need it.

Metro will provide a Relocation Agent to meet with each household and determine current housing costs, dwelling characteristics, housing needs, and household income. This information will allow Metro to provide meaningful assistance to the residential occupants to secure replacement housing and to receive assistance under Metro’s Relocation Assistance Program.

Metro will encourage qualified renters to consider purchasing a replacement dwelling to better secure their future housing needs. Relocation agents will make referrals to first time home buyer programs and other homeowner assistance programs as available and necessary.

5.3 Overcrowded Conditions for Residential Occupants

Based on preliminary surveys, it is not anticipated that overcrowded conditions will exist. However, if households are in need of a larger replacement housing unit in order to meet occupancy standards, they will be provided with the necessary additional assistance to secure replacement housing that accommodates the size of their household.

5.4 Accessibility Needs

Interviews with the residential occupants at the time of displacement will provide information as to household accessibility needs. If an occupant reveals that any special needs exist, Metro will provide additional advisory services in order to identify and secure replacement sites that are fully accessible. Based on preliminary interviews for this plan, there is currently only one household in need of such accommodation.

5.5 Other Special Needs

Tenants, families and individuals with supportive service needs, such as mental health, educations, employment, etc. will be referred to appropriate countywide systems of care for assistance.

Based on the preliminary interviews, none of the residential units in the project area are subsidized low income housing. It is not anticipated that there will be any impact on any subsidized units, nor will there be a need for replacement units that are subsidized.

5.6 Language

Demographic information of the populations living and working in the zip codes described show a mixture of racial and cultural differences in the area. Based on our preliminary survey, the predominant language spoken is English. There is, however, a large population of Korean immigrants in the area. Translation services will be available as needed for Korean or other languages.

5.7 Relocation Impact by Site

5.7.1 Wilshire / Western

Figure 5-1: Wilshire/Western Site Map

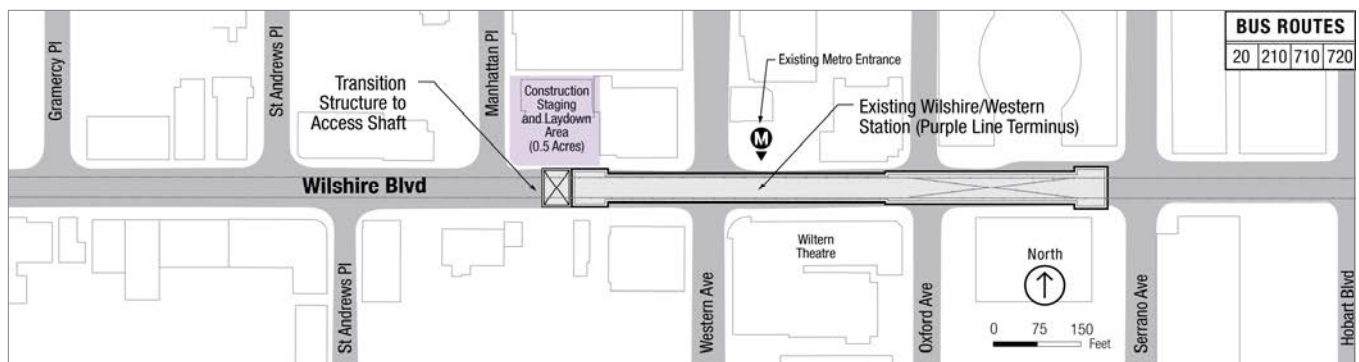


Table 5-3: Wilshire/Western Current Property Use and Condition Summary

| WSE Parcel # W-0103 | Year Built - Condition |
|---------------------|------------------------|
| 4 Restaurants | 2001 - Good |

Wilshire/Western Construction Staging and Laydown Site

At Wilshire/Western, a shaft will be constructed to retrieve the two Tunnel Boring Machines tunneling to Wilshire/Western from Wilshire/La Brea. Once the Tunnel Boring Machines have been retrieved, the shaft can be used by personnel to access the western end of the tunnels without the need to pass through the Wilshire/Western Station and to move materials into and out of the tunnels (e.g., a location to pump concrete into the tunnels for the construction of tunnel invert and walkways and for the construction of cross-passages).

A construction staging and laydown area will be required adjacent to the shaft to store materials and equipment used to construct the shaft and decking and for access into the shaft from the laydown area that will allow the contractor to freely move personnel, materials, and equipment between the laydown area and the shaft beneath the decked street without the need to close traffic lanes. The laydown area will also serve as a location for contractor field offices, for off-street parking and amenities for the site-based workforce, and for any equipment needed for treatment of dewatering effluent.

This site is currently occupied by a strip mall with four (4) restaurants. These restaurants cater to the local Korean community. The building was constructed in 2001 and is in good condition. Several people contacted at this site spoke limited English. All documents will be available in Korean and interpreter services will be

available as needed. As noted above, restaurants can require extra lead time to move because it can be a very slow process to obtain the necessary operating permits. Every effort will be made to give these businesses the extra lead time they will require.

5.7.2 Wilshire / Crenshaw

Figure 5-2: Wilshire/Crenshaw Site Map

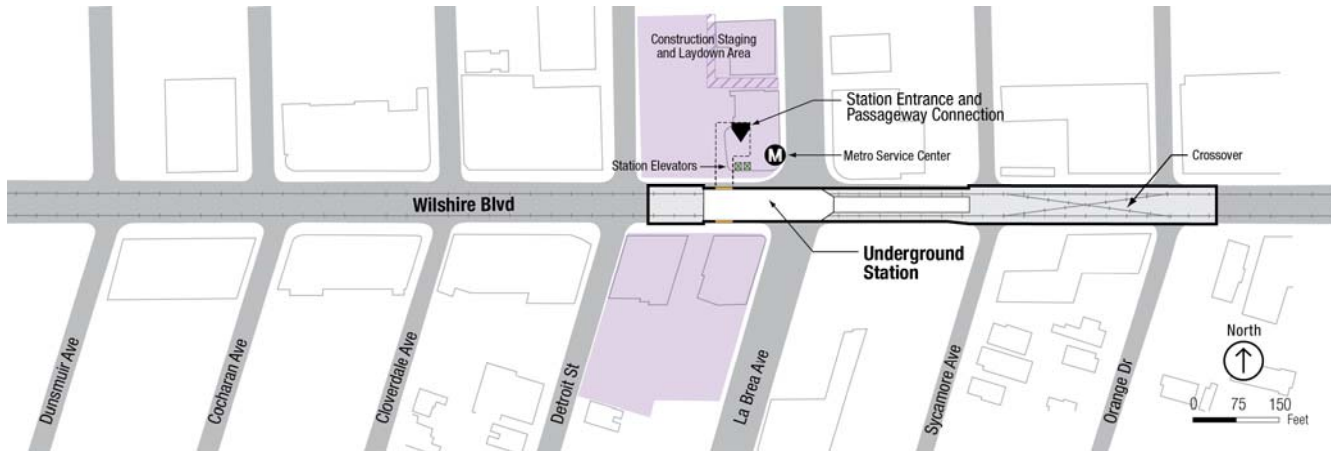


Table 5-4: Wilshire/Crenshaw Current Property Use and Condition Summary

| WSE Parcel # W-0401 | Year Built - Condition |
|----------------------|------------------------|
| Residential Property | 1919 - Good |

Although a station at the Wilshire/Crenshaw intersection is not included in the project, the properties on the south side of Wilshire Boulevard between Lorraine Boulevard and Crenshaw Boulevard will be used for construction staging. The Wilshire/Crenshaw site will be used by the contractor for storage of materials not immediately required at work sites or for sites where laydown area is scarce. The site will also be used as a location for the contractor’s office. The laydown area will also serve as a location for off-street parking and amenities for the site-based workforce, and for any equipment needed for treatment of dewatering effluent. This site will also serve to store and process fossil bones removed during the Wilshire/Fairfax Station excavation.

The parcel is currently occupied by a residential property. No extra barriers to their relocation appear to exist.

5.7.3 Wilshire / La Brea
Figure 5-3: Wilshire/La Brea Site Map

Table 5-5: Wilshire/La Brea Current Property Use and Condition Summary

| WSE Parcel # W-1201 | Year Built - Condition | WSE Parcel # W-1202 & W-1202-1 | Year Built - Condition | WSE Parcel # W - 1203 & W-1203-1 | Year Built - Condition |
|------------------------|---------------------------|--------------------------------------|---------------------------|--|---------------------------|
| 1 retail | 1929 - Good | 13 Retail | 1936 - Good | 1 Retail | 1942 - Good |
| | | 3 Educational | 1936 - Good | 3 Parking Lots | |
| | | 1 Office | 1936 - Good | | |

Wilshire/La Brea Station

The Wilshire/La Brea Station will be located in a commercial and residential area and will serve as a key transit connection. This station box will be located beneath Wilshire Boulevard from Detroit Street to just east of Orange Drive. Double crossover tracks will be located on the eastern end of the station under Wilshire Boulevard between Sycamore Avenue and Orange Drive.

Wilshire/La Brea will also be a launch site for Tunnel Boring Machines and the location for the equipment needed to support the operation of the Tunnel Boring Machines in addition to typical station excavation activities. Approximately three acres of construction staging and laydown area will be needed at Wilshire/La Brea. Construction staging and laydown areas will be located on the north (primarily on Metro-owned property) and south sides of Wilshire Boulevard between Detroit Street and La Brea Avenue. The construction staging and laydown site on the north side of Wilshire Boulevard will require the permanent reconfiguration of the public alley that intersects the site. The alley will be reconfigured prior to construction to be located north of the existing Lawrence of La Brea structure and will remain accessible during construction. All structures on the identified properties will be demolished to accommodate construction activities.

This site requires substantial relocation. A free standing two story building with retail, office and educational uses and its parking lot will be acquired. In addition a retail bank and its parking lot as well as free standing retail store will be acquired. A retail bank and education uses present significant challenges at this site. Every effort will be made to give them as much advance notice as possible. As part of eligible relocation costs, these

displaces may want to hire professional entitlement consultants to assist them with expediting permitting and entitlements at their respective relocation sites.

5.7.4 Wilshire / Fairfax

Figure 5-4: Wilshire/Fairfax Site Map

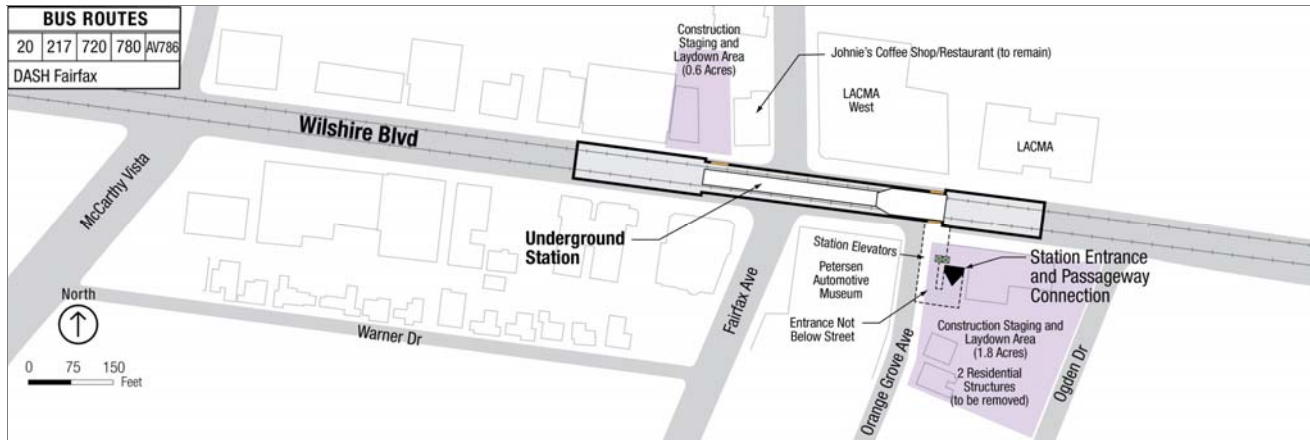


Table 5-6: Wilshire/Fairfax Current Property Use and Condition Summary

| WSE Parcel # W 1701 & W-1701-1 | WSE Parcel # W-1702 | Year Built - Condition | WSE Parcel # W-1703 & W-1703-1 | Year Built - Condition | WSE Parcel # W 1704 | Year Built - Condition | WSE Parcel # W 1801 | Year Built - Condition | WSE Parcel # W 1802 | Year Built - Condition |
|---|----------------------------|------------------------------|---|------------------------------|------------------------|------------------------------|-----------------------------|------------------------------|------------------------|------------------------------|
| 1 Parking Lot | 1 Retail | 1953 - Fair | 3 Retail | 1936 - Good | 1 Retail | 1941 - Good | 1 Parking Lot | 1956 - Good | 1 Trade School | 1976 - Good |
| | 2 Medical | Same as above | 15 Office | Same as above | 4 Office | Same as above | 1 Restaurant (Parking Only) | 1956 - Good | | |
| | 13 Office 1 Parking lot | Same as above | 3 Residential | 1928 - Fair | 2 Medical | Same as above | 1 Billboard | UNK - Good | | |
| | 1 Billboard | | 4 Residential | 1927 - Fair | | | | | | |

Wilshire/Fairfax Station

The Wilshire/Fairfax Station will offer access to a major cultural and tourism hub, including the Los Angeles County Museum of Art (LACMA), the Page Museum, the La Brea Tar Pits, the Peterson Automotive Museum, the Architecture and Design Museum, and the Craft and Folk Art Museum. This station will also provide access to the nearby Farmer’s Market, shops along West 3rd Street and Beverly Boulevard, and The Grove. The station will also provide connections to bus service along Fairfax Avenue, a major north/south thoroughfare. The station box will be located under Wilshire Boulevard from just west of Fairfax Avenue to just east of Orange Grove Avenue.

In addition to the areas immediately adjacent to the station entrances, approximately 1.5 acres of laydown area will be needed at the Wilshire/Fairfax Station to support construction of the station and for the storage of boxed fossils removed during station excavation. This station site will not support Tunnel Boring Machines facilities. The construction staging and laydown area will be located on the south side of Wilshire Boulevard between Ogden Drive and Orange Grove Avenue and the northwest corner of Wilshire Boulevard and Fairfax Avenue. The construction staging and laydown area will be the same regardless of the location of the entrance, with the exception of construction activities surrounding the entrance. All structures on these two identified construction staging and laydown sites, with the exception of Johnnie’s Coffee Shop, will be demolished to accommodate construction activities.

The majority of commercial displacements at this site are basic offices. Based on the replacement site study, there are plenty of replacements for these uses. Several art galleries face some difficulties because of a desire to remain close their client base and LACMA.

Figure 5-5: Wilshire/La Cienega Site Map

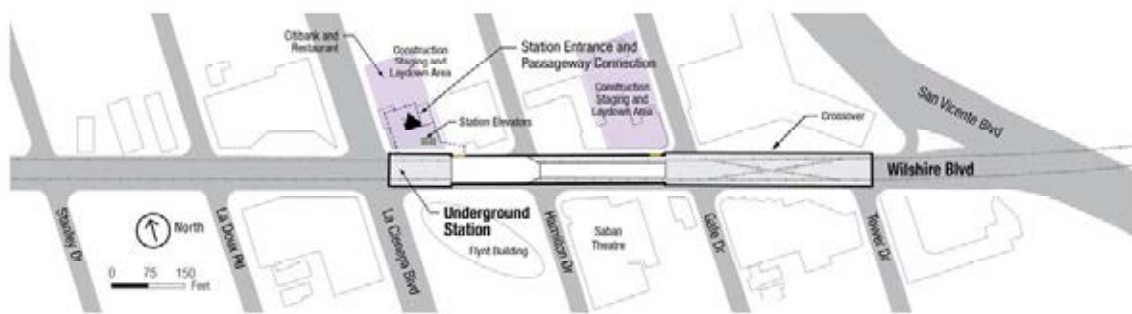


Table 5-7: Wilshire/La Cienega Current Property Use and Condition Summary

| WSE Parcel # W - 2301 | Year Built - Condition | WSE Parcel # W - 2302 | Year Built - Condition | WSE Parcel # W - 2307 | Year Built - Condition | WSE Parcel # W 2308 | Year Built - Condition | WSE Parcel # W - 2309 | Year Built - Condition |
|-----------------------|------------------------|-----------------------|------------------------|-----------------------|------------------------|---------------------|------------------------|--------------------------|------------------------|
| 1 Bank | 1942 - Good | 1 Restaurant | 1957-Good | 1 Retail | 1955 - Good | 1 Bank | 1929 - Excellent | 1 Multi Family – 5 units | 1955 good |
| | | | | 4 Medical | 1955 - Good | | | | |
| | | | | 5 Office | 1955 - Good | | | | |

Wilshire/La Cienega Station

The Wilshire/La Cienega Station will provide access to a mixture of commercial, residential, and restaurant uses. This station will provide access to nearby Cedars-Sinai Medical Center, the Beverly Center, the Beverly Connection, and shops along West 3rd Street and Beverly Boulevard. La Cienega Boulevard also serves as a major north/south thoroughfare for the Los Angeles region with numerous bus routes. The station box will be located beneath Wilshire Boulevard from La Cienega Boulevard to Tower Drive. Double crossover tracks will be located to the east of the station from east of Gale Drive to Tower Drive.

Approximately 1 acre of construction staging and laydown area will be needed at the Wilshire/La Cienega Station, principally for construction of the station. In addition to the construction staging and laydown area surrounding the station entrance, a construction staging and laydown area will be located on the northwest corner of the Wilshire Boulevard and Gale Drive intersection, at the current location of an office building and a residential structure. All existing structures on the identified parcels will be demolished to accommodate construction activities.

Three difficult to relocate business exist at this site. Two banks and one restaurant will require extra lead time in order to comply with regulatory agencies requirements. In addition specialized equipment such as vaults, ATM Machines and stainless steel kitchen fixtures must be ordered in advance. Every effort will be made to give these businesses the lead time they require.

Figure 5-6: Division 20 Yard Expansion Site Map



Table 5-8: Division 20 Current Property Use and Condition Summary

| WSE parcel # W - 6102 | WSE Parcel # W - 6103 | WSE Parcel # W-601-1 | WSE Parcel # W – 6201 & 6201-1 |
|--------------------------|-----------------------|----------------------|--------------------------------|
| Film Location | Vacant Lot - Parking | Vacant Lot | Vacant Lots |

Maintenance Yard

At present, Metro stores and maintains its Red Line/Purple Line vehicle fleet at the existing Division 20 Maintenance and Storage Facility at the site bounded by Ducommun Street on the north, the Los Angeles River on the east, Amtrak property and 6th Street Bridge on the south, and Santa Fe Avenue on the west.

Several enhancements at the facility are planned and programmed to accommodate the additional service that will be delivered by the Westside Subway Extension, in addition to planned increases in headways for the existing Red Line. New storage tracks will be provided for an additional 72 cars at the south end of the yard between the 4th and 6th Street Bridges, providing sufficient added capacity for the LPA and a total storage in the expanded yard of 272 cars. This requires purchasing private property abutting the southern and western boundary of the existing facility. Two new turn back platforms supplied by three turnback tracks will also be provided to enable trains to reverse direction more efficiently and accommodate the planned expansion of the fleet. In addition, since more frequent train service system wide will put more mileage on Metro’s HRT vehicles, more frequent maintenance will be necessary. Additional planned improvements will increase capacity at Division 20 for major repairs, wheel truing, service and inspection, and blow down operations, in addition to other associated facilities such as storage, offices, and amenities. The costs of the maintenance facility improvements are included in the LPA’s capital cost estimate.

These displacements may cause some displacement of use (parking, film location) but it is not anticipated that displacement of physical assets will be involved.

6.0 REPLACEMENT HOUSING AND COMMERCIAL RESOURCES

Metro will assist all eligible occupants to successfully relocate. A commercial and residential resource survey was conducted from April to June 2012. The commercial and residential resource survey identified available comparable decent, safe housing units and available commercial sites located within five miles of the Project Site. At the time of the survey, these units were available and ready for occupancy. Although these specific units may not be available at the time of displacement, there is a robust supply of stock of both commercial and residential properties.

Recent trends in residential real estate indicate that many buyers feel that prices have bottomed out and it is time to buy. This combined with low interest rates and declining foreclosures has encouraged a seller's market with prices increasing 5.4% in the last year. This may be advantageous to potential residential displacees who wish to rent. Many of these homes are likely to be purchased as rentals thereby increasing the pool of rentals available. For those who wish to purchase replacement dwellings, the cost is likely to rise slowly through 2014.

Lease prices for commercial real-estate declined 2.4% in the last year. Occupancy is up slightly and there seems to be demand building for retail and office vacancies. If this trend continues, rents may increase slowly through 2014, however it is felt that there will be continued adequate availability of commercial resources at the time of displacement.

Below are two tables that summarize the results of the replacement location survey. They demonstrate that there are adequate replacement resources for all classes of displacees within the project area.

Table 6-1: Residential Rentals within 5 Mile Radius of Project Site

| # of Bedrooms | # Displaced | # of Available Units | Price Range | Occupancy Status |
|---------------|-------------|----------------------|-------------------|------------------|
| Single/Studio | 0 | 32 | \$695 - \$1,400 | Available |
| 1 bedroom | 2 | 61 | \$795 - \$1,895 | Available |
| 2 bedrooms | 10 | 58 | \$1,300 - \$3,550 | Available |
| 3 bedrooms | 0 | 22 | \$1,895 - \$4,850 | Available |
| 4 bedrooms | 0 | 1 | \$3,790 | Available |
| 5 bedrooms | 1 | 6 | \$2,300 - \$7,900 | Available |

Table 6-2: Commercial Retail Rentals 5 Mile Radius of Project Site

| Unit Type | # Displaced | # of Available Units | Price Range per Month (Per Sq. Ft.) | Size Range (Per Sq. Ft.) | Occupancy Status |
|------------|-------------|----------------------|--|-----------------------------|------------------|
| Restaurant | 5 | 22 | \$1.75 - \$5.00 | 765 – 9,246 Sq. Ft. | Available |
| Medical | 8 | 55 | \$1.75 - \$6.79 | 400 – 5,937 Sq. Ft. | Available |
| Office | 36 | 392 | \$1.00 - \$5.00 | 344 – 17,511 Sq. Ft. | Available |
| Retail | 24 | 101 | \$1.25 - \$7.50 | 560 – 16,096 Sq. Ft. | Available |

At the time of actual displacement, Metro and its Relocation Agent will engage in an exhaustive effort to find as many referrals as possible to successfully relocate displaced businesses and households. The relocation agent will work closely with the displacee to determine the location and type of referrals they need.

7.0 RELOCATION ASSISTANCE PROGRAM

7.1 Important Terms

Alien Not Lawfully Present. Under federal law, an alien not lawfully present in the United States is not eligible for relocation assistance. As defined by federal law, an alien not lawfully present in the United States includes (1) an alien present in the United States who has not been admitted or paroled in the United States pursuant to the Immigration and Nationality Act and whose stay in the United States has not been authorized by the U.S. Attorney General; or (2) an alien who is present in the United States after the expiration of the period of stay authorized by the U.S. Attorney General and who otherwise violates the terms and conditions of admission, parole or authorization to stay in the United States. (8 CFR Section 103.12).

NOTE: Aliens not lawfully present in the United States are not eligible for URA relocation assistance, unless such ineligibility would result in exceptional hardship to a qualifying spouse, parent or child. It will be strongly recommended to all displaced persons to consult with their respective relocation Agent to find out if they qualify under this hardship provision.

Business. Any lawful activity, with the exception of a farm operation, conducted primarily for the purchase, sale, lease, and rental of personal or real property; or for the manufacture, processing, or marketing of products, commodities, or any other personal property; or for the sale of services to the public; or an outdoor advertising display or displays, when the display or displays must be moved as a result of acquisition of property for the Project.

Comparable Replacement Dwelling. A dwelling that is of similar size and type to the acquired dwelling. A replacement dwelling must be:

- a) Decent, safe, and sanitary as described below.
- b) Functionally equivalent to the displacement dwelling. The term “functionally equivalent” means that it performs the same function, provides the same utility, and is capable of contributing to a comparable style of living.
- c) In an area not subject to unreasonable adverse environmental conditions from either natural or manmade sources.
- d) Available to all persons regardless of race, color, religion, sex, marital status or national origin.
- e) Within the financial means of the displaced person (business and housing costs do not exceed 30% of the household’s average monthly income, if the household is low-income based on the U.S. Department of Business and housing and Urban Development income limits), either by the displaced person’s own means or through assistance from the Relocation Program.

Decent, Safe, & Sanitary. In order to meet decent, safe, and sanitary requirements, a replacement dwelling must meet the following criteria:

- a) Be structurally sound, clean, weather tight, in good repair, and adequately maintained.
- b) Contain a safe electrical wiring system adequate for lighting and other devices.
- c) Contain a safe heating system capable of sustaining a healthful temperature.
- d) Be adequate in size with respect to the number of rooms and area of living space to accommodate the displaced persons. Metro counts the number of persons in your family when determining unit

size. Metro does not make distinctions based on sex and age of family members, nor relationship of persons in the family and the same criteria and standard apply to all businesses and households. The following standards will be considered as guide in determining sleeping space required, always bearing in mind health factors may cause some variance:

Occupancy Standards

Table 7-1: Housing Occupancy Standards

| Housing Occupancy Standards (Two persons per bedroom + one additional person per household) | | | | |
|--|--------|-------------|-------------|---------------|
| Bedroom Count | Studio | One-bedroom | Two-bedroom | Three-Bedroom |
| Maximum Number of Occupants | 2 | 3 | 5 | 7 |

An otherwise standard dwelling may not be considered as standard for a specific family, unless it provides adequate sleeping space for all the family members. On a case-by-case basis, other than an efficiency or studio apartment, living rooms may be considered for sleeping purposes. In the evaluation of dwelling units considered for relocatees, existing building codes or other applicable regulations will be used as occupancy standards.

Experience has shown that many households are overcrowded. When relocated, they will be moved into housing adequate for their family’s size. In some cases, households may currently occupy units that according to standards are larger than they require. These households are entitled to be relocated into a unit of the same size that they moved from, or if they prefer, to relocate into a smaller unit which still meets the household size requirement.

- a) Have a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of hot / cold water and to a sewage drainage system.
- b) Contain unobstructed egress to safe, open space at ground level. If the dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
- c) Be free of any barriers, which prevent reasonable ingress, egress, or use of the dwelling by such displaced person.

Displaced Person. Any lawful person (individual, family, partnership, association or corporation) who moves from real property, or moves personal property from real property, as a direct result of Metro’s written notice of intent to acquire, the initiation of negotiations for, or the acquisition of real property, in whole or in part, for the Project.

General Information Notice. A notice to all affected project site occupants informing them of the potential project, funding source (Federal/State), benefits types and most important, telling them not to move now to continue to pay rent, mortgage, and to abide by all terms of their occupancy agreement, that they will not be required to move without a Notice of Eligibility and a 90 Day Notice to Vacate.

Replacement housing Study. A study prepared by Metro, describing the maximum replacement housing payment available to eligible residential owner-and tenant-occupants based on comparable replacement dwellings.

Nonprofit Organization. A public or private entity that has established its nonprofit status under applicable federal or state law.

Notice of Eligibility. A written notice provided by Metro to owner-and tenant-occupants of real property at the time Metro makes an offer to the property owner to purchase the property, describing the types of assistance available to the occupants.

Notice to Vacate. A statutorily required written notice provided by Metro to occupants of real property that Metro plans to acquire or has acquired, informing the occupants that they must move from the property within 90 days.

Personal Property. Property that can be moved from real property without damaging the real property or the property moved, including furniture, fixtures and equipment and other movable objects.

Relocation Agent / Agent. A Relocation Agent is a person who is experienced in providing assistance to occupants in accordance with the Uniform Act. Relocation Agents will be available to work with each occupant to understand the Relocation Assistance Program, provide Program information in writing, provide information on available replacement sites, and provide analyses of compensable monetary assistance under the Program.

Small Business. A business having not more than 500 employees working at a site, which is the location of economic activity and which will be acquired or is displaced by the Project. A site occupied solely by outdoor advertising signs, displays, or devices is not a “small business” for purposes of the reestablishment expense benefit of the Uniform Relocation Act and its implementing regulations.

Unlawful Occupant. A person who occupies without property right, title or payment of rent, or a person legally evicted, with no legal rights to occupy a property under state law. An occupant is considered to be in unlawful occupancy if the occupant has been ordered to move by a court of competent jurisdiction or if the occupant’s tenancy has been lawfully terminated by the owner for cause, the tenant has vacated the premises, and the termination was not undertaken for the purpose of evading relocation assistance obligations.

7.2 Eligibility for Relocation Assistance

To be eligible for relocation assistance, a displaced person must be lawfully occupying the property to be acquired by Metro at the time Metro makes a written offer to the property owner to purchase the property. While Metro is statutorily required to provide only a 90 day written notice of the day the occupant is required to relocate, Metro intends to begin working with each occupant as soon as feasible. Each occupant will be provided with sufficient time to work with a Relocation Agent to identify and secure a replacement site. Metro’s goal is for each occupant to understand the assistance that is available under Metro’s Relocation Assistance Program.

Businesses who occupy the property on the date of Metro’s first written offer to the property owner will be eligible to receive assistance in accordance with Metro’s Relocation Assistance Program.

Residential occupants eligible to receive Replacement Housing Payments will not be required to move prior to receiving a Notice of Eligibility. Metro will send a Notice of Eligibility to eligible residential occupants upon completion of a Replacement housing Study for each tenant, which determines the maximum replacement housing payment based on comparable replacement housing.

Metro will make every effort to assist each displaced person in finding reasonably comparable replacement sites. However, for businesses or nonprofit organizations, federal and state laws do not require Metro to

guarantee that the business owner will find a replacement site that it finds to be acceptable. Displaced persons ultimately choose their preferred replacement site and their participation in the process is critical to the success of the relocation.

Although an eligible displaced person is not required to move until 90 days after receiving a Notice to Vacate, a displaced person is eligible to receive relocation assistance upon receiving a Notice of Eligibility from Metro. If displaced persons choose to relocate at any time after receiving a Notice of Eligibility, they will be eligible to receive relocation assistance in accordance with Metro's Relocation Program. If displaced persons move before receiving a written Notice of Eligibility, they will not be eligible for, or provided with relocation assistance.

Although Metro may provide notice to displaced persons that they are eligible to receive relocation assistance from Metro, while occupying their current location, the displaced persons will continue to have the same rights and responsibilities they otherwise would have under any lease or other agreement related to the property; Metro's Notice of Eligibility does not waive those rights and obligations.

7.3 Relocation Advisory Assistance

Metro's Relocation Program provides relocation advisory assistance. Metro's Relocation Advisors are specialized in providing relocation assistance and will administer Metro's Relocation Program. Each displaced person will be assigned a Relocation Advisor. The Relocation Agent is available to help and to advise the displaced person; therefore, each displaced person should make full use of the available services. Individuals with disabilities will be provided the assistance needed to understand their rights under Metro's Relocation Program and assistance to locate and move to a replacement site. A displaced person should notify a Relocation Agent if additional assistance is needed.

The Relocation Agent will ensure that the displaced person is fully advised of all relocation assistance and benefits for which he or she is eligible. This applies to both residential and commercial displacements. Advisory services will be provided in a manner which satisfies the requirements of Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights act of 1968 and Executive Order 11063.

Advisory Services to be provided: The advisory program will include such measures, facilities, and services as may be necessary or appropriate in order to determine, for nonresidential displacements, the relocation needs and preferences of each business to be displaced and explain the relocation payments and other assistance for which the business may be eligible, the related eligibility requirements, and the procedures for obtaining such assistance. This shall include a personal interview with each business. Interviews with displaced business owners and operators will include the following items: (A) The business's replacement site requirements, current lease terms and other contractual obligations and the financial capacity of the business to accomplish the move. (B) Determination of the need for outside professional services that may be required to assist in planning the move, assistance in the actual move, and in the reinstallation of machinery and/or other personal property. (C) For businesses, an identification and resolution of personalty/realty issues. Every effort must be made to identify and resolve realty/personalty issues prior to, or at the time of, the appraisal of the property. (D) An estimate of the time required for the business to vacate the site. (E) An estimate of the anticipated difficulty in locating a replacement property. (F) An identification of any advance relocation payments required for the move, and the Agency's legal capacity to provide them.

Determine, for displacements, the relocation needs and preferences of each person to be displaced and explain the relocation payments and other assistance for which the person may be eligible, the related eligibility requirements, and the procedures for obtaining such assistance. This shall include a personal

interview with each residential displaced person. (A) Provide current and continuing information on the availability, purchase prices, and rental costs of comparable replacement dwellings, and explain that the person cannot be required to move unless at least one comparable replacement dwelling is made available. (B) As soon as feasible, the Agency shall inform the person in writing of the specific comparable replacement dwelling and the price or rent used for establishing the upper limit of the replacement housing payment and the basis for the determination, so that the person is aware of the maximum replacement housing payment for which he or she may qualify. (C) Housing will be inspected prior to being made available to assure that it meets decent, safe & sanitary standards. If such an inspection is not made, the Agency shall notify the person to be displaced that a replacement housing payment may not be made unless the replacement dwelling is subsequently inspected and determined to be decent, safe, and sanitary. (D) Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe, and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means. This policy, however, does not require an Agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling. (E) The Agency shall offer all persons transportation to inspect housing to which they are referred. (F) Any displaced person that may be eligible for government housing assistance at the replacement dwelling shall be advised of any requirements of such government housing assistance program that would limit the size of the replacement dwelling, as well as of the long term nature of such rent subsidy, and the limited (42 month) duration of the relocation rental assistance payment.

Provide, for nonresidential moves, current and continuing information on the availability, purchase prices, and rental costs of suitable commercial properties and locations. Assist any person displaced from a business to obtain and become established in a suitable replacement location.

Minimize hardships to persons in adjusting to relocation by providing counseling, advice as to other sources of assistance that may be available, and such other help as may be appropriate.

Supply persons to be displaced with appropriate information concerning Federal and State housing programs, disaster loan and other programs administered by the Small Business Administration, and other Federal and State programs offering assistance to displaced persons, and technical help to persons applying for such assistance.

7.4 Understanding the Relocation Program

During the initial contact meeting, a Relocation Agent will explain Metro's Relocation Program. The Agent will interview the displaced person to understand the household characteristics and replacement housing needs, or the business's current operation, facility, and replacement site needs. The Agent will explain the assistance and payments that the displaced person may claim in accordance with the displaced person's eligibility. It is important that displaced persons explain any anticipated relocation concerns to their Relocation Agent. During the initial interview, a Relocation Agent will ask detailed questions to determine specific relocation needs.

After the initial interview, the Relocation Agent will deliver written information regarding the displaced person's eligibility and rights, and forward information regarding available replacement sites as it becomes available. The Relocation Agent will provide information regarding available replacement properties, maps of replacement properties, and transportation, as needed, to inspect replacement properties, especially if the displaced person is elderly or disabled.

7.5 Planning and Preparing to Relocate

A Relocation Agent will continue to work with each displaced person to help plan the relocation to a replacement site. In particular, a Relocation Agent will explain which costs are compensable under Metro's

Relocation Program and which costs are not, and assist the displaced person with properly filing and documenting claims for reimbursement of relocation expenses.

A Relocation Agent will also provide information and assistance to minimize hardships in adjusting to the new location, such as assistance completing rental applications or loan documents; information on typical down payments; information on any permits, fees and local planning regulations applicable to the replacement site; information on services provided by others in the community, as well as federal, state, and local programs offering assistance to displaced persons; and consumer education literature. A Relocation Agent will also help to determine any special need for an outside specialist to help a displaced person plan for the move and if applicable, the reinstallation of personal property. A Relocation Agent will make every effort to secure the services of those agencies with trained personnel who have the expertise to help a displaced person through any special concerns related to the relocation.

In addition, a representative of Metro will work with each business owner and the owner of the real property (if the business is a tenant) to identify and to resolve any issues regarding what is “real estate” and what is “personal property” that can be relocated. Each business owner may be asked to provide a copy of the business owner’s lease agreement (if applicable) to help to determine the ownership of the furniture, fixtures, and equipment.

Metro’s goal is for each displaced person to achieve a successful relocation in the community. It is important that each business owner do everything a prudent business owner would do to maintain the business. All displaced persons should work closely with their Relocation Agent to evaluate and prepare for the move and search leads to available replacement sites.

8.0 RESIDENTIAL RELOCATION PAYMENTS

8.1 Actual Moving Expenses

An eligible displaced person may be reimbursed for the actual, reasonable, and necessary cost of the household's move to a replacement home.

Actual, reasonable, and necessary moving expenses may include the following:

- a) Transportation of the displaced household up to 50 miles.
- b) Packing, moving and unpacking household goods.
- c) Disconnecting and reconnecting household appliances and other personal property (e.g., telephone and cable TV).
- d) Storage of household goods, as may be necessary.
- e) Insurance for the replacement value of your property during the move and necessary storage.
- f) The replacement value of property lost, stolen, or damaged in the move (but not through neglect) if insurance is not reasonably available.

Eligible displaced persons may choose from among the following reimbursement options:

Payment for Actual Reasonable Moving and Related Expenses. Payment is made to reimburse actual moving expenses based on the lower of at least two acceptable moving bids from qualified professional moving carriers.

Compensable costs include all reasonable costs to pack, move, and unpack all personal property. A direct payment can be made to the professional moving carrier under this option and will allow reimbursement to the displaced person for any one-time utility reconnection fees, such as phone, gas, electricity, and cable.

A Fixed Moving Payment. Displaced persons may choose to move their own personal property to the replacement site and to submit a claim based on the moving expense and dislocation allowance schedule published by the Code of Federal Regulations shown below.

Table 8-1: Fixed Move Schedule Published by FHWA (Federal Highway Administration)

| Occupant Owns Furniture | | | | | | | | | Occupant does not own furniture | | |
|------------------------------|---------|---------|---------|---------|---------|---------|---------|-------|---------------------------------|---------------------|------------------------|
| Number of Rooms of Furniture | | | | | | | | | Add'l room | 1 room/ no furn. | Add'l room no furn. |
| 1 rooms | 2 rooms | 3 rooms | 4 rooms | 5 rooms | 6 rooms | 7 rooms | 8 rooms | | | | |
| \$685 | \$880 | \$1100 | \$1295 | \$1570 | \$1815 | \$2090 | \$2365 | \$250 | \$450 | \$85 | |

A combination of both. A displaced person can be reimbursed using a combination of the two reimbursement options, depending upon specific circumstances.

8.2 Replacement Housing Payments for Tenant-Occupants

A Replacement Housing Payment may be provided to eligible tenant-occupants to help them rent or buy a comparable replacement dwelling. To qualify for the Replacement Housing Payment, the tenant-occupants must demonstrate that (1) they have lived in the property as legal residents for at least 90 consecutive days prior to Metro's initial written offer to purchase the property; and (2) the property was their primary residence for that 90-day period (Eligible Tenant-Occupants). Federal law limits the maximum Replacement Housing Payment to Eligible Tenant-Occupants to a 42-month period, and caps the payment at \$5,250 per property. If the total rent differential (without the moving payments) is in excess of \$5,250, the Last Resort Housing Program will be used as described below.

The Replacement Housing Payment to Eligible Tenant-Occupants is computed in the following manner:

The Replacement Housing Payment for one month is determined by subtracting the base monthly rent for the present home from the cost of rent and utilities for the actual or comparable replacement dwelling, whichever is less. Metro will determine the cost of replacement housing based on a Business and housing Valuation Study. If the actual or comparable replacement housing cost is greater than the base monthly rent, that difference is multiplied by 42 months to determine the total maximum Replacement Housing Payment amount. If the actual or comparable replacement housing cost is less than the existing housing cost, no Replacement Housing Payment is available.

Generally, the "base monthly rent" for the present home is the lesser of (a) the monthly rent and average monthly cost for utilities during the three months immediately prior to vacation, or (b) 30% of the average monthly gross household income, if the household is low-income based on U.S. Department of Business and housing and Urban Development income limits. Metro will inform Eligible Tenant-Occupants in writing of the location and cost of comparable replacement housing (Eligibility Letter), and explain the basis of its determination so that Eligible Tenant-Occupants will know in advance how much assistance they may receive. That information should help Eligible Tenant-Occupants decide how much they wish to pay for replacement housing.

Eligible Tenant-Occupants are free to rent any decent, safe and sanitary housing unit of their choice. The Replacement housing Payment may be paid directly to the tenant or an authorized designee. Metro may provide payment in a total lump sum.

A tenant may be paid their anticipated moving or replacement housing expenses in advance of the actual move. Metro will provide an advance payment whenever later payment would result in financial hardship with particular consideration to the financial limitations and difficulties of low-income persons.

Federal law provides that the maximum Replacement Housing Payment that Eligible Tenant-Occupants can receive is \$5,250 per property acquired by Metro (not per tenant). If the total rent differential (without the moving payments) is in excess of \$5,250, the Last Resort Housing Program will be used as described below.

To claim the Replacement Housing Payment, Eligible Tenant-Occupants must rent and occupy a decent, safe, and sanitary replacement dwelling within 12 months after moving from the property acquired by Metro.

Purchasing a Replacement Dwelling. If Eligible Tenant-Occupants choose to buy (rather than rent) a replacement dwelling, the Replacement Housing Payment based on the rent differential could be applied toward a down payment and incidental expenses to purchase a decent, safe, and sanitary replacement dwelling within 1 year of the date the household moves from the property acquired by Metro. The Replacement Housing Payment shall not exceed the maximum rent differential (as previously described) or the

amount of a reasonable down payment for a comparable replacement dwelling plus expenses incidental to the purchase, whichever is less.

9.0 LAST RESORT HOUSING PROGRAM

Whenever a program or project cannot proceed in a timely manner because comparable replacement dwellings are not available within the maximum Replacement Housing Payment of \$22,500 for Eligible Owner-Occupants or \$5,250 for Eligible Tenant-Occupants, Metro is required to provide additional or alternative assistance under the provisions of 49 CFR 24.404 (Last Resort housing). Last Resort housing is a program that allows for the implementation of certain regulations to ensure that comparable replacement housing is within the financial means of the displaced person. Any determination that Metro makes to provide Last Resort housing assistance must be adequately justified as follows:

On a case-by-case basis, for good cause, this means that appropriate consideration has been given to the following:

- a) Availability of comparable replacement housing in the project area;
- b) Resources available to provide comparable replacement housing;
- c) Individual circumstances of the displaced person;

Or, by determination of the following:

- a) Little, if any, comparable replacement housing is available to displaced persons within the entire project area; therefore, Last Resort housing assistance is necessary for the area as a whole.
- b) A project cannot be advanced to completion in a timely manner without Last Resort housing assistance.
- c) The method selected for providing Last Resort housing assistance is cost effective, considering all elements that contribute to total project costs.

All households who are eligible to receive assistance under the Last Resort Housing Program will be notified in writing.

10.0 RELOCATION PAYMENTS FOR BUSINESSES

An eligible business may be reimbursed for the actual, reasonable, and necessary cost of the business's or organization's move when the move is performed by a professional or commercial mover or when the business owner elects to self-move. Any moving expenses for which a business is seeking reimbursement must be supported by paid receipts or other evidence of expenses incurred.

In addition, in order to meet requirements to offer just compensation to property owners and business owners / tenants, an offer to purchase Furniture, Fixtures and equipment will be tendered. When relocated, many businesses may be unable to take certain improvements to the realty and/ or moveable personal property with them. Reasons vary as to why the item cannot practically be relocated. The item may be destroyed by the move, or may be too large or small to fit in the replacement location. An FF&E appraiser will be used to professionally ascertain the fair market value in place of these items and, based on this appraisal the Agency will make an offer to purchase these items. The relocation agent will coordinate with the FF&E appraiser to assure that an accurate determination of personal property versus real property is made.

10.1 Moving Expenses

Actual, reasonable and necessary moving expenses may include the following:

- a) Transportation of personal property up to 50 miles from the site from which the business or nonprofit organization was displaced, except where relocation beyond 50 miles is justified.
- b) Packing, crating, unpacking, and uncrating personal property.
- c) Storage of personal property for a period up to 12 months, as determined by Metro to be necessary in connection with relocation.
- d) Insurance for the replacement value of personal property lost, stolen, or damaged while in storage or transit.
- e) Replacement value of property lost, stolen, or damaged (but not through neglect) in the process of moving, where insurance covering such loss, theft, or damage is not reasonably available.
- f) Disconnecting, dismantling, removing, reassembling, and reinstalling personal property, such as machinery, equipment, substitute personal property, and other personal property (including goods and inventory kept for sale) and connection to utilities available within the building.
- g) Modifications to personal property, including those mandated by federal, state or local law, code or ordinance, necessary to adapt the personal property to the replacement structure, replacement site, or the utilities at the replacement site, and modification necessary to adapt the utilities at the replacement site to the personal property.
- h) Any required license, permit, fee, or certification, as necessary, for the reestablishment of the business or organization at a new location. However, payment shall take into account the remaining useful life of any existing license, permit, or certification.
- i) Professional services (including, but not limited to, architects', attorneys', or engineers' fees, or consultants' charges) necessary for planning the move of personal property, moving the personal property, or installing relocated personal property at the replacement site.
- j) Professional services in connection with the purchase or lease of a replacement site, including feasibility surveys, soil testing, and marketing studies.

- k) Re-lettering signs and replacing stationery on hand at the time of displacement that is made obsolete as a result of the move.
- l) Impact fees or one-time assessments for anticipated heavy utility usage.
- m) Connection to available nearby utilities from the right-of-way to improvements at the replacement site
- n) Impact fees or one time assessments for anticipated heavy utility usage, as determined necessary by the Agency.

Metro will reimburse businesses for moving expenses related to the cost to move personal property from the acquired site to the replacement site. All costs must be actual, reasonable, and necessary to allow the business to reestablish itself at the replacement location.

This is not an inclusive list of moving-related expenses. A Relocation Agent will provide each business owner with a complete explanation of potentially reimbursable expenses. This list also is not a guarantee of reimbursable moving expenses. Each business owner should work closely with the assigned Relocation Agent in advance of incurring any costs related to relocation to determine which expenses are likely to be eligible for reimbursement under the Relocation Assistance Program.

It is important that each occupant work closely with their Relocation Agent so that costs are documented and presented to Metro for review and pre-approval whenever possible. Metro will exercise its discretion to decide which expenses relating to the businesses' move are eligible for reimbursement.

Commercial/Professional Move. A business owner may elect to hire professional or commercial movers to move personal property. Metro may reimburse the business owner for the cost, based on the lower of two bids or estimates.

Self-Move. If a business owner agrees to take full responsibility for all or part of the move of the operation, rather than hiring a professional or commercial mover, Metro may approve a payment not to exceed the lower of two acceptable bids or estimates obtained from qualified moving firms, or moving consultants. A low cost or uncomplicated move may be based on a single bid or estimate, at Metro's discretion.

Before a business performs a self-move, the following must be provided to a Relocation Agent: (a) two acceptable bids or estimates from moving professionals; (b) a certified inventory of all personal property to be moved; (c) the date the business intends to move; (d) the address of the replacement property; and (e) the opportunity to monitor and inspect the move.

Direct Loss of Tangible Personal Property. Displaced businesses may be eligible for a payment for the actual direct loss of tangible personal property, which is incurred as a result of the move or discontinuance of the operation. This payment may be based on the lesser of (a) the value of the item for continued use at the displacement site less the proceeds from its sale, or (b) the estimated reasonable cost of moving the item. A Relocation Agent will explain this procedure in detail if this is a consideration.

Substitute Personal Property. Where an item of personal property, which is used in connection with an operation, is not moved but is replaced with a comparable item, the business may request reimbursement in an amount not to exceed the lesser of (a) the replacement cost, minus any net proceeds from its sale, or (b) the estimated cost of moving the original item.

Low Value High Bulk Property. If Metro considers a personal property item to be of low value and high bulk (such as minerals, metals, rock, or topsoil), and moving costs are disproportionate to its value, the allowable moving cost payment shall not exceed the lesser of the amount which would be received if the personal property were sold at the site, or the replacement cost of a comparable quantity delivered to the new business location.

10.2 Searching Expenses for Replacement Property

Displaced businesses are entitled to reimbursement for actual, reasonable, and necessary expenses incurred in searching for a replacement property, not to exceed \$2,500. Such expenses may include transportation, meals and lodging when away from home, the reasonable value of the time spent during the search, fees paid to real estate agents or brokers to locate a replacement site, the reasonable value of time obtaining permits and attending zoning hearings, and the reasonable value of time spent negotiating the purchase of a replacement site.

10.3 Business Reestablishment Expenses

A small business or nonprofit organization may be eligible for reimbursement, not to exceed \$10,000, for actual, reasonable, and necessary expenses incurred in relocating and reestablishing the operation at a replacement site.

Reestablishment expenses may include, but are not limited to, the following:

- a) Repairs or improvements to the replacement real property required by federal, state, or local laws, codes or ordinances.
- b) Modifications to the replacement real property to accommodate the operation or to make the replacement structures suitable for the operation.
- c) Construction and installation costs of exterior signs to advertise the operation.
- d) Redecoration or replacement of soiled or worn surfaces at the replacement site, such as painting, wallpapering, paneling, or carpeting.
- e) Advertisement of the replacement location.
- f) Estimated increased costs of operation at the replacement site during the first two years for items such as lease or rental charges, personal or real property taxes, insurance premiums, or utility charges (excluding impact fees).

The following is a nonexclusive listing of reestablishment expenditures not considered to be reasonable and necessary, or otherwise not eligible for reimbursement.

- a) Purchase of capital assets, such as office furniture, filing cabinets, machinery, or trade fixtures.
- b) Purchase of manufacturing materials, production supplies, production inventory, or other items used in the normal course of the operation.
- c) Interest on money borrowed to make the move or purchase the replacement property.
- d) Payment to a part-time business in the home that does not contribute materially to the household income.

10.4 Fixed Payment for Moving Expenses (In Lieu Payment)

Displaced businesses and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, personal property losses, searching expense, and reestablishment expenses. The fixed payment may not be less than \$1,000 or more than \$20,000. A business or nonprofit organization that is determined to be eligible for a fixed payment will be paid after it moves from the property that Metro is acquiring and submits a claim for payment.

For a business to be eligible for a fixed payment, it must meet the following criteria, as determined by Metro.

- a) The business owns or rents personal property that must be moved due to the displacement.
- b) The business cannot be relocated without a substantial loss of its existing patronage (e.g., clientele or net earnings).
- c) The business is not part of a commercial enterprise having more than three other entities engaged in the same or similar business activity, which are under the same ownership and are not being displaced by Metro.
- d) The business is not operated at a displacement site solely for the purpose of renting such site to others.
- e) The business contributed materially to the income of the displaced business operator during the two taxable years prior to displacement.

In order to establish eligibility for the fixed payment option, a business must, before its move (a) complete a Request for Determination of Entitlement form, which is available from a Relocation Agent; (b) provide a written statement of the reasons the operation cannot be relocated without a substantial loss of existing patronage; and (c) provide documentation supporting claimed net earnings for the two previous tax years.

Fixed payment eligibility requirements and payment computation for nonprofit organizations are slightly different from business requirements. The computation for nonprofit organizations differs in that the payment is computed on the basis of average annual gross revenues less administrative expenses for the two-year period specified.

10.5 Move of Personal Property Only

Some persons rent space to store personal property. An owner of personal property has the option of moving the personal property by using a commercial mover or by performing a self-move as described below.

Commercial/Professional Move. An owner of personal property may elect to hire professional or commercial movers to move personal property. Metro may reimburse the storage tenant for the cost, based on the lower of two bids or estimates.

Self-Move. If an owner of personal property agrees to take full responsibility for all or part of the move of the operation, rather than hiring a professional or commercial mover, Metro may approve a payment not to exceed the lower of two acceptable bids or estimates obtained from qualified moving firms, or moving consultants. A low cost or uncomplicated move may be based on a single bid or estimate, at Metro's discretion.

Before a storage tenant performs a self-move, the following must be provided to a Relocation Agent: (a) two acceptable bids or estimates from moving professionals; (b) a certified inventory of all personal property to be

moved; (c) the date of the intended move; (d) the address of the replacement property; and (e) the opportunity to monitor and inspect the move.

10.6 Advertising Signs

The amount of a payment for direct loss of an advertising sign, which is considered personal property, shall be the lesser of:

- a) The depreciated reproduction cost of the sign, as determined by Metro, less any proceeds from its sale; or
- b) According to the State of California Department of Transportation Poster Panel Removal Schedule, (7-EX-14 (REV 1/2011)); or
- c) The estimated cost of moving the sign, but with no allowance for storage.

11.0 OTHER IMPORTANT INFORMATION

11.1 Relocation Site Office

A temporary relocation site office may be established on site where assigned staff and Relocation Agents will work closely with all displaced persons and appropriate agencies in carrying out the relocation program. Staffing and working hours may be arranged to provide services conveniently available to all displaced persons from the project.

11.2 Filing Claims

Relocation expenses typically will be reimbursed after displaced persons submit to the Relocation Agent a signed claim and all required documentation supporting the claim. Claims may be submitted as costs are incurred; displaced persons do not have to wait until their relocation is complete to submit claims for reimbursement.

For tenants of property acquired by Metro, all claims for relocation assistance must be submitted to a Relocation Agent and filed with Metro within 18 months after the displaced person vacates the property. A Relocation Agent will work with each displaced person to properly document claims for reimbursement. The Relocation Agent will submit each complete claim to Metro for review and processing. Metro will make every effort to provide reimbursement for any approved, eligible portion of that claim as soon as possible.

If Metro denies all or a part of a claim for reimbursement, or if Metro refuses to consider a claim, Metro shall promptly notify the displaced person in writing of its determination, the basis for its determination, and the procedures for appealing the determination.

11.3 Relocation Payments Are Not Considered Income

No relocation reimbursement received by a displaced person will be considered as income for the purpose of the Internal Revenue Code, or for determining the eligibility of a person for assistance under the Social Security Act, or any other federal law, except for any federal law providing low-income business and housing assistance.

Payments made by Metro to a third party can be considered a taxable event. As a result, third-party payments may be subject to an IRS Form 1099 from Metro.

11.4 Business Goodwill

A claim for potential loss of Business Goodwill would be separate from any claim for relocation assistance benefits and would not be provided as part of Metro's Relocation Program. Business owners should contact Metro's representative for more information regarding business goodwill.

Valid claims for Goodwill will be paid with non federal funds in accordance with California State Law.

11.5 Nondiscrimination

Under Title VII of the federal Civil Rights Act of 1968, discrimination based on race, color, religion, sex, or national origin in the purchase and rental of most residential units is illegal. The Act ensures that all services and benefits will be administered to the public without regard to race, religious creed, color, medical condition, sex, sexual orientation, gender identity, marital status, parental status, domestic partner status, age, national origin, ancestry, disability, veteran status, or any other basis protected by law.

11.6 General Information

This summary of Metro’s Relocation Program has been provided as a courtesy by Metro. It is intended to provide general information concerning Metro’s Relocation Program and to assist displaced persons in understanding their rights and benefits. Questions regarding Metro’s Relocation Program should be directed to a Relocation Agent once an Agent has been assigned.

Further details regarding federal and state relocation assistance and benefits are set forth in the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. Sections 4601 et seq., and its implementing regulations, 49 CFR Part 24; the California Relocation Act, Govt. Code Sections 7260 et seq., and its implementing regulations, 25 Cal. Code Regs. Sections 6000 et seq.

11.7 Project Assurances

Metro is committed to providing relocation assistance to all eligible occupants who are required to relocate as a result of the Project. Metro will not proceed with any approval of the project or other activity that will result in the displacement of any person, or business until it makes the following determinations:

- a) Fair and reasonable relocation payments will be provided to eligible persons in accordance with federal and state laws and guidelines.
- b) Metro has established a Relocation Program offering the services described in applicable federal and state law and guidelines.
- c) Eligible persons will be adequately informed of the assistance, benefits, policies, practices and procedures, including grievance procedures.
- d) Adequate provisions have been made to provide orderly, timely, and efficient relocation of eligible persons without regard to race, color, religion, sex, marital status, or national origin with minimum hardship to those affected.
- e) Comparable replacement dwellings will be available within a reasonable period of time prior to displacement sufficient in number, size and cost for the eligible persons who require them.
- f) No person will be displaced until Metro has fulfilled the obligations imposed by the applicable relocation regulations.
- g) No persons of low and moderate income will be displaced unless and until there is a suitable business and housing unit available and ready for occupancy by such displaced person at rents comparable to that at the time of their displacement. Such business and housing will be suitable to the needs of such displaced person and will be decent, safe, sanitary and an otherwise standard dwelling.
- h) A Replacement housing Plan will address the issues of the removal of low and moderate income business and housing units from the business and housing market for the proposed project.
- i) This Final Relocation Plan meets the requirements of the California Code of Regulations, Title 25, Chapter 6.
- j) Metro will contract with qualified Relocation Agents for the following services:
 - 1) Provide current and continuing information on the availability, prices, and rentals of comparable residential and commercial properties and locations.
 - 2) Assist each eligible displaced person to complete applications for payments and benefits.



- 3) Assist each eligible displaced person in obtaining and becoming established in a suitable replacement location.
- 4) Provide any services required to ensure that the relocation process does not result in different or separate treatment on account of race, color, religion, national origin, sex, marital status, familial status, or any basis protected by state or federal antidiscrimination laws, or any other arbitrary circumstances.
- 5) Supply to such eligible persons information concerning programs administered by the Federal Small Business Administration, and other federal or state programs, offering assistance to displaced persons.
- 6) Provide other advisory assistance to eligible persons in order to minimize their hardships. As needed, such assistance may include counseling and referrals with regard to financing, employment, training, health and welfare, as well as other assistance.
- 7) Inform all persons who are expected to be displaced about the eviction policies to be pursued in carrying out the project.

12.0 RELOCATION APPEALS PROCESS

The Metro Relocation Appeals Procedure will be described in all printed matter explaining Metro's Relocation Assistance Program, including the Informational Packets that are distributed at public hearings and/or to individual displaced persons.

A displacee's right to appeal will also be mentioned whenever any verbal presentation is made at public hearings covering relocation assistance.

- On relocation calls, the relocation agent will provide the following information to the displaced person:
- How to make an appeal;
- Appeals must be filed with Metro no later than six months following the deadline for filing a claim for a relocation payment;
- The right to personally appear at all hearings;
- The right of appeal relates only to the Relocation Assistance Program and not to the market value of the property or to the terms of the acquisition agreement for the real estate;
- Appeal decisions will be made in writing;
- The Metro Relocation Appeals Procedure and Appeal Form will be provided to the displacee upon request;
- The right of the displacee to pursue legal action after completion of the appeal process.

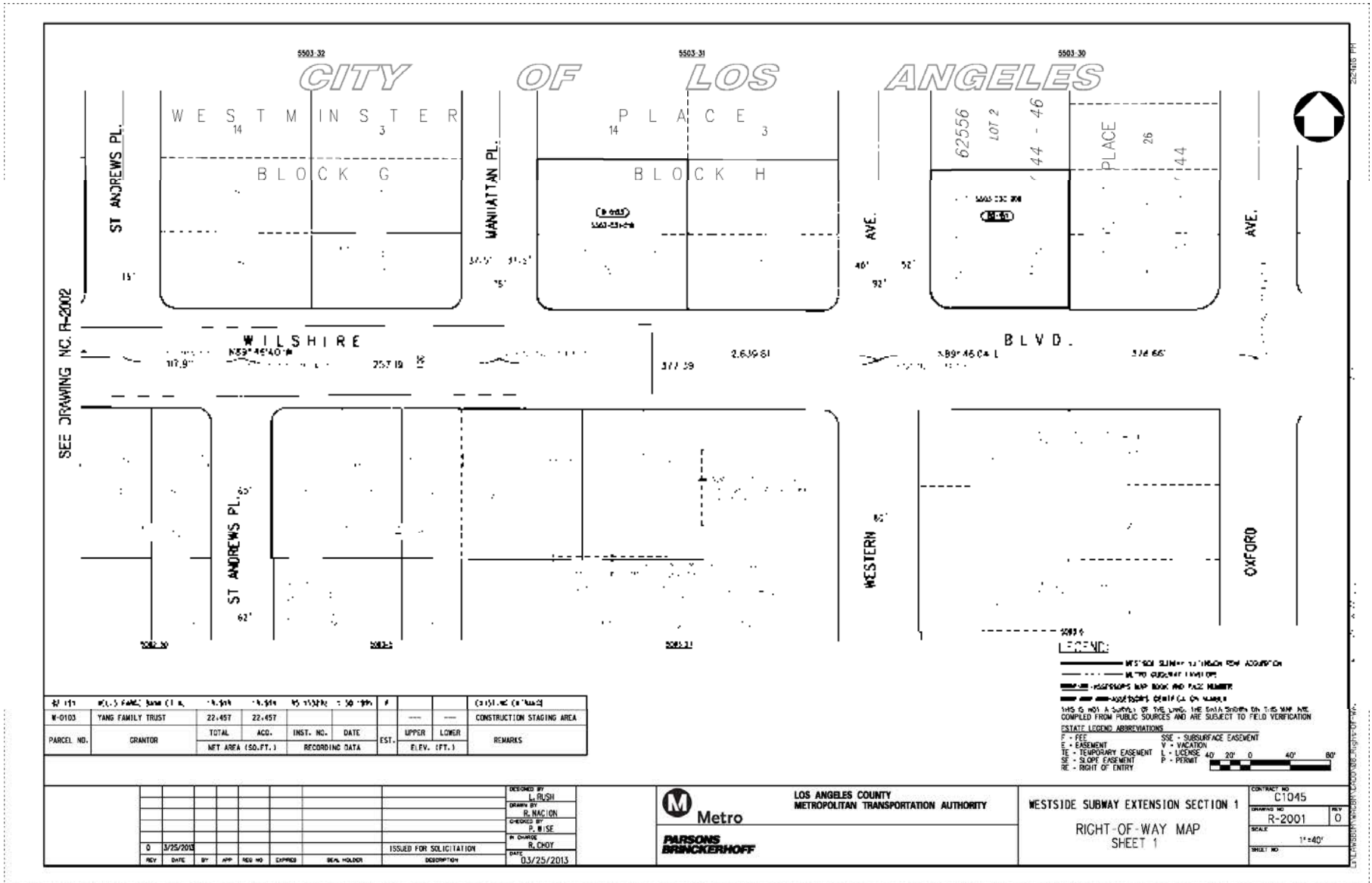
Review of Files by Appellant

- The following materials will be classified as confidential by Metro and not allowed to be inspected or copied by the appellant:
- The Relocation Case File
- Correspondence to and from Legal Counsel
- That additional material determined by Metro Legal Counsel, on a case-by-case basis, to be confidential and unavailable to the appellant

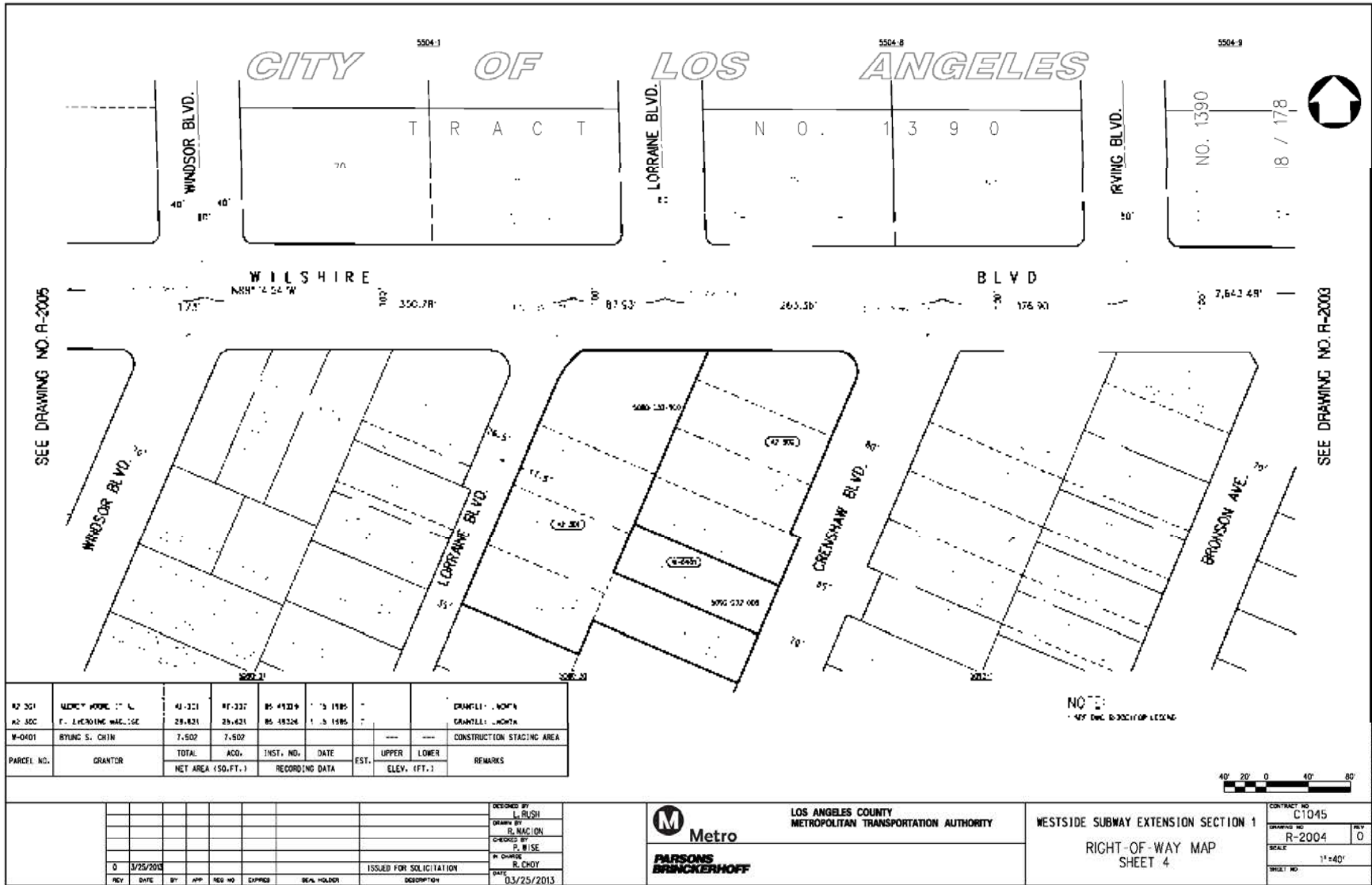
Metro will set a reasonable time limit for the appellant to review the file, taking into consideration that Legal Counsel must first review the case file to determine which material is confidential and which is not. Metro may also charge reasonable fees for any copied material.

APPENDIX A

PARCEL MAPS

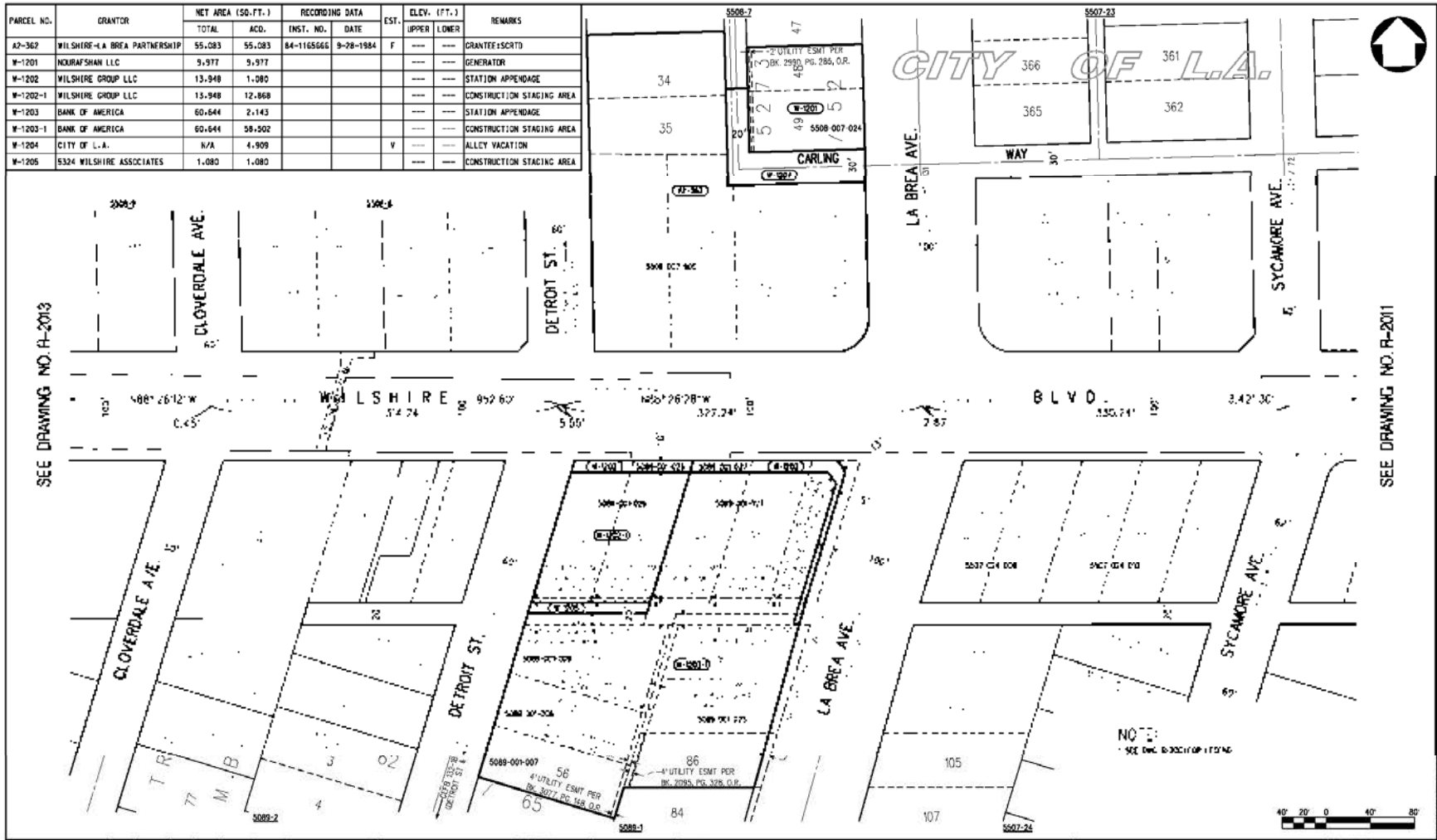


WESTSIDE SUBWAY EXTENSION PROJECT



WESTSIDE SUBWAY EXTENSION PROJECT

| PARCEL NO. | GRANTOR | NET AREA (SQ. FT.) | | RECORDING DATA | | EST. | ELEV. (FT.) | | REMARKS |
|------------|------------------------------|--------------------|--------|----------------|-----------|------|-------------|-------|---------------------------|
| | | TOTAL | ACD. | INST. NO. | DATE | | UPPER | LOWER | |
| A2-362 | WILSHIRE-LA BREA PARTNERSHIP | 55,083 | 55,083 | 84-1165666 | 9-28-1984 | F | --- | --- | CRANTEE+SCRTD |
| M-1201 | NOURAFSHAN LLC | 5,977 | 5,977 | | | | --- | --- | GENERATOR |
| M-1202 | WILSHIRE GROUP LLC | 13,949 | 1,080 | | | | --- | --- | STATION APPENDAGE |
| M-1202-1 | WILSHIRE GROUP LLC | 13,949 | 12,868 | | | | --- | --- | CONSTRUCTION STAGING AREA |
| M-1203 | BANK OF AMERICA | 60,644 | 2,143 | | | | --- | --- | STATION APPENDAGE |
| M-1203-1 | BANK OF AMERICA | 60,644 | 58,202 | | | | --- | --- | CONSTRUCTION STAGING AREA |
| M-1204 | CITY OF L.A. | N/A | 4,909 | | | V | --- | --- | ALLEY VACATION |
| M-1205 | 5324 WILSHIRE ASSOCIATES | 1,080 | 1,080 | | | | --- | --- | CONSTRUCTION STAGING AREA |



| REV | DATE | BY | APP | REQ NO | EXPIRES | SCALE | HOLDER | DESCRIPTION |
|-----|-----------|----|-----|--------|---------|-------|--------|-------------------------|
| 0 | 3/25/2013 | | | | | | | ISSUED FOR SOLICITATION |

DESIGNED BY
L. BUSSETI, RAJNICY
DRAWN BY
R.N./T.R.
CHECKED BY
R.N./J.E.
IN CHARGE
B. CHOY
DATE
03/25/2013

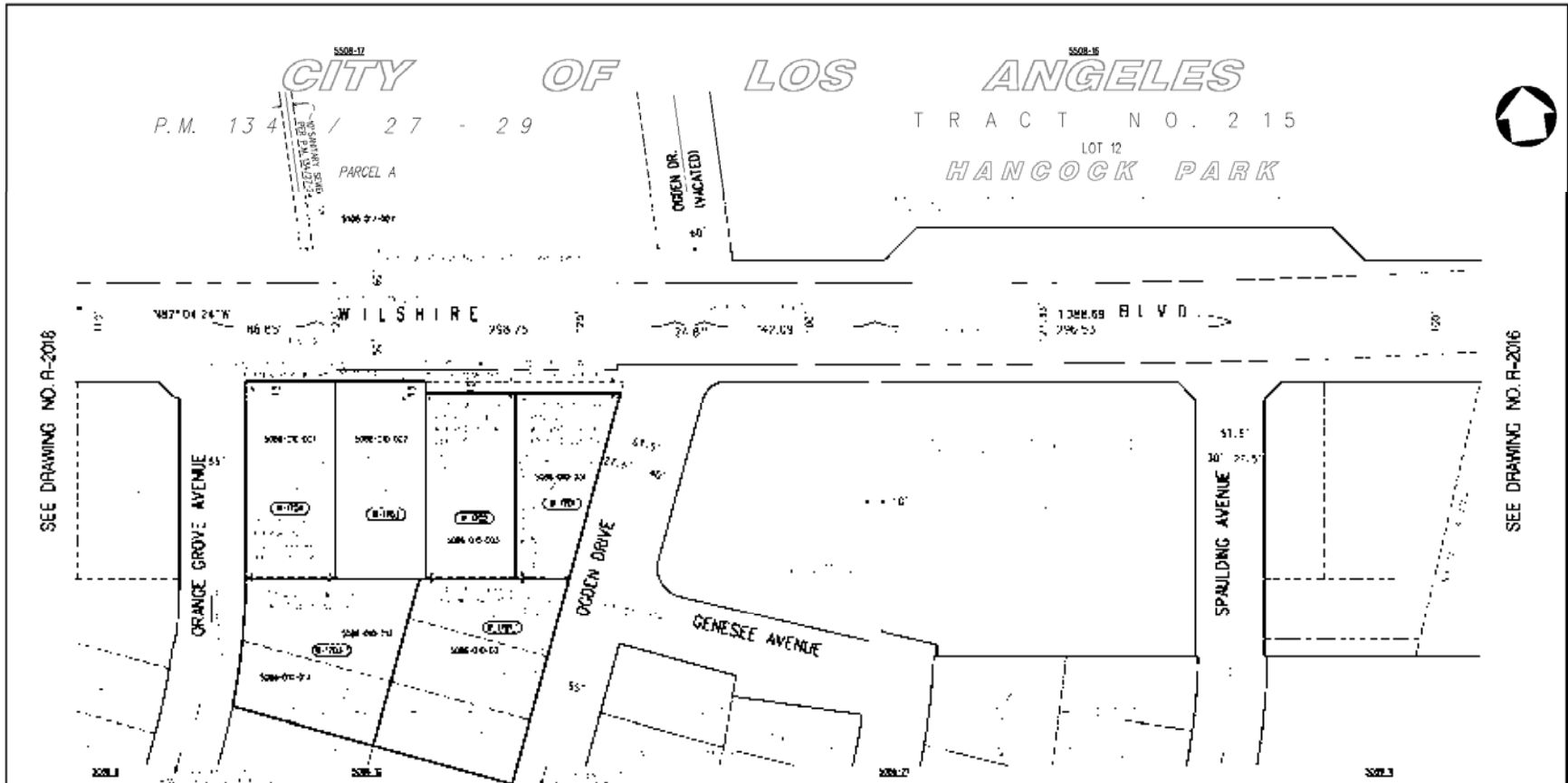


LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

WESTSIDE SUBWAY EXTENSION SECTION 1
RIGHT-OF-WAY MAP
SHEET 12

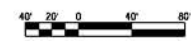
| | |
|--------------|--------|
| CONTRACT NO. | C1045 |
| DRAWING NO. | R-2012 |
| SCALE | 1"=40' |
| SHEET NO. | 0 |

WESTSIDE SUBWAY EXTENSION PROJECT



| PARCEL NO. | GRANTOR | TOTAL NET AREA (SQ.FT.) | ACQ. | INST. NO. | DATE | EST. | UPPER ELEV. (FT.) | LOWER ELEV. (FT.) | REMARKS | PARCEL NO. | GRANTOR | TOTAL NET AREA (SQ.FT.) | ACQ. | INST. NO. | DATE | EST. | UPPER ELEV. (FT.) | LOWER ELEV. (FT.) | REMARKS | |
|------------|------------------------|-------------------------|------|-----------|------|------|-------------------|-------------------|---------------------------|------------|----------------------|-------------------------|------|-----------|------|------|-------------------|-------------------|---------------------|---------------------------|
| W-112 | M.A. GREENFIELD CO INC | 11,821 | | 11,831 | | | | | CONSTRUCTION STAGING AREA | W-1104 | BOG W. SHINE LLC | 17,289 | | 17,289 | | | | | ENTRANCE/APPENDAGES | |
| W-112A | MUSEUM ASSOCIATES | 29,543 | | 19,328 | | | | | CONSTRUCTION STAGING AREA | W-1103 | WILSHIRE STERITY LLC | 28,683 | | 15,365 | | | | | | CONSTRUCTION STAGING AREA |
| W-1701 | MUSEUM ASSOCIATES | 29,543 | | 10,221 | | | | | CONSTRUCTION STAGING AREA | W-1703 | WILSHIRE STERITY LLC | 28,683 | | 12,382 | | | | | | ENTRANCE/APPENDAGES |

NOTE:
SEE PLAN R-2017 OF 1721-2



| REV | DATE | BY | APP | REQ NO | EXPIRE | SEAL HOLDER | DESCRIPTION |
|-----|-----------|----|-----|--------|--------|-------------|-------------------------|
| 0 | 3/25/2013 | | | | | | ISSUED FOR SOLICITATION |

DESIGNED BY
L. BUSSET, RAINY
DRAWN BY
R.N./T.R.
CHECKED BY
R.N./J.E.
IN CHARGE
BLCHDY
DATE
03/25/2013

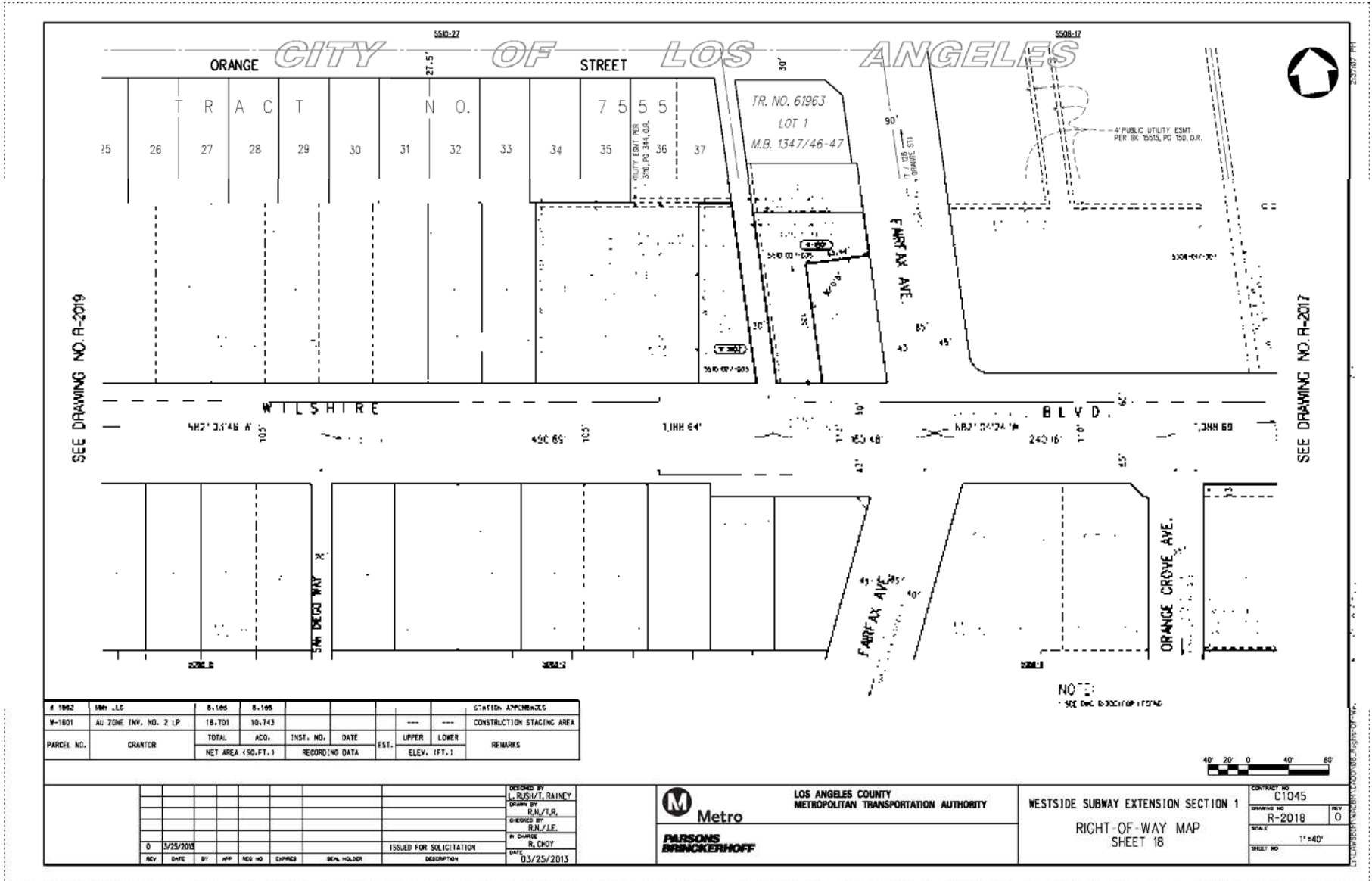


LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION AUTHORITY

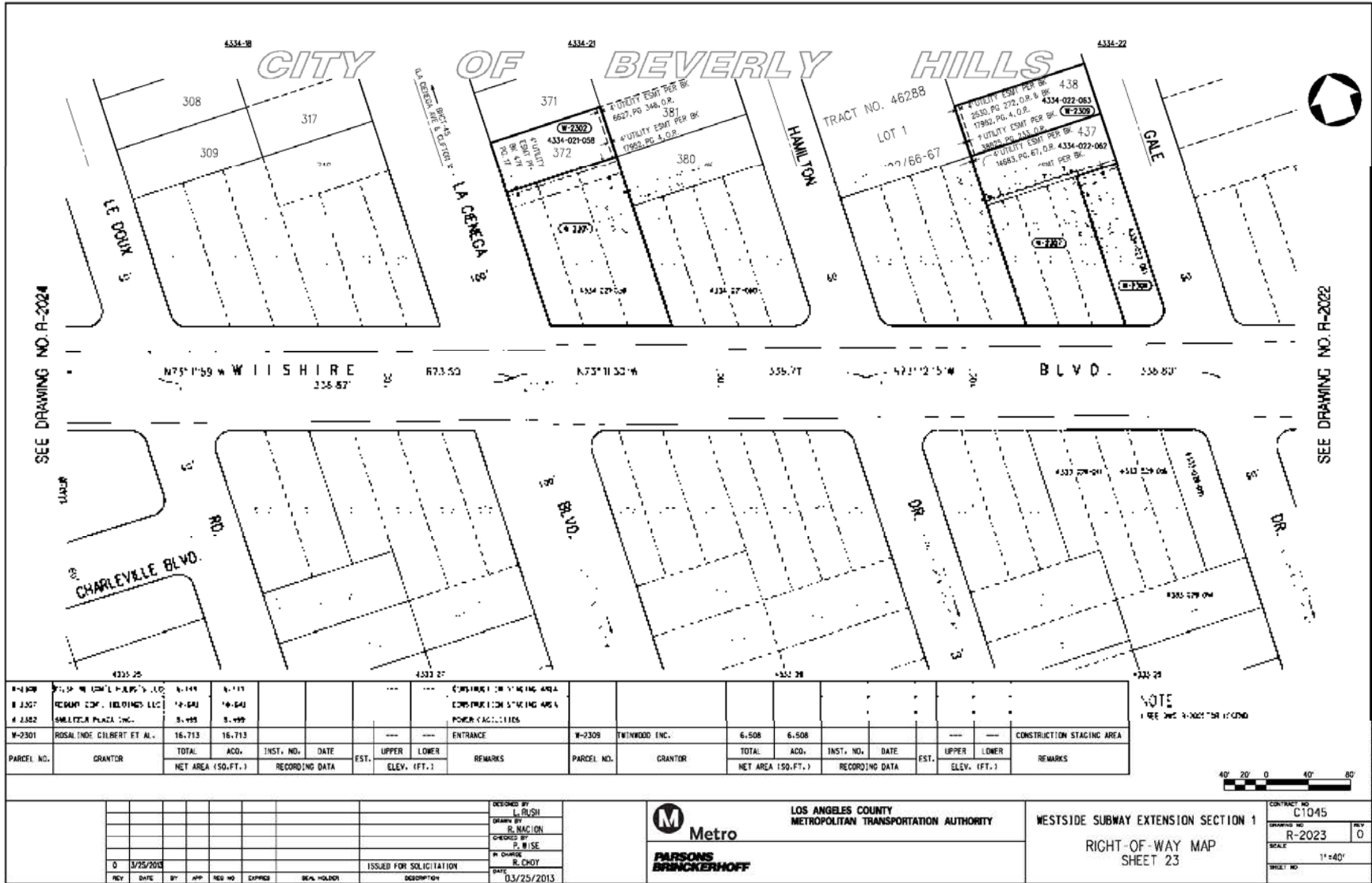
WESTSIDE SUBWAY EXTENSION SECTION 1
RIGHT-OF-WAY MAP
SHEET 17

| | |
|--------------|--------|
| CONTRACT NO. | C1045 |
| DRAWING NO. | R-2017 |
| SCALE | 1"=40' |
| SHEET NO. | 17 |

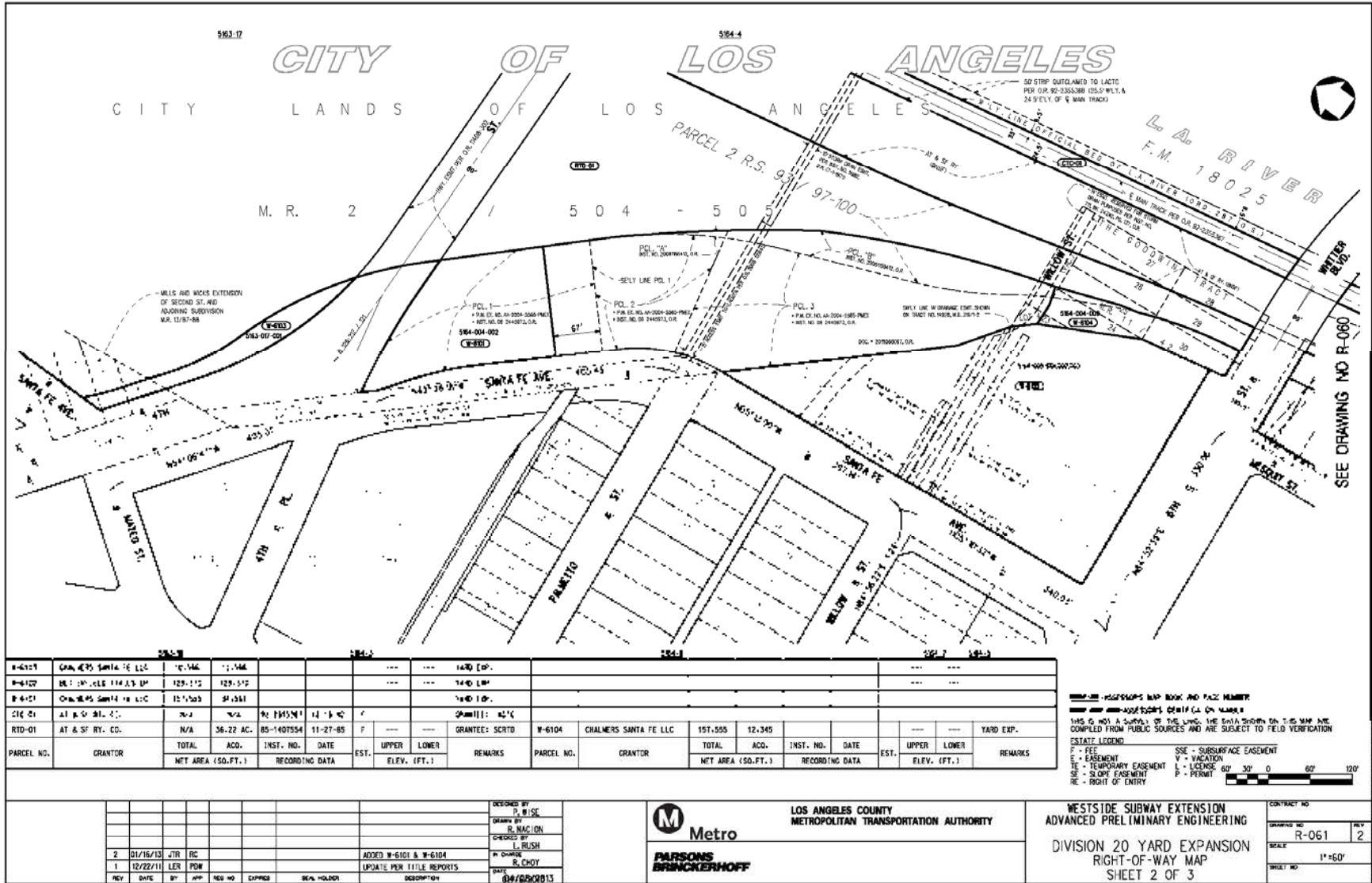
WESTSIDE SUBWAY EXTENSION PROJECT



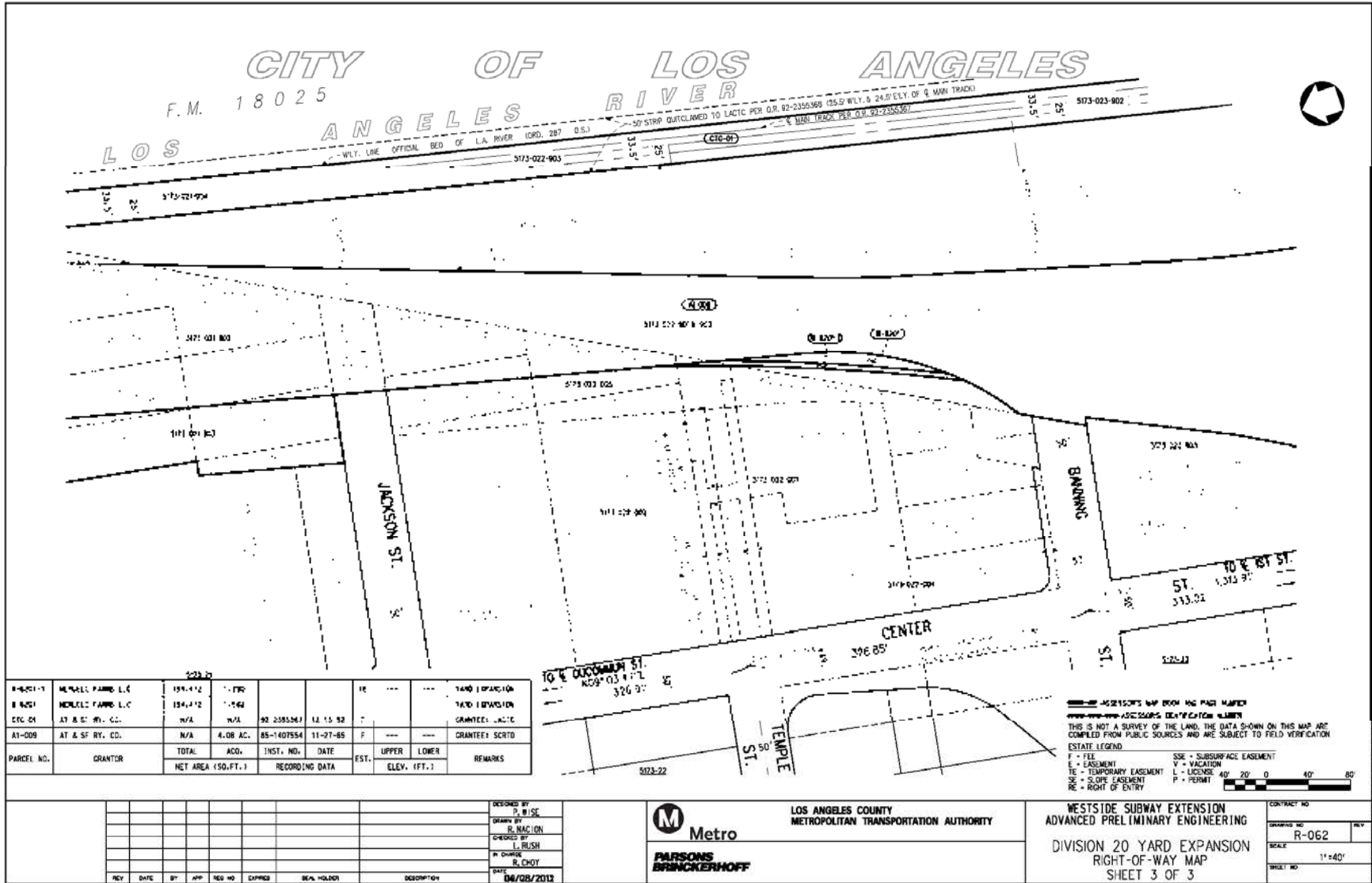
WESTSIDE SUBWAY EXTENSION PROJECT



WESTSIDE SUBWAY EXTENSION PROJECT



WESTSIDE SUBWAY EXTENSION PROJECT



WESTSIDE SUBWAY EXTENSION PROJECT



**APPENDIX B SAMPLE GENERAL INFORMATION NOTICE RESIDENTIAL
TENANTS**



Dear

The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as “Metro”) is interested in the property you currently occupy at _____ for a proposed transit project that may receive financial assistance from the federal government.

The purpose of this Notice is to inform you that you may be displaced as a result of the proposed project. This Notice also serves to inform you of your potential rights as a displaced person in accordance with **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)** You may be eligible for relocation assistance and payments under the *Guidelines*, if the proposed project receives funding and if you are displaced as a result of acquisition, rehabilitation or demolition for the project.

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

If you are determined to be eligible for relocation assistance in the future, you may be eligible for: 1) Relocation advisory services including help to you find another place to live; 2) At least 90 days advance written notice of the date you will be required to move; 3) Payment for your moving expenses; and 4) Replacement housing payments to enable you to rent, or if you prefer to purchase, a comparable replacement home. You will also have the right to appeal Metro’s determination, if you feel that your application for assistance was not properly considered.

The enclosed informational brochure, “Relocation Assistance to Tenants Displaced from Their Homes” provides an explanation of this assistance and other helpful information.

Please be advised that you should continue to pay your rent and meet any other obligations as specified in your lease agreement. Failure to do so may be cause for eviction. If you choose to move or if you are evicted prior to receiving a formal notice of relocation eligibility you will not be eligible to receive relocation assistance. It is important for you to contact us before making any moving plans.

Again, this is not a notice to vacate the premises and does not establish your eligibility for relocation payments or assistance at this time. If you are determined to be displaced and are required to vacate the premises in the future, you will be informed in writing. In the event the proposed project does not proceed and/or if you are determined not to be displaced, you will also be notified in writing.

If you have any questions about this notice or the proposed project, please contact your Relocation Agent.

Sincerely,

Enclosure

ACKNOWLEDGEMENT RECEIPT:

Received By: _____



APPENDIX C SAMPLE GENERAL INFORMATION NOTICE NON RESIDENTIAL TENANT

Dear

The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as "Metro") is interested in the property you currently occupy at _____ for a proposed housing development that may receive financial assistance from the federal government.

The purpose of this Notice is to inform you that your business operation may be displaced as a result of the proposed transit project. This Notice also serves to inform you of your potential rights as a displaced person in accordance with **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)**. You may be eligible for relocation assistance and payments if the proposed project receives funding assistance and if you are displaced as a result of acquisition, rehabilitation or demolition for the project.

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

If you are determined to be eligible for relocation assistance in the future, you may be eligible for: 1) Relocation advisory services including help to find you a replacement location; 2) At least 90 days advance written notice of the date you will be required to move; 3) Payment for your moving and reestablishment expenses. You also have the right to appeal Metro’s determination, if you feel that your application for assistance was not properly considered.

The enclosed informational brochure, "*Relocation Assistance To Displaced Businesses, Nonprofit Organizations, and Farms*" provides an explanation of this assistance and other helpful information.

Please be advised that you should continue to pay your rent and meet any other obligations as specified in your lease agreement. Failure to do so may be cause for eviction. If you choose to move or if you are evicted prior to receiving a formal notice of relocation eligibility you will not be eligible to receive relocation assistance. It is important for you to contact us before making any moving plans.

Again, this is not a notice to vacate the premises and does not establish your eligibility for relocation payments or assistance at this time. If you are determined to be displaced and are required to vacate the premises in the future, you will be informed in writing. In the event the proposed project does not proceed or if you are determined not to be displaced, you will also be notified in writing.

If you have any questions about this notice or the proposed project, please contact your Relocation Agent.

Sincerely,

Enclosure

ACKNOWLEDGEMENT RECEIPT:

Received By: _____ Date: _____



APPENDIX D SAMPLE NOTICE OF ELIGIBILITY FOR RELOCATION ASSISTANCE RESIDENTIAL TENANT (URA)

On _____, The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as "Metro") notified you of our proposed plans to construct the Westside Subway Extension.

This is a *Notice of Eligibility for Relocation Assistance*. To carry out the project, it will be necessary for you to permanently relocate. However, *you do not need to move now*. You will not be required to move without at least 90 days advance written notice of the date by which you must vacate. And when you do move, you will be entitled to relocation payments and other assistance in accordance with **in accordance with *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA)***

Payment for Moving Expenses. You may choose either (1) a payment for your actual reasonable moving and related expenses, or (2) if you prefer, a fixed moving expense and dislocation allowance of \$_____.

Replacement Housing Payment. You may be eligible for a replacement housing payment to rent or buy a replacement home. The payment is based on several factors, including the cost of a "comparable replacement home," the monthly rent and average cost of utility services for your present home, and 30 percent of your average gross household income.

Listed below are three "comparable replacement homes" that you may wish to consider:

| Address | Rent and Utility Costs | Name and Tele. No. of Person to Contact |
|---------|------------------------|---|
| 1. | | |
| 2. | | |
| 3. | | |

We would be pleased to provide you with transportation to inspect these dwelling units. We believe that the unit at (address) is the most representative of your present home. The rent and the estimated average cost of utility services for that unit is \$____. Based on the information you have provided about your income, you may be eligible for a rental assistance payment up to \$____ (42 x \$____). This is the maximum amount that you would be eligible to receive. It would be paid in installments or lump sum. If you rent a decent, safe and sanitary home where the monthly rent and average estimated utility costs are less than \$____, your rental assistance payment would be based on the actual cost of such unit.

Contact us immediately if you do not agree that these units are comparable to your home. We will explain the basis for our selecting these units. And, if necessary, we will find other units. We will not base your payment on any unit that is not a "comparable replacement home."

Should you choose to buy (rather than rent) a decent, safe and sanitary replacement home, you would be eligible for a down payment of \$____. Let us know if you would prefer to buy a replacement home, and we will help you find such housing.

I am enclosing a brochure entitled, "*Relocation Assistance to Tenants Displaced From Their Homes.*" Please read the brochure carefully. It explains your rights and some things you must do to obtain a payment. For example, to obtain a replacement housing payment you must move to a decent, safe and sanitary home within one year after you vacate your present home. Therefore, do not commit yourself to rent or buy a unit until we inspect it.



I want to make it clear that you are eligible for assistance to help you relocate. In addition to relocation payments and housing referrals, counseling and other services are available to you.

Our relocation Agent will soon contact you to determine your needs and preferences. They will explain your rights and help you obtain the relocation payments and other assistance for which you are eligible. If you have any questions, please contact your Relocation Agent.

Sincerely,

Enclosure

ACKNOWLEDGEMENT RECEIPT:

Received By: _____ Date: _____



APPENDIX E SAMPLE NOTICE OF ELIGIBILITY FOR RELOCATION ASSISTANCE NON RESIDENTIAL TENANT

On _____, The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as "Metro") notified you of our proposed plans to construct the Westside Subway Extension.

This is a **Notice of Eligibility for Relocation Assistance**. Our records indicate that you are a business occupant of this building. To carry out our plans to develop a housing project, it will be necessary for you to permanently relocate. However, you *do not* need to move now. You will not be required to move without at least 90 days advance written notice of the date by which you must vacate.

When you do move, you will be entitled to relocation payments and other assistance in accordance with **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA)** The effective date of this Notice is _____ and you are now eligible for relocation assistance.

To assist you in your relocation, you are eligible for reimbursement for the actual reasonable cost of moving your business and a payment up to \$10,000 to help reestablish your business at another location. As an alternative to these payments, you may, if you meet certain eligibility conditions, elect to receive a fixed payment that is based on your average annual net earnings. The minimum fixed payment is \$1,000; the maximum is \$20,000.

I am enclosing a brochure entitled, "*Relocation Assistance to Displaced Businesses, Nonprofit Organizations and Farms.*" Please read the brochure carefully. It will help you determine which of these payments is most advantageous to you.

I want to make it clear that you are eligible for assistance to help you relocate. In addition to relocation payments, counseling and other services are available to you.

Our relocation advisor will soon contact you to determine your needs and preferences. They will explain your rights and help you obtain the relocation payments and other assistance for which you are eligible. If you have any questions, please contact your Relocation Advisor.

Remember; do not move before we have a chance to discuss your eligibility for assistance. This letter is important to you and should be retained.

Sincerely,

Enclosure

ACKNOWLEDGEMENT RECEIPT:

Received By: _____ Date: _____



APPENDIX F SAMPLE NINETY DAY (90) NOTICE TO VACATE

You are presently occupying certain premises owned by The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as “Metro”) located at _____.

It is necessary for us to ask you to move. However, in accordance with applicable relocation regulations and Metro’s relocation policy, you shall be given at least ninety (90) days advance written notice from receipt of this Notice, or until _____ before you shall be required to move.

However, please be advised that you will not be required to move unless you have been given at least three (3) referrals to comparable housing.

If you find another suitable replacement dwelling, you may move before the end of the ninety-day (90) period. Remember to notify your relocation advisor before you move or sign a rental agreement so that it may be internally and externally inspected by the relocation advisor and qualify your replacement dwelling; also if you would like additional advisory assistance, or to find out if you will be entitled to receive any relocation payments.

Your relocation advisor and I know that it may be a hardship for you to move. Therefore, we will do all we can to make it as easy as possible. By planning and working together, we can achieve a common goal, a decent, safe and sanitary dwelling for you and your family

In the meantime, if you have any questions or require assistance, please contact your relocation advisor.

Sincerely,

Enclosure

ACKNOWLEDGEMENT RECEIPT:

Received By: _____ Date: _____



APPENDIX G SAMPLE SIXTY DAY (60) NOTICE TO TERMINATE TENANCY

You are presently occupying certain premises owned by the undersigned The Los Angeles County Metropolitan Transportation Authority (hereinafter referred to as "Metro") pursuant to a written Rental Agreement and said premises having the following address:

This is to notify you that your tenancy from month-to-month of the said premises will be terminated as of _____.

You are hereby required to vacate and deliver up possession of said premises to *Metro* on or before _____. Failure to vacate and deliver up possession of said premises to *Metro* on or before _____ will result in the commencement of legal proceedings to evict you and to recover damages.

Rent payable in advance pursuant to said Rental Agreement shall be due and payable up to and including _____.

This Notice is intended as a **Sixty-day (60) Notice** terminating said tenancy.

Dated this ____ day of _____, _____.

Sincerely,

Enclosure

ACKNOWLEDGEMENT RECEIPT:

Received By: _____ Date: _____

APPENDIX H INFORMATIONAL BROCHURE FOR NON-RESIDENTIAL DISPLACEDS

INTRODUCTION

This booklet describes the relocation payments and other relocation assistance which the **Los Angeles County Metropolitan Transportation Authority (Metro)** provides under the **Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act)** to businesses and non-profit organizations which may be required to move from real property, or move personal property from real property as a result of an Metro transit project.

If you are notified that you will be displaced, Metro's relocation advisor _____ (name of consultant) _____ will contact you personally. The advisor will answer your specific questions and provide additional information you may need. It is important that you do not move before you learn what you must do to receive the relocation payments and other assistance to which you are entitled.

Pursuant to Public Law 105-117, non-residential displacees must certify that they are lawfully present in the United States if a Sole Proprietorship or Partnership, or must certify that the corporation is established pursuant to State Law and is authorized to conduct business in the United States.

This booklet may not answer all of your questions. If you have more questions about your relocation, contact (consultant). Please refer to the bottom of this brochure for the name and telephone number of the person to contact. Ask questions before you move. Afterwards, it may be too late.

SUMMARY OF RELOCATION ASSISTANCE

As an eligible displaced person, you will be offered the following advisory and financial assistance by (NAME OF CONSULTANT) on behalf of Metro:

Advisory Services This includes referrals to suitable replacement locations, help in preparing claim forms for relocation payments, and other assistance to minimize the impact of the move.

Payment for Moving and Reestablishment Expenses Payments for moving, reestablishment, and related expenses fall into two general categories:

- **Payment for your actual reasonable moving and related expenses.** If you choose this payment, you may also be eligible for a **Payment for Reestablishment Expenses** up to \$10,000.

OR

- Certain persons are eligible to choose a **Fixed Payment** as an alternative to the payments for moving and reestablishment expenses.

GENERAL QUESTIONS

How Will I know if I am Eligible for Relocation Assistance?

You should receive a written notice explaining your eligibility for relocation assistance. You should not move before receiving that notice. If you do, you may not receive relocation assistance.

How Will Metro Know How Much Help I Need?

You will be contacted at an early date and personally interviewed by your relocation advisor to determine your relocation needs and preferences for a replacement location and other services. The relocation advisor will ask about such matters as your space requirements. It is to your advantage to provide the information so that (NAME OF CONSULTANT) can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

How Soon Will I Have to Move?

Every reasonable effort will be made to provide you with sufficient time to find and reestablish your business in a suitable replacement location. If possible, a mutually agreeable date for the move will be worked out. You will be given enough time to make plans for moving. Unless there is a health or safety emergency, you will not be required to move without at least 90 days advance written notice. It is important, however, that you keep in close contact with (NAME OF CONSULTANT) so that you are aware of the time schedule for carrying out the project and the approximate date by which you will need to move.

How Will I Find a Replacement Location?

(NAME OF CONSULTANT) will provide you with information on currently available replacement locations.

While (NAME OF CONSULTANT) will assist you in obtaining a suitable replacement location, you should take an active role in finding and relocating to a location of your choice. No one knows your needs better than you. You will want a facility that provides sufficient space for your planned activities. You will also want to assure that there are no zoning or other requirements which will unduly restrict your planned operations.

(NAME OF CONSULTANT) will explain the kinds of moving and reestablishment costs that are eligible for repayment and which are not eligible. That will enable you to carry out your move in the most advantageous manner.

What Other Assistance Will be Available to Help Me?

In addition to help in finding a suitable replacement location, other assistance, as necessary, will be provided by Metro. This includes information on Federal, State and local programs that may be of help in reestablishing a business. For example, the Small Business Administration (SBA) provides managerial and technical assistance to some businesses. Metro will assist you in applying for help available from government agencies.

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

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

I Own This Property. Will I Be Paid For It Before I Have to Move?

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

What Is a Payment for Actual Reasonable Moving and Related Expenses?

If you choose a Payment for Actual Reasonable Moving and Related Expenses, you may include in your claim the reasonable and necessary costs for:

- Transportation of personal property from your present location to the replacement location up to a distance of 50 miles
- Packing, crating, uncrating, and unpacking the personal property
- Disconnecting, dismantling, removing, reassembling, and installing relocated and "substitute" machinery, equipment and other personal property. This includes connection to utilities available nearby. It also includes modifications to the personal property that are necessary to adapt it to the replacement structure, the replacement site, or the utilities at the replacement site and modifications necessary to adapt the utilities at the replacement site to the personal property.
- Storage of personal property not to exceed 12 months (at the discretion of Metro)
- Insurance for the replacement value of your property during the move and necessary storage
- Any license, permit, or certification which you are required to pay at the replacement location. However, cost must be reasonable and necessary for reestablishment at the replacement location and the payment may be based on the remaining useful life of the existing license, permit, or certification.
- The replacement value of property lost, stolen, or damaged in the process of moving (not through your fault or negligence) where insurance covering such loss, theft, or damage is not reasonably available
- Professional services necessary for (1) planning the move of the personal property, (2) moving the personal property, or (3) installing relocated or "substitute" personal property at the replacement location.
- Reentering signs and replacing stationery on hand when you move that are made obsolete as a result of the move.



Actual Reasonable Moving and Related Expenses, continued

- The reasonable cost incurred in attempting to sell an item that is not to be moved
- The actual direct loss of tangible personal property. This payment provides compensation for personal property that is neither moved nor promptly replaced at the replacement location. Payment is limited to the **lesser** of:
 - (1) The estimated cost of moving and reinstalling the personal property,
 - or**
 - (2) The market value of the property for its continued use at the old location, less any proceeds from its sale.

To be eligible, you must make a good faith effort to sell the property, unless Metro determines that such effort is not necessary.

- Purchase and installation of "substitute" personal property. This payment is made with an item of personal property is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site. Payment is limited to the **lesser** of:
 - (1) The estimated cost of moving and reinstalling the item,
 - or**
 - (2) The actual cost of the substitute item delivered and installed at the replacement location, less any proceeds from the sale or trade-in of the replaced item.

It is important that you discuss your plans with (NAME OF CONSULTANT) before you proceed.

- Searching for a replacement location. This payment may not exceed \$2,500 and covers costs for your transportation expenses, time spent searching for a replacement location, reasonable fees paid to a real estate agent or broker to find a replacement location (not fees related to the purchase of the site), and meals and lodging away from home, if required.
- Expenses for providing utilities from the right-of-way to the building.
- Impact fees or one-time assessments for anticipated heavy utility usage.

(NAME OF CONSULTANT) will explain all eligible moving and related costs, as well as those that are not eligible. You must be able to account for all costs that you incur, so keep all your receipts. (NAME OF CONSULTANT) will inform you of the documentation needed to support your claim.

You may minimize the amount of documentation needed to support your claim if you elect to "self-move" your personal property. Payment for a self-move is based on the amount of an acceptable low bid or estimate obtained by (NAME OF CONSULTANT). If you self-move, you may move your personal property using your own employees and equipment or a commercial mover.

You may elect to pay your moving costs yourself and be repaid by Metro or, if you prefer, you may have Metro pay the mover. In either case, select your mover with care. (NAME OF CONSULTANT) can help you select a reliable and reputable mover.

Also, keep (NAME OF CONSULTANT) informed about your moving plans. You must provide (NAME OF CONSULTANT) with reasonable advance written notice of the date of the start of your move or disposition of your personal property and a list of the items you plan to move. In addition, you must permit (NAME OF



CONSULTANT) to make reasonable and timely inspections of the personal property at the old and new locations and to monitor the move.

When a payment for "actual direct loss of personal property" or "substitute personal property" is made for an item, the estimated cost of moving the item will be based on the lowest acceptable bid or estimate obtained by (NAME OF CONSULTANT). If not sold or traded in, you must transfer ownership of the item to Metro in order to receive the payment.

What is a Payment for Reestablishment Expenses?

If you choose to receive a payment for your actual moving and related expenses, you may also be eligible to receive a payment for **Reestablishment Expenses**, not to exceed \$10,000. Such expenses include the reasonable and necessary cost of:

- Repairs or improvements to the replacement real property as required by Federal, State or local law, code or ordinance.
- Modifications to the replacement property to accommodate the business operation or make a replacement structure suitable for conducting your business.
- Construction and installation costs for exterior signs to advertise your business
- Redecoration or replacement of soiled or worn surfaces at the replacement site, such as paint, paneling, or carpeting.
- Advertisement of the replacement location
- Estimated increased costs of operation during the first 2 years at the replacement site for such items as lease or rental charges, personal or real property taxes, insurance premiums, and utility charges (excluding impact fees).

What Costs are Ineligible?

The cost of moving any structure or other real property improvement in which you reserved ownership; or

Interest on a loan to cover moving expenses; or

Loss of goodwill; or

Loss of profits; or

Ineligible Costs, continued

Loss of trained employees; or

Personal injury; or

Costs for storage of personal property on real property owned or leased by the displaced person.

Purchase of capital assets, such as office furniture, filing cabinets, machines or trade fixtures.

Purchase of manufacturing material, production supplies, product inventory or other items used in the normal course of the business operation.

Interior or exterior refurbishments at the replacement site which are purely aesthetic in purpose.

Interest on money borrowed to make the move or purchase the replacement property.

Payment to a part time home based business which does not contribute materially to the household income.

What is a Fixed Payment?

Certain businesses and nonprofit organizations are eligible to obtain a **Fixed Payment** instead of a payment for actual reasonable moving and related expenses or a payment for reestablishment expenses. The Fixed Payment to a business is based on the average annual net earnings of the business operation; the Fixed Payment to a nonprofit organization is based on average annual expenses and revenue. A Fixed Payment will not be less than \$1,000 or more than \$20,000.

To qualify for a Fixed Payment a displaced business or nonprofit organization must:

- (1) Own or rent personal property which must be moved from the displacement site
- (2) Be unable to relocate without a substantial loss of existing patronage (measured in terms of clientele or net earnings)
- (3) Not be a part of a commercial enterprise having more than three other entities under the same ownership, engaged in the same or similar business activities that are not being acquired by Metro. (Also, certain rental businesses are excluded.)

Ordinarily, to be eligible for the minimum Fixed Payment, your business must have had average annual gross receipts of at least \$5,000 or had average annual net earnings of at least \$1,000, or contributed 1/3 of the your business's average gross income for the two tax years prior to displacement. Metro, however, may use other criteria if it determines that the calculation would cause an inequity or hardship.

(NAME OF CONSULTANT) will inform you as to your eligibility for this payment and the documentation you must submit to support your claim.

Remember, when you elect to take this payment, you are not entitled to reimbursement for any other moving expenses.

Must I File a Claim to Obtain a Relocation Payment?

Yes. You must file a claim for each relocation payment. (NAME OF CONSULTANT) will provide you with the required claim form, help you to complete it, and explain the type of documentation, if any, that you must submit in order to receive the payment.

If you must pay any relocation expenses before you move (e.g., a security deposit when you lease a new location), discuss your needs with your relocation advisor. You may be able to obtain an advance payment.

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

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



Will I Have to Pay Rent to Metro Before I Move?

If Metro acquires your property, you will be required to pay a fair rent to Metro for the period between the acquisition of your property and the date that you move. Such rent will not exceed the market rent for comparable properties in the area.

Do I Have to Pay Federal Income Taxes on My Relocation Payments?

No. Section 216 of the Uniform Act states that you need not report relocation payments as part of your gross income for Federal Tax purposes. For information on State income taxes, you should check with the California Franchise Tax Board or with your personal tax advisor.

If I Don't Receive the Required Assistance, Can I Appeal?

Yes. If you disagree with Metro's decision as to your right to relocation assistance or the amount of a relocation payment, you may appeal the decision to Metro. Your relocation advisor will inform you of the appeal procedures. At a minimum, you will have 60 days to file your appeal with Metro after you receive written notification of Metro's determination of your claim. Your appeal must be in writing. If you need help, your relocation advisor will assist you in preparing your appeal.

You can expect a fair decision on any appeal. However, if you are not satisfied with the final administrative decision on your appeal, you may seek review of the matter by the courts.

I have More Questions. Who Will Answer Them?

If you have further questions after reading this brochure, contact Metro's relocation advisors (NAME OF CONSULTANT) and discuss your concerns with a representative.

Name of Consultant

Attn:

Address

Phone #

E-mail address

APPENDIX I INFORMATION BROCHURE RESIDENTIAL OWNERS AND TENANTS

INTRODUCTION

This booklet describes the relocation payments and other relocation assistance that the **Los Angeles County Metropolitan Transportation Authority (MTA)** provides under the **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act)** to tenants who may be required to move from their homes as a result of an MTA transit project.

If you are required to move as a result of an MTA project, an MTA relocation counselor will contact you personally. The counselor will answer your specific questions and provide additional information you may need. It is important that you do not move before you learn what you must do to receive the relocation payments and other assistance to which you are entitled.

This booklet may not answer all of your questions. If you have more questions about your relocation, contact the MTA. (Check the back of this brochure for the name and telephone number of the person to contact.) Ask questions before you move. Afterwards, it may be too late.

SUMMARY OF RELOCATION ASSISTANCE

As an eligible tenant displaced from your home, you will be offered the following advisory and financial assistance by MTA's relocation counselors:

Advisory Services. This includes referrals to comparable and suitable replacement homes, the inspection of replacement housing to ensure that it meets established standards, help in preparing claim forms for relocation payments, and other assistance to minimize the impact of the move.

Payment for Moving Expenses. You may choose either a:

- Payment for your actual reasonable moving and related expenses,
- OR
- Fixed moving expense and dislocation allowance.

Replacement Housing Assistance. To enable you to rent, or if you prefer, buy a comparable or suitable replacement home, you may choose either:

- Rental Assistance, or
- Purchase Assistance

GENERAL QUESTIONS

How Will I know If I am Eligible for Relocation Assistance?

Generally, you must have actually and lawfully occupied the dwelling being acquired by MTA for at least 90 days immediately prior to the date MTA makes its offer to the owner to purchase the property. You will receive a

written notice from MTA explaining your eligibility for relocation assistance. You should not move before receiving that notice. If you do, you may not receive relocation assistance.

How Will the MTA Know How Much Help I Need?

You will be contacted at an early date and personally interviewed by your relocation counselor to determine your relocation needs and preferences for replacement housing and advisory services. The relocation counselor will ask certain questions about you and other members of your household, including questions about your income. It is to your advantage to provide the information so that the MTA can assist you in moving with a minimum of hardship. The information you give will be kept in confidence.

How Soon Will I Have to Move?

If possible, a mutually agreeable date for the move will be worked out. You will be given enough time to make plans for moving. Unless there is a health or safety emergency, you will not be required to move without at least 90 days advance written notice of (1) at least one comparable replacement home that is available to you, and (2) the earliest date by which you must move.

What is a Comparable Replacement Home?

A comparable replacement home is:

- Decent, safe and sanitary
- Functionally equivalent to (and equal or better than) your present home
- Actually available for you to rent
- Within your financial means
- Reasonably accessible to your place of employment
- Generally as well located with respect to public and commercial facilities, such as schools and shopping, as your present home
- Not subject to unreasonable adverse environmental conditions
- Available to all persons regardless of race, color, religion, sex or national origin.

What is Decent, Safe and Sanitary Housing?

Decent, safe and sanitary housing is housing that:

- Meets applicable housing and occupancy requirements
- Is structurally sound, weather tight, and in good repair
- Contains a safe, adequate electrical wiring system
- Has adequate living space for the occupants
- Has a kitchen with a sink, hot and cold running water, and connections for a stove and refrigerator (if you were displaced from a housekeeping unit).
- Has a separate, complete bathroom with hot and cold running water

- Has heating as required by climatic conditions
- Has an unobstructed exit to safe, open space at ground level
- Meets standards protecting occupants from lead-based paint hazards
- If you are physically handicapped, is free of any barriers which would preclude your reasonable use of the unit.

Will the MTA Help Me Find a Replacement Home?

YES. Your relocation counselor will provide you with referrals to housing that has been inspected to ensure that it meets established standards. If possible, you will be referred to at least three comparable replacement homes. The maximum financial assistance for which you may qualify will be based on the cost of the most representative comparable replacement home that is available to you. Promptly after you become eligible for relocation assistance, the MTA will inform you of such unit and the maximum payment available.

Once your relocation counselor has a clear understanding of your needs and preferences, he or she will work with you to assure that you are given the best possible choice of housing. The MTA will offer you appropriate transportation to inspect these units.

What If I Find My Own Replacement Housing?

You have every right to find your own replacement housing. However, before you rent or buy, ask your relocation counselor to inspect the unit to make sure that it is decent, safe and sanitary. If the housing unit is not decent, safe and sanitary, you may not receive a replacement housing payment.

What If I Encounter a Problem in Obtaining Housing of My Choice?

If you encounter a problem in buying or renting housing of your choice, notify the MTA immediately. The MTA will look into the matter and try to resolve it. You will receive this help whether you were referred to the housing unit or found it yourself.

What Other Services Will I Receive?

In addition to help in obtaining a comparable replacement home, other assistance, as necessary, will be provided in order to minimize the impact of your move. This assistance may include referrals to appropriate public and private agencies that provide services concerning housing financing, employment, health, welfare, or legal assistance. The range of services depends on the needs of the person being displaced. You should ask your relocation counselor to tell you about the specific services that will be available to help you and your family.

What Is a Payment for Actual Reasonable Moving and Related Expenses?

If you choose a Payment for Actual Reasonable Moving and Related Expenses, you may include in your claim the reasonable and necessary costs for:

- Transportation for you and your household goods up to a distance of 50 miles



- Packing and unpacking your household goods
- Disconnecting and reconnecting household appliances and other personal property (telephone and cable TV).
- Storage of household goods, as may be necessary
- Insurance for the replacement value of your property during the move and necessary storage
- The replacement value of property lost, stolen or damaged in the move (but not through your neglect) if
- Insurance is not readily available.

The MTA will explain all eligible moving costs, as well as those which are not eligible. You must be able to account for any costs that you incur, so keep all your receipts. Select your mover with care. The MTA can help you select a reliable and reputable mover.

You may elect to pay your moving costs yourself and be repaid by the MTA or, if you prefer, you may have the MTA pay the mover. In either case, let the MTA know before you move.

What is a Fixed Moving Expense and Dislocation Allowance?

If you choose a Fixed Moving Expense and Dislocation Allowance, you will receive an allowance which is based on the number of rooms in your home or the number of rooms of furniture you will be moving, as shown on a schedule. The MTA has a copy of the schedule and will help you decide whether choosing this allowance is in your best interest.

If you do not have a large amount of personal property to move, this payment should be more advantageous. No special documentation is required to support your claim. You need only move your personal property and complete the appropriate claim form in order to receive your payment.

How Much Rental Assistance Will I Receive?

You may be eligible to receive Rental Assistance for a 42-month period. The assistance is computed in the following manner:

The assistance needed for one month is determined by subtracting the "base monthly rent" for your present home from the cost of rent and utilities for your new home (or a comparable replacement home, if that cost is lower). That monthly need, if any, is multiplied by 42, to determine the total amount that you will receive. This amount will be paid directly to you. You may choose to receive your payments in monthly installments, other periodic payments, or in a lump sum.

Generally, the "base monthly rent" for your present home is the **lesser of**:

(1) the monthly rent and average monthly cost for utilities,

OR

(2) thirty percent (30%) of your average monthly gross household income.

Examples: Let's say that the monthly rent and average cost for utilities for your present home amount to \$250; the monthly rent and estimated average utility costs for a comparable replacement home are \$350; and your

monthly gross income is \$700. In this case your "base monthly rent" would be \$210 because that amount (30% of your income) is less than the monthly cost of rent and utilities at your present home (\$250).

- If you rent a replacement home for \$360 per month, including estimated average monthly utility charges, you will receive \$5,880. That amount is 42 times \$140 (the difference between the "base monthly rent" for your present home, \$210, and the cost of a comparable replacement home, \$350).
- If you rent a replacement home for \$310 per month, including estimated average monthly utility charges, you will receive \$4,200. That amount is 42 times \$100 (the difference between the "base monthly rent" for your present home, \$210, and the actual cost of your new home, \$310).

To qualify for rental assistance, you must rent and occupy a decent, safe and sanitary home within one year after the date you move. MTA may extend this period for good cause.

If I Decide to Buy, Rather Than Rent, How Much Assistance Will I Receive?

If you buy a replacement home, you may be eligible for assistance to make a down payment equal to the amount you would receive if you rented a comparable replacement home. The full amount of the payment must be applied to the purchase of your replacement dwelling. Your relocation counselor will assist you in determining whether you can qualify for a down payment assistance payment.

Must I File a Claim to Obtain a Relocation Payment?

Yes. You must file a claim for each relocation payment. The MTA will provide you with the required claim form, help you to complete it, and explain the type of documentation, if any, that you must submit in order to receive the payment.

Remember, your relocation counselor must inspect your replacement housing to assure it meets decent, safe and sanitary standards before a claim for payment can be approved.

If you must pay any relocation expenses before you move (e.g., a security deposit when you sign a lease for your new home), discuss your financial needs with your relocation counselor. You may be able to obtain an advance payment to meet these costs.

You must file your claim within 18 months after the date you move. However, it is to your advantage to file as soon as possible after you move. The sooner you submit your claim, the sooner it can be processed and paid. If you are unable to file your claim within 18 months, ask the MTA to extend this period.

Will I Have to Pay Rent to the MTA Before I Move?

If the MTA purchases the property in which you live, you will be required to pay a fair rent to the MTA for the period between the acquisition of the property and the date that you move. Such rent will not exceed the market rent for comparable properties in the area.

Do I Have to Pay Federal Income Taxes on My Relocation Payments?

No. Section 216 of the Uniform Act states that you need not report relocation payments as part of your gross income for Federal Tax purposes. For information on State income taxes, you should check with the California Franchise Tax Board or with your personal tax advisor.

If I Don't Receive the Required Assistance, Can I Appeal?

Yes. If you disagree with MTA's decision as to your right to relocation assistance or the amount of a payment, you may appeal the decision to the MTA. Your relocation counselor will inform you of the appeal procedures. At a minimum, you will have 60 days to file your appeal with the MTA after you receive written notification of the MTA's determination of your claim. Your appeal must be in writing. If you need help, your relocation counselor will assist you in preparing your appeal.

You can expect a fair decision on any appeal. However, if you are not satisfied with the final administrative decision on your appeal, you may seek review of the matter by the courts.

I have More Questions. Who Will Answer Them?

If you have further questions after reading this brochure, contact the MTA and discuss your concerns with an MTA Relocation Counselor.

Acquisition Information for Owners**LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION
AUTHORITY**

This booklet was prepared for you as the owner of property to be appraised in connection with a possible purchase by the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (LACMTA). This information will help explain our acquisition procedures and also the rights and options available to you as the owner of the property. A representative from the **LACMTA Real Estate Department** will be assigned to work with you throughout the acquisition process.

If you have any questions about the transit project or the acquisition procedures that are discussed here, please contact the assigned Senior Real Estate Officer.

We hope this booklet will answer some of your questions and present a better picture of LACMTA's overall procedures.

WHY DOES A PUBLIC AGENCY HAVE THE RIGHT TO BUY MY PROPERTY?

Our State and Federal Constitutions recognize the need for public agencies to purchase private property for public use, and provide appropriate safeguards to accomplish this purpose. State and Federal Constitutions and the Uniform Relocation Assistance and Real Property Acquisition Policies Act authorize purchase of private property for public use and assure full protection of the rights of each citizen.

From time to time, the Los Angeles County Metropolitan Transportation Authority (“LACMTA”) must acquire property in order to provide new or expanded transit facilities. This brochure has been prepared to inform property owners and other affected persons as to the acquisition policies and procedures followed by the LACMTA. It is the intent of this brochure to address commonly asked questions and discuss the various steps involved when property is acquired for public purposes.

The information included is provided pursuant to the requirements of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, the Federal Transit Administration (FTA) implementing guidelines, as well as the State of California land acquisition laws.

It is the policy of LACMTA that all services and/or benefits to be derived from any real property acquisition activity will be administered without regard to race, color, national origin or sex, in accordance with Section 601 of Title VI, Civil Rights Act of 1964, which states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

WHO WILL CONTACT ME?

Appraisal and purchase of properties needed for the transit project is the responsibility of the Real Estate Department of the LACMTA. A Senior Real Estate Officer from the LACMTA will be assigned to work with you throughout the acquisition process and will assist you and give you general information about the project.

HOW WILL MY PROPERTY BE VALUED?

LACMTA will determine the value of your property based on an appraisal of your property. The appraisal may be prepared by an independent fee appraiser or an LACMTA staff appraiser. The appraiser will analyze your property and examine all of the features that contribute to its value. Information about improvements you have made and any other special features that you believe may affect the value of your property should be given to the appraiser to ensure a fair value is assigned to your property. You or your representative is encouraged to accompany the appraiser during the inspection of your property. Every effort will be made to schedule a mutually agreeable time. The appraiser will welcome any information that you believe may increase the value of your property. In a situation where the area to be acquired is very small and the value determination is nominal, an appraisal may not be prepared.

If the property is a commercial site, a fixtures and equipment appraiser will also be retained to determine the value of machinery and fixtures and equipment used in connection with your business.

It is the duty of the LACMTA to ensure that you receive the “fair market value” of your property. The LACMTA will not ask an owner to sell his or her property for less than the fair market value as determined by a qualified appraiser. If the property is an owner-occupied residential property containing no more than four residential units, California law provides that the owner, upon request, may review a copy of the appraisal upon which the offer is based.

Pursuant to Code of Civil Procedure Section 1263.025, should you elect to obtain an independent appraisal of your property, LACMTA will pay for actual, reasonable appraisal costs up to Five Thousand Dollars (\$5,000), subject to the following conditions:

- a. You, not LACMTA, must order the appraisal. Should you enter into a contract with the selected appraiser, LACMTA will not be a party to the contract;
- b. The selected appraiser must be licensed with the Office of Real Estate Appraisers (OREA) in California;
- c. Your request for appraisal cost reimbursement must be made in writing and submitted to LACMTA at the address shown on this letter within ninety (90) days of the earliest of the following dates:
 - 1.) The date the selected appraiser requests payment from you for the appraisal;
 - 2.) The date upon which you, or someone on your behalf, remitted full payment to the selected appraiser for the appraisal.

Upon receipt of the written request as specified above, payment of actual, reasonable appraisal costs up to \$5,000 will be made.

WHAT HAPPENS AFTER I ACCEPT LACMTA’S OFFER?

Real estate purchased by the LACMTA is handled in generally the same way as any private sale of property. Once agreement is reached on the purchase price and a Contract of Sale is executed, LACMTA will prepare and process the necessary transactional documents and payment to the property owner for the real property rights acquired. LACMTA may use the services of an escrow or title company to process the purchase, and you will receive a check from the escrow company for any proceeds of the sale.

LACMTA will pay all escrow, title expenses and closing costs. Nothing will be deducted for title costs, preparation of documents, title policy, or recording fees required in closing the sale. The LACMTA will pay these expenses.

WILL I RECEIVE RELOCATION BENEFITS?

If you are an owner-occupant, you may be eligible for relocation benefits and assistance if the LACMTA’s acquisition requires that you relocate. (These benefits are described in supplemental booklets which will be provided to you.) Tenants may also be eligible for relocation benefits and assistance. The Relocation Assistance Program will be described in detail to all eligible persons at the time an offer is made to purchase the property, or shortly thereafter.

WHAT IF I DO NOT ACCEPT LACMTA’S OFFER?

Every effort will be made to reach an agreeable settlement for the acquisition of your property. However, if agreement cannot be reached after a reasonable time, LACMTA will follow the State of California eminent domain laws, and initiate a formal condemnation process to acquire your property. This process is meant to protect you, by allowing a court to determine the fair market value of your property. However, even after a condemnation action has been filed, the parties may continue to negotiate in an attempt to reach agreement before the condemnation action goes to trial. For more information on the Eminent Domain Process in California, please refer to the attached **Appendix A – Eminent Domain Information Pamphlet**.

WILL I HAVE TIME TO SELECT ANOTHER HOME OR BUSINESS LOCATION AFTER THE LACMTA MAKES ITS PURCHASE?

You will not be required to move until reasonable, comparable replacement housing is available or you have been given referrals to replacement sites for your business. LACMTA will retain a Relocation Consultant to provide assistance to you in finding a place to live or conduct your business. All lawful occupants of the property will be given at least 90 days written notice before being required to move.

WHAT HAPPENS TO THE LOAN ON MY PROPERTY?

After you and the LACMTA have agreed upon a price, an LACMTA representative will contact all other parties having an interest in the property. Payment toward any outstanding loans or liens will be deducted from the purchase price and will be made directly or through an escrow as in a typical real estate transaction.

WHAT WILL HAPPEN TO MY G1 OR CAL-VET LOAN?

The Veterans Administration and the California Department of Veterans Affairs allow your veteran loan privileges to be transferred and to become available for coverage on another property.

Your Real Estate Officer will assist you; however, it is to your benefit and it is your responsibility to check with the Veterans Administration or the California Department of Veterans Affairs for procedural instructions.

IF THE VALUE OF MY PROPERTY IS HIGHER TODAY THAN WHEN I PURCHASED IT, DO I HAVE TO PAY INCOME TAX ON THIS DIFFERENCE WHEN I CONVEY TO THE LACMTA?

According to the Internal Revenue Service, the sale of property to a governmental agency for public purposes comes under the definition of an “involuntary conversion.” In these cases, it is not necessary to pay income tax or capital gains tax if the money you receive is used to buy a similar property within a limited period of time. In every case, however, you should check with your local Internal Revenue Service Office and/or your tax or financial advisor.

HOW LONG CAN I REMAIN ON THE PROPERTY?

You will not be required to move until LACMTA has either acquired title to the property as a result of a purchase agreement or the court has issued an Order of Possession in a condemnation action. Depending on the needs of the Project and the construction, you may be permitted to stay on the property and pay rent to the LACMTA. Fair market rent will be charged.

The LACMTA Senior Real Estate Officer assigned to work with you throughout the acquisition process will be available to answer any questions and provide whatever assistance you may need along the way.



Metro



LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY



Real Estate Department

One Gateway Plaza

MAIL STOP 99-18-4

Los Angeles, California 90012-2952

(213) 922-2404

Property Owner's Information Pamphlet On the Use of Eminent Domain in California (A Summary of the Process and Owner's rights)

I. Introduction

Eminent domain is the power of the government to purchase private property for a "public use" so long as the property owner is paid "just compensation." Whenever possible, the Los Angeles County Metropolitan Transportation Authority ("LACMTA") tries to avoid use of the eminent domain power, exercising it only when it is necessary for a public project. The decision to acquire private property for a public project is made by the LACMTA only after a thorough review of the project, which often includes public hearings.

This pamphlet provides general information about the eminent domain process and the rights of the property owner in that process.¹

- **What is a "public use"?**

A "public use" is a use that confers public benefits, like the provision of public services or the promotion of public health, safety, and welfare. Public uses include a wide variety of projects such as street improvements, construction of water pipelines or storage facilities, construction of civic buildings, redevelopment of blighted areas, and levee improvements to increase flood protection. Some public uses are for private entities, such as universities, hospitals and public utilities, which serve the public.

- **What is "just compensation"?**

Just compensation is the **fair market value** of the property being acquired by the government. The state law definition of fair market value is "the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available."

II. The Eminent Domain Process and the Property Owner's Rights

The eminent domain process begins with a public use project. When selecting a project location, the goal is to render the greatest public good and the least private injury or inconvenience. If it is determined that all or a portion of your property may be necessary for a public use project, the LACMTA will begin the appraisal process to determine the property's fair market value.

¹ This pamphlet reflects the current law as of January 1, 2008. However, the information in this pamphlet is not, nor should it be construed as, legal advice. You should consult with qualified legal counsel regarding your specific situation rather than relying on this pamphlet as legal advice.

- **How is the fair market value of my property determined?**

The LACMTA will retain an independent, accredited appraiser familiar with local property values to appraise your property. The appraiser will invite you to accompany him or her during an inspection of your property. You may give the appraiser any information about improvements and any special features that you believe may affect the value of your property. It is in your best interest to provide the appraiser with all the useful information you can in order to ensure that nothing of value will be overlooked. If you are unable to meet with the appraiser, you may wish to have a person who is familiar with your property meet with the appraiser instead.

After the inspection, the appraiser will complete an appraisal that will include the appraiser's determination of your property's fair market value and the information upon which the fair market value is based. The appraiser will provide the LACMTA with the appraisal. The LACMTA will then make a written offer to purchase the property. The offer will also include a summary of the appraisal. The offer will be for no less than the amount of the appraisal.

- **What factors does the appraiser consider in determining fair market value?**

Each parcel of real property is different and, therefore, no single formula can be used to appraise all properties. Among the factors an appraiser typically considers in estimating fair market value are:

- The location of the property;
- The age and condition of improvements on the property;
- How the property has been used;
- Whether there are any lease agreements relating to the property;
- Whether there are any environmental issues, such as contaminated soil;
- Applicable current and potential future zoning and land use requirements;
- How the property compares with similar properties in the area that have been sold recently;
- How much it would cost to reproduce the buildings and other structures, less any depreciation; and
- How much rental income the property produces, or could produce if put to its highest and best use.

- **Will I receive a copy of the appraisal?**

The LACMTA is required to provide you with its purchase offer, a summary of the appraiser's opinion, and the basis for the LACMTA's offer. Among other things, this summary must include:

- A general statement of the LACMTA's proposed use for the property;
- An accurate description of the property to be acquired;
- A list of the improvements covered by the offer;
- The amount of the offer; and
- The amount considered to be just compensation for each improvement which is owned by a tenant and the basis for determining that amount.

However, the LACMTA is only required to show you a copy of the full appraisal if your property is an owner-occupied residential property with four or fewer residential units. Otherwise, the LACMTA may, but is not

required, to disclose its full appraisal during negotiations (though different disclosure requirements apply during the litigation process if the issue of fair market value goes to court).

- **Can I have my own appraisal done?**

Yes. You may decide to obtain your own appraisal of the property in negotiating the fair market value with the LACMTA. At the time of making its initial offer to you, the LACMTA must offer to reimburse you the reasonable costs, not to exceed \$5,000, of an independent appraisal of your property. To be eligible for reimbursement, the independent appraisal must be conducted by an appraiser licensed by the State Office of Real Estate Appraisers.

- **What advantages are there in selling my property to the LACMTA?**

A real estate transaction with the LACMTA is typically handled in the same way as the sale of private property. However, there may be a financial advantage to selling to the LACMTA.

- You will not be required to pay for real estate commissions, title costs, preparation of documents, title policy, or recording fees required in closing the sale. The LACMTA will pay all these costs.
- Although the LACMTA cannot give you tax advice or direction, you might also be eligible for certain property and income tax advantages. You should check with the Internal Revenue Service (IRS) for details or consult your personal tax advisor.

- **If only a portion of my property is taken, will I be paid for the loss to my remaining property?**

In general, when only a part of your property is needed, every reasonable effort is made to ensure you do not suffer a financial loss to the "remainder" property. The LACMTA will pay you the fair market value of the property being taken as well as compensation for any loss in value to your remaining property that is not offset by the benefits conferred by the project. The compensation for the loss in value to your remaining property is often referred to as "severance damages."

Also, if any remaining part is of such a size, shape, or condition as to be of little market value, the LACMTA will offer to acquire that remaining part (or remnant) from you, if you so desire.

- **Will I be compensated for loss of goodwill to my business?**

If you are the owner of a business that is conducted on the property being acquired, you may have a right to compensation for lost business goodwill if the loss is caused by the acquisition of the property. "Goodwill" consists of the benefits that accrue to a business as a result of its location, reputation for dependability, skill or quality, and any other circumstances resulting in probable retention of old or acquisition of new patronage.

- **What will happen to the loan on my property?**

Where the LACMTA is acquiring the entire property, generally the compensation payable to the owner is first used to satisfy outstanding loans or liens as in a typical real estate transaction. Where less than the entire property is being acquired, whether outstanding loans or liens are paid from the compensation will depend on the particular facts and circumstances.

- **Do I have to sell at the price offered?**

No. If you and the LACMTA are unable to reach an agreement on a mutually satisfactory price, you are not obligated to sign an offer to sell or enter into a purchase agreement.

- **If I agree to accept the LACMTA's offer, how soon will I be paid?**

If you reach a voluntary agreement to sell your property or an interest in the property to the LACMTA, payment will be made at a mutually acceptable time. Generally, this should be possible within 30 to 60 days after a purchase/sale contract is signed by all parties.

- **What happens if we are unable to reach an agreement on the property's fair market value?**

The LACMTA, to the greatest extent practicable, will make every reasonable effort to acquire your property by negotiated purchase. If, however, the negotiations are unsuccessful, the LACMTA may either file an eminent domain action in a court located within the same county where your property is located or it may decide to abandon its intention to acquire the property. If the LACMTA abandons its intention to acquire, it will promptly notify you.

If the LACMTA proceeds with eminent domain, the first step is for LACMTA staff to request authority from the LACMTA Board of Directors ("Board") to file a condemnation action. The approval from the Board is called a "Resolution of Necessity." In considering whether condemnation is necessary, the Board must determine whether the public interest and necessity require the project, whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury, and whether your property is necessary for the project. You will be given notice and an opportunity to appear before the Board when it considers whether to adopt the Resolution of Necessity. You may want to call an attorney or contact an attorney referral service right away. You or your representatives can raise any objections to the Resolution of Necessity and the condemnation either orally before the Board or in writing to the Board.

If the Board adopts the Resolution of Necessity, the LACMTA can file a complaint in court to acquire title to the property upon payment of the property's fair market value. The LACMTA is the plaintiff. Anyone with a legal interest in the property, generally determined from a title report on the property (including tenants or mortgage holders), are named as defendants. Often, the LACMTA will also deposit the amount the LACMTA believes is the "probable amount of compensation" with the State Treasurer where the complaint is filed. A deposit must be made if the LACMTA is seeking to acquire possession of the property before agreement is reached on the fair market value.

- **Can the LACMTA acquire possession of my property before the property's fair market value is determined in the eminent domain lawsuit?**

In some cases, the LACMTA may decide it needs possession of the property before the property's fair market value is finally determined. In such a case, the LACMTA must apply to the court for an "order for possession" to allow it to take possession and control of the property prior to resolution of the property's fair market value. The LACMTA is required to schedule a hearing with the court on the proposed order for possession and to give you notice of the hearing. Notice must generally be sent at least 90 days before the hearing date if the property is occupied and 60 days before the hearing date if the property is unoccupied. A judge will decide whether the order for possession should be granted. As noted above, the LACMTA must deposit with the State Treasurer the probable amount of just compensation in order to obtain possession of the property.

- **Can I oppose the motion for an order for possession?**

Yes. You may oppose the motion in writing by serving the LACMTA and the court with your written opposition within the period of time set forth in the notice from the LACMTA.

- **Can I rent the property from the LACMTA?**

If the LACMTA agrees to allow you or your tenants to remain on the property after the LACMTA acquires possession, you or the tenants will be required to pay a fair rent to the LACMTA. Generally, such rent will not be more than that charged as rent for the use of a property similar to yours in a similar area.

- **Can I withdraw the amount deposited with the State Treasurer before the eminent domain action is completed, even if I don't agree that the amount reflects the fair market value of my property?**

Yes. Subject to the rights of any other persons having a property interest (such as a lender, tenant, or co-owner), you may withdraw the amount deposited with the State Treasurer before the eminent domain action is completed. If you withdraw the amount on deposit, you may still seek a higher fair market value during the eminent domain proceedings, but you may not contest the right of the LACMTA to acquire the property, meaning you cannot contest that the acquisition of your property is for a public purpose or is otherwise improper.

You also have the right to ask the court to require the LACMTA to increase the amount deposited with the State Treasurer if you believe the amount the LACMTA has deposited less than the "probable amount of compensation."

- **Can I contest the condemning agency's acquisition of the property?**

Yes. Provided you have not withdrawn the amount deposited, you can challenge in court the LACMTA's right to acquire or condemn the property.

- **What happens in an eminent domain trial?**

The main purpose of an eminent domain trial is to determine the fair market value of your property, including compensable interests such as lost business goodwill caused by the taking or severance damages. The trial is usually conducted before a judge and jury. You (and any others with interests in the property) and the LACMTA will have the opportunity to present evidence of value, and the jury will determine the property's fair market value. In cases where the parties choose not to have a jury, the judge will decide the property's fair market value. Generally, each party to the litigation must disclose its respective appraisals to the other parties prior to trial.

If you challenge the LACMTA's right to acquire the property, the eminent domain trial will also determine whether or not the LACMTA has the legal right to acquire the property. In such cases, the judge (not the jury) will make this determination before any evidence is presented concerning the property's fair market value.

At the end of the trial, the judge will enter a judgment requiring the LACMTA to pay fair market value. Once the LACMTA pays the amount listed in the judgment, the judge will enter a final order of condemnation. The LACMTA will record the final order with the County Recorder, and title to the property will then pass to the LACMTA.

- **Am I entitled to interest?**

Anyone receiving compensation in an eminent domain action is generally entitled to interest on that compensation from the date the condemning agency takes possession of the property until the person receiving the compensation has been fully paid. The rate and calculation of the interest is determined under formulas in State law.

- **Will the LACMTA pay my attorneys' fees and costs?**

In an eminent domain action, you are entitled to be reimbursed by the condemning agency for your court costs such as court filing fees. In some circumstances, you may also be entitled to be reimbursed by the condemning agency for your attorneys' fees in the lawsuit. Whether you will be entitled to receive reimbursement for your attorneys' fees will depend on the particular facts and circumstances of the case and the offers and demand for compensation made in the action.

- **Will I receive assistance with relocation?**

Any person, business, or farm operation displaced as a result of the property acquisition is typically entitled to relocation advisory and financial assistance for eligible relocation expenses, such as moving expenses. The amount of relocation compensation is determined on a case-by-case basis in accordance with prescribed law. Relocation benefits are handled separate and apart from the determination of the property's fair market value and are not part of the eminent domain process.

III. Contact Information

We are available to answer your questions and to assist you in understanding the acquisition program and the eminent domain process. Should you desire further information, please contact the LACMTA Real Estate Services Department at (213) 922-2404.



LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

Real Estate Department

One Gateway Plaza

MAIL STOP 99-18-4

Los Angeles, California 90012-2952





ATTACHMENT 36

RELOCATION ASSISTANCE APPEAL

| | | | |
|---|---|------------------------|--|
| INSTRUCTIONS TO APPELLANTS: State nature of your complaint and reasons for this appeal in space at bottom. Attach extra pages if need, sign and date this form and mail to address shown. | Spaces Below To Be Completed By Los Angeles County Metropolitan Transportation Authority | | |
| | Project _____ Parcel No. _____ | | |
| Print or Type Your Full Name(s) | Address of Subject Parcel | | |
| Present Mailing Address | Appellant Is | Owner-Occupant | |
| | | Non-Resident Owner | |
| | | Tenant or Lessee | |
| | This Appeal Is Based On | Eligibility Only | |
| | | Amount of Payment Only | |
| | | Eligibility and Amount | |

MAIL TO: Real Estate Office
 Los Angeles County Metropolitan Transportation Authority
 818 West Seventh Street, Suite 300
 Los Angeles, CA 90017

Attention: _____

This is an appeal of a determination made by the Los Angeles County Metropolitan Transportation Authority under the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Uniform Act). The nature of my complaint and the reasons why I believe the determination is improper are stated below and/or on the attached pages.

Signature of Appellant

Signature of Appellant

Date Signed

APPELLANTS' STATEMENT

ATTACHMENT 37

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
RELOCATION APPEALS PROCEDURES

All displaced persons will be informed of their right to appeal the Los Angeles County Metropolitan Transportation Authority's (LACMTA) determination as to eligibility for payment or to the amount of the relocation payment. The right of appeal will be described in all brochures and other informational material distributed to the public.

Procedures have been established which assure each appellant that his/her grievance will be heard. The procedures insure that:

- Each appellant has the opportunity for oral presentation.
- Each appeal will be decided promptly and the appellant informed of the decision in writing.
- Each appeal decision will include a statement of the reasons upon which it is based.
- Each appellant will have a right of final appeal to a higher authority.

These Appeal Procedures only apply to LACMTA's Relocation Assistance Program. Judicial appeal also may be pursued if an appellant is not satisfied with LACMTA's administrative determination.

LACMTA APPEALS PROCEDURE SUMMARY

LEVEL I - CONFERENCE REVIEW

1. The appellant's appeal must be in writing to the Manager of Real Estate Services within one year from the date of receipt of the decision from the LACMTA on eligibility for or amounts of relocation payments.
2. The Real Estate Services Manager will schedule a conference review within ten working days from receipt of the appellant's statement requesting an appeal. The conference review will be scheduled as soon as practicable after receipt of the appellant's statement and preferably not later than thirty days.
3. The conference review will be conducted by the Manager of Real Estate Services with the appellant, the appellant's attorney, if desired, and the Relocation Agent.



Page 2
Relocation Assistance Appeals Procedure

4. The Manager of Real Estate Services will furnish the appellant a written decision on the appeal, stating the reason for the decision, within ten working days after the submission of all materials pertaining to the appeal.

LEVEL II - APPEALS HEARING PROCEDURES

1. Hearing Officer. The appellant may appeal the Level I conference review decision by submitting a written request for a Level II hearing to the Director of Real Estate within ten working days from receipt of the Level I appeal decision. The hearing will be scheduled within thirty working days from the date of receipt of the appellant's request. The Director of Real Estate may assign the hearing to a Hearing Officer. Said Hearing Officer may be either (1) a Manager of the MTA who has not participated in any earlier decisions affecting appellant's claim, or (2) an independent person.
2. Appearance of Appellant. The appearance of the appellant shall be required at all hearings, however, the Hearing Officer shall have discretion to consent to the absence upon a showing of good cause therefor.
3. Closing briefs. If closing briefs are to be submitted in connection with a hearing, they must be submitted within 20 business days from the last session of the hearing. Late submission shall not be accepted or considered by the Hearing Officer.
4. Evidence. The hearing shall be formal, but need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence will be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence or objection in civil actions.

Hearsay evidence may be admitted for any purpose, but will not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege and of official or judicial notice will be effective to the same extent as in civil actions. Irrelevant and repetitious evidence shall be excluded. Oral evidence shall be taken only under oath or affirmation.

Page 3
Relocation Assistance Appeals Procedure

5. Burden of proof. The burden of proof shall be on the appellant.
6. Findings and decision. The Hearing Officer shall within 30 calendar days from the receipt of the last materials, submit a written report to the Director of Real Estate. If the Director of Real Estate accepts the findings of fact contained in such report, he/she need not review the record of the hearing. If the Director of Real Estate declines to accept such findings, he/she must review the record or hold a hearing de novo.
 - a. When the Director of Real Estate has reached a proposed decision, he/she will notify the appellant and the Manager of Real Estate Services of that decision. Either the appellant or the Manager of Real Estate Services may then request findings of fact and conclusions of law by filing a written request with the Director of Real Estate. If no such request is filed within 10 business days after notification of the proposed decision, the right to findings of fact and conclusions of law will be deemed to have been waived.
 - b. If findings of fact and conclusions of law are requested, the Director of Real Estate may either adopt the report of the Hearing Officer as its proposed findings and conclusions, direct the appellant to prepare proposed findings and conclusions, or draft his/her own findings and conclusions. Copies of the proposed findings or conclusions shall be served personally or by mail on the Director of Real Estate, appellant, and Manager of Real Estate Services.
 - c. If the appellant or Manager of Real Estate Services files objections to the proposed findings and conclusions within the time specified above and the Director of Real Estate Services believes that the objections or parts thereof have validity, the Director of Real Estate shall amend the proposed findings and conclusions accordingly, and shall notify the appellant and Manager of Real Estate Services that the amended findings and conclusions are a new proposed decision.

Page 4
Relocation Appeals Procedures

The participant (either the appellant or Manager of Real Estate Services) who has not previously filed objections, shall have 10 business days from the date of the notice of the new proposed decision to file objections to that decision. The Director of Real Estate shall then consider those objections, and notify the appellant and Manager of Real Estate Services of the final decision.

- d. If no objections to the proposed findings and conclusions are filed within 10 business days after service, they shall constitute the final decision of the panel.
7. Report of hearings. Hearings shall be recorded by use of a tape recorder or equivalent. The Director of Real Estate may order that hearings be reported by a stenographic reporter when it deems it necessary or when some person interested in the hearing requests, at least 5 full business days before the day set for the hearing, that such hearing be reported and pays the actual cost or fee for such reporting.
8. Transcripts of hearing. Transcripts of hearings shall be furnished to any person on payment of the cost of preparing such transcripts. If prepared, the transcript of the hearing shall be the official record of the hearing.
9. Pre-hearing conference. With respect to any matters set for hearing, the appellant and Manager of Real Estate Services shall confer no later than 10 business days prior to the date for the hearing for the purpose of agreeing to a statement in writing setting forth the specific facts or contentions in issue. The applicant shall initiate the contact. The statement must be filed with the Director of Real Estate not later than 5 business days prior to the hearing, and shall include an estimate of the time required for the hearing and a list of all witnesses intended to be called.
10. The Director of Real Estate may, from time to time, implement modifications to these hearing procedures to carry out the intent to provide a fair and expeditious review of appellant's claim.



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Relocation Appeals Procedures

All appeals must be submitted to LACMTA on the Relocation Assistance Appeal form attached hereto and addressed to the appropriate LACMTA staff member for each level, at the following address:

Real Estate Department
Los Angeles County Metropolitan Transportation Authority
P. O. Box 194
Los Angeles, California 90053

The request by an appellant for an appeal at any level must be received within the stated time limits, otherwise, the previous decision becomes final.



PLEASE PRINT LEGIBLY

| |
|---|
| Non-Residential Interview/Survey |
|---|

| |
|------------------------|
| Project Name: |
| Property Owner: |
| Displacee: |
| Case Number: |

Owner Tenant Owner/Occupant

INTERVIEWER:

Street Address: _____

Unit Number: _____ City: _____ Zip: _____

Date of Interview: _____

Check if this address is only being used for parking and/or storage only, i.e., the *actual* business is not located on this site. (If box is checked, not all of the following questions will necessarily apply)

Business Occupancy Survey

1. Respondent: _____

2. Primary Language Spoken in business: English Spanish Korean Other: _____

2a. In what language, other than English, do you request written material be submitted to you?
Spanish Korean Other: _____

3. Position with Business (Check all that apply): Owner Business Manager Employee Other: _____

General Information _____

4. Legal Business Name _____



IMPORTANT: This name will be used for case files & will appear on checks (as "payee") – i.e., checks will be made out to the name appearing on this line (4) – so make sure it is linked to a checking account and can be cashed!

5. Doing Business As (DBA): _____ DBA registered? Yes [] No []

6. Mailing Address (if different from street address, above): _____

_____ City: _____ Zip: _____

7. Phone No: _____ Cell: _____ Fax No: _____

Email _____

8. Type of Business (Check all that apply): Retail [] Manufacturing [] Service [] Wholesale [] Other: _____

9. What is the business structure of your company?

9a. Sole Proprietorship [] Partnership [] Corp [] Franchise [] Non-Profit [] LLC []

9b. Do you have any of the following?

Federal Tax Identification Number []

Business License []

Non-Profit Tax Exempt Status [] If so, what is the #? _____

9c. Federal Taxpayer Identification Number [][]-[][][][][][][][][]

Social Security Number [][][]-[][]-[][][][][][]

Case No: _____

10. Who are the owners(s) of the business and how can they be reached? (Write down names of all owners beginning with the primary contact person):

Table with 2 columns: Name, Phone Number. Multiple empty rows for data entry.

11. Business Manager Name: _____

11a. Business Manager Phone No: _____ Fax No: _____ Email: _____



Operations

12. Describe your business and the goods and/or services that you provide: _____

13. How long have you been operating this business? Years _____ Months _____

14. How long have you been at this location? Years _____ Months _____

15. Where were you previously located? _____ How long? _____

16. Do you have any additional locations for this business? Yes No

17. Do you have another or other business(es) located elsewhere? Yes No

17a. If so, where? _____

18. What are your normal business hours and days of operation (Check days, write in hours)

| Day | Open | Close |
|-----------|------|-------|
| Monday | | |
| Tuesday | | |
| Wednesday | | |
| Thursday | | |
| Friday | | |
| Saturday | | |
| Sunday | | |

19. How many employees do you have? Full Time _____ Part Time _____

20. How do most of your customers get to your business (Fill in estimated %) Car _____% Bus _____%

Walk _____% Other (specify) _____%

21. Where do most your customers come from (neighborhood, community, area)? _____

21a. What percentage of your business, if any, is from the internet? _____%



22. Additional comments: _____

Current Facility (Physical Features)

23. Site

23a. Total land area square footage _____ sf

23b. Parking square footage _____ sf or approximate number of parking spaces _____

24. Buildings/Outside Work Areas

24a. Sales _____ sf

24b. Office _____ sf

24c. Warehouse _____ sf

24d. Manufacturing _____ sf
(workshop)

24e. Yard _____ sf

24f. Other (specify) _____ sf for _____

24g. TOTAL _____ sf

25. How many parking spaces does the business have? (write in number) _____

26. Does your business have special zoning requirements, e.g. a conditional use permit? Yes No

26a. Does your business have a valid liquor license? Yes No

26b. If yes to either a or b above, please explain: _____

Financial Information

27. Do you Lease or Own the land/building? (Check appropriate column)



Table with 5 columns: Own, Lease, No. Years, No. Months. Rows include Land and Building(s).

28. Ownership

28a. Are you the sole owner of the property? Yes [] No []

28b. Are there lien holder(s) on this property? Yes [] No []

28c. If so, please identify lien holder(s):

Table with 3 columns: Name of Lien Holder, Address, Phone No.

28d. Do you lease a portion of the property? Yes [] No []

28e. If so, what are the names of the businesses and owners? (Write names of all businesses and owners):

Table with 3 columns: Name of Business and Owners, Approx. Sq. Ft., Lease Termination Date

29. Leasing (Tenants)

29a. If you lease the land, what is your current monthly lease payment \$ _____

29b. If you lease the building, what is your current monthly lease payment \$ _____

29c. Total monthly lease? \$ _____

29d. Do you have a Lease Agreement: Yes [] No [] Can you provide me a copy: Yes [] No []

30. What type of lease do you have? Percentage Sales [] Triple Net [] Gross Lease []

Other (specify): _____



30a. When does your lease end? (write in month/day/year) _____

30b. Do you have any option to extend the lease? Yes [] No []

30c. Are there residents living on the premises? Yes [] No []

30d. Do you sublease to others? Yes [] No []

30e. If you do sublease, what are the names of the businesses and owners? (Write names of all businesses and owners):

Case No: _____

Table with 3 columns: Name of Business and Owners, Approx. Sq. Ft., Lease Termination Date

Equipment & Inventory

31. Do you know the replacement value of your personal property, which includes both inventory and equipment?
No [] Yes [] Value: \$ _____

32. Equipment - What equipment do you own and/or lease; are there liens on any of this equipment; what equipment do you intend to move? Use additional paper if necessary. Ownership of equipment must be verified.

Table with columns: ITEM (Movable Fixtures, Equipment, Inventory, Other Personal Property), Quantity, Item Verification (Own, Lease, Lien), Item Status (Operable/in use, Inoperable - retrieved from offsite storage), Move Intention (To be moved, Not to be moved)

| ITEM (Movable Fixtures, Equipment, Inventory, Other Personal Property) <i>(First 2 lines are examples only, start with Item #1 on line 3 – Use additional pages as needed)</i> Page 1 of ____ | Quantity | Item Verification (Check all that apply and are applicable) | | | Item Status (check one) | | Move Intention (check one) | |
|--|----------|--|-------|------|----------------------------|---|-------------------------------|-----------------|
| | | Own | Lease | Lien | Item Operable/ in use | Item Inoperable - retrieved from offsite storage | To be moved | Not to be moved |
| | | | | | | | | |
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This grid is continued on next page

Case No: _____

| ITEM (Movable Fixtures, Equipment, Inventory, Other Personal Property – continued from previous page) | Quantity | Item Verification (Check all that apply and are applicable) | | | Item Status (check one) | | Move Intention (check one) | |
|--|----------|--|-------|------|----------------------------|---|-------------------------------|-----------------|
| | | Own | Lease | Lien | Item Operable/ in use | Item Inoperable - retrieved from offsite storage | To be moved | Not to be moved |
| | | | | | | | | |
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| ITEM Fixtures that are attached to the building <i>(First 2 lines are examples only, start with Item #1 on line 3 – Use additional pages as needed)</i> | Quantity | Item Verification (Check all that apply and are applicable) | | | Move Intention (if fixtures can be moved) | |
|---|----------|--|------|----------|--|----|
| | | Own | Lien | Operable | Yes | No |
| 1. Walk-in cooler – with floor (if it can be moved) | 1 | | x | x | x | |
| 2. Built – in hood over stove (if it can be moved) | 2 | x | | x | x | |
| | | | | | | |
| | | | | | | |
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| | | | | | | |

Page 1 of ____

35. Inventory - What months of the year do you have the least inventory and the most inventory? (Check all that apply)

| Month | Least Inventory | Most Inventory | Month | Least Inventory | Most Inventory |
|----------|-----------------|----------------|-----------|-----------------|----------------|
| January | | | July | | |
| February | | | August | | |
| March | | | September | | |
| April | | | October | | |
| May | | | November | | |
| June | | | December | | |

36. Hazardous Materials – Are you aware of any hazardous material such as dry cleaning fluids, coolants, motor oil, etc.? Yes No



36a. If you have hazardous material, how do you deal with the following?

Disposal: _____

Emissions: _____

Handling: _____

Storage: _____

Replacement Site Requirements

37. Do you plan to relocate and continue your business at a new site? Yes No

38. Do you plan to enter new market, i.e., expand your product line after the move? Yes No
Undecided

39. Are you currently working with a real estate agent or attorney? Yes No

39a. If yes, what is the name of the agent/attorney; his/her phone number and the company for whom they

work: _____

40. Have you identified and/or obtained a replacement site? Yes No

40a. If yes, please provide the owners name and address of site: _____

40b. If yes, what is the square footage? _____ sf.

41. Do you have a preferred area or site where you would like to relocate to? Yes No

41a. If yes, where is the area and/or site? _____

42. Do you have an alternate choice for a preferred area and/or site if your first is not available? Yes No

43. If you have an alternate site, why did you choose that site? _____



44. Which of the following location/access requirements are important? (check all that apply) Near airport

Near public transportation Near railroad line Near major truck route Sidewalk access
High visibility site Other: _____

45. At the replacement site, how much square footage do you anticipate will be required for the various components of your business:

- 45a. Sales _____ sf
- 45b. Office _____ sf
- 45c. Warehouse _____ sf
- 45d. Manufacturing _____ sf
(workshop)
- 45d. Yard _____ sf
- 45e. Other (specify) _____ sf for _____
- 45f. TOTAL _____ sf

46. What type of shipping and receiving accommodation do you need? Docks RR Spur
Designated Load/Unload Other (specify) _____

47. Do you depend on trucks for your business? Yes No

47b. What is the size of your largest truck? Length _____ ft width _____ ft

47b. Do your trucks need special turn-around space? Yes No

47c. Do you need space for semi-trailer/trucks? Yes No

47d. Where do you need access: Front of business Rear of Business Both

Other (specify): _____

48. What are your current/expected future electrical power needs? (please be as specific as possible)

49. What are your current/expected future HVAC needs? (please be specific) _____

50. How much parking will you need? (please be specific) _____

51. What additional needs will your business require in the new location (e.g., utility needs, equipment, etc)?



Four horizontal lines for text entry.

Permits, Insurance, Advertising

57. What types of permits do you have?

Table with 4 columns: Type of Permit, Required for: (type of equipment or nature of material stored, used or sold), Issued by [what agency]:, Current? (Y/N)

Hazmat Permits

Table with 4 columns: Type of Permit, Required for: (type of equipment or nature of material stored, used or sold), Issued by [what agency]:, Current? (Y/N)

58. What types of insurance do you have (ex: fire, liability, workers compensation, business interruption, etc.)? _____

Two horizontal lines for text entry.

Expiration dates: _____

59. Advertising: Yellow Page Ad [] Cable TV [] Other [] _____

60. Obsolete Stationery: Letterhead [] approx. number _____ Business cards [] approx. number _____
Ads (brochures/fliers) [] approx. number _____ (provide samples of each)

Tax Credits/Enterprise Zones

61. Describe any tax credits or Business Enterprise Zone benefits you are currently receiving: _____

Four horizontal lines for text entry.



Metro

Interviewer/Relocation Consulting Agent (please print)

Date

Signature

ADDITIONAL PAGES ATTACHED Yes No



Residential INTERVIEW

Name (HOH): _____ Tenant / Owner / Other (circle one)
Phone/Home: _____

Project Address: _____ Move-in Date: _____
Work: _____
EMAIL: _____

Emergency Contact Person: _____ Phone No: _____

Head of Household: [] Male [] Female [] Elderly [] Handicapped/Disabled
Household Ethnicity: [] White [] Black [] Latino [] Asian/Pac. Isl. [] Am.
Indian/Alaskan Native [] Other

Names of all household members and all sources of household income:
(Include all AFDC, work, pension, social security, general relief, child support, daily cash)

Table with 8 columns: Name, Legal Status, Sex, Age, Relation to HOH, Disability/Handicap, Monthly Income, Source. Multiple empty rows for data entry.

HOUSING CHARACTERISTICS INFORMATION

RELOCATION

Current Monthly Rent / Mortg. _____ Terms _____ # of Brm _____ Location preference

What utilities do you pay? _____ Number of Rooms Occupied _____ Are you looking to buy or rent? _____

Total Monthly Housing Cost _____ Number of Bedrooms Needed _____ What type of unit would you prefer:

Do You Have? [] Kitchen [] Living Room [] Dining Room [] Den [] House [] Apt. [] 1-4 units [] Other



HOUSEHOLD INFORMATION

Schools children are currently attending: _____

What is the primary language spoken in your household: _____ Pets: Yes No
If so, type & how many: _____

Do you rely on public transportation: Yes No Car: Yes No If so, how many?: _____

Do you or any household member attend a church or other civic organizations that require regular attendance: Yes No

If so, which, where and when: _____

EMPLOYMENT INFORMATION

Name of employer, type of employment & whether it is full or part time for each working members of the household: Distance traveled to work: _____

SPECIAL NEEDS

Does any household member with special medical needs, if so what?: _____

Do you have/use medical equipment (wheelchair, oxygen): Yes No If yes, list type of medical equipment: _____

Other needs you want to make us aware of?: _____

SPECIAL CIRCUMSTANCES

Is any household member temporarily out of your home? (Vacation, Military, School, Jail, Etc.): Yes No

If Yes, reason for leave & when do you expect them back: _____

Is any household member on probation/parole: Yes No If so, state the nature, name, and phone # of agent: _____

Are there any gang affiliations: Yes No If so, please explain: _____

TENANT SIGNATURE: _____ **DATE:** _____

Comments: _____



Metro

Interviewer: _____

Interview Date: _____

Recordkeeping and Reports General Provisions

METRO requires, routine monitoring and evaluation of relocation files and records.

It is not the intent of METRO to increase administrative burdens, however in order to obtain more accurate information and to more effectively monitor implementation of the Uniform Act, it is necessary to standardize relocation program reports and required documentation.

All relocation files must be maintained for at least three years after the latest of:

- the date by which all payments to persons displaced for the project and all payments for the acquisition of the real property have been issues;
- The date the project has been completed; or
- The date by which all issues resulting from litigation, negotiation, audit, or other action (i.e. civil rights compliance) have been resolved.

Confidentiality:

Documents are confidential unless required by law to be made available to the public. Only authorized staff of METRO or funding agencies will have access to them. The affected person can request (in writing) access to his or her own documents and will be allowed to inspect and copy such. The METRO has a right to determine that certain documents should not be disclosed to the person for reasons of confidentiality.

General Relocation File Recordkeeping Requirements:

An accurate relocation record for each case must be maintained based on information obtained during initial and follow-up interviews with displace(s) and information obtained from other sources pertinent to the residential or business displacement.

Individual relocation files must be maintained for all site occupants from initial contact through final payment.

Each relocation file must contain a photo identification of the person(s) receiving payment.

Monthly status reports must be submitted to METRO Real Estate Services no later than the 10th of each month. Such status reports must contain at a minimum:

1. Name, address, phone number of each unit occupied
2. Household characteristics (i.e. # of male adults, female adults, male children, female children)
3. Business type and square footage
4. Number of current bedrooms occupied, number of required bedrooms
5. Business – current zoning and required zoning
6. Gross monthly household income and source of income
7. For businesses



8. Legal Status in the United States
9. Current rent/lease amount/terms
10. Date and method of Delivery of;
 - a. General Information Notice (GIN)
 - b. Move-in Notice to Perspective Tenants
 - c. Notice of Non Displacement
 - d. Temporary Move Notice (if applicable)
 - e. Notice of Eligibility
 - f. Vacate Notice
 - g. Advisory Services
11. Relocation Payments made - type and amounts
12. Vacate Date
13. Replacement site address
14. Other pertinent comments to indicate progress or complaint

Relocation Files

Acquisition and Relocation staff will review these procedures for a list of records that must be maintained for projects involving acquisition and relocation. Staff will ensure that the following documents are placed in the file.

Acquisition Files

- Notices
- For voluntary acquisition the “voluntary” letter to the seller.

For involuntary acquisition:

- Notice to Appraise.
- Offer of Just Compensation and Summary Statement.
- Any other correspondence related to the purchase.
- Documents related to the purchase, i.e., purchase agreement, escrow settlement papers
- Documents related to the property’s value. An appraisal or other estimate of value for voluntary acquisitions and an appraisal and review appraisal for involuntary acquisitions. If three months has passed a second appraisal may be necessary.

Relocation Files

Record Retention

Acquisition and relocation records will be retained until three years after a project is completed and closed out. A project may be closed out when all the funds have been spent, program objectives met, displaced persons relocated and audits completed.

Availability and Confidentiality of Records

Records are considered confidential information, and the contents should only be available to authorized METRO staff, funding agency personnel or other audit staff. Upon written request, information may be released to affected persons or their designated representative.

Project Relocation File

- Summary List of Occupants on site as the following dates: Application, Approval, Contract Execution and Project Completion.
- Record of any meetings held and information covered at the meeting.
- Summary List of Occupants who were paid and how amount determined that they were paid, if not paid, the reason why.
- Summary list of occupants not paid and reason why not paid.
- Fixed Payment Schedule used to compute moving expense.
- Section 8 income limits used in Section 104(d) eligibility or URA RHP calculations.

Relocation Files for Individual Residential Tenants (Minimum Requirements for tenant Files)

- Site Occupant Record (HUD Handbook 1378) Appendix 8 for residential and Appendix 9 for business occupants or similar interview/ survey form.
- Notices and proof of delivery.
- Claim Form (URA or Section 104(d) whichever applies).
- Supporting documentation of replacement housing payment claim i.e., intake form, lease or rent receipt, utility receipts or property completed utility schedule.
- Comparable Dwelling Analysis form
- Evidence of income, if part of the housing payment calculation: wages, self-employment, government and private pensions (i.e., SSA, SSI, VA), rental income, etc.
- Section 104(d) income calculations—evidence of exclusions.
- Explanation of any special circumstances (calculation or otherwise).
- Evidence of Section 8 transfer, if applicable.
- Evidence of comparability of designated comparable
- Proof of payment of moving expense (fixed schedule or receipts).
- Proof of payment of relocation housing payment/ receipt by claimant.
- Record of Inspection (In town and out of town moves).
- Legal Certification Form or sign off on claim form
- Appeals, exceptions to legal residency requirement if any, explanations, correspondence.
- Advisory services provided.

Individual Homeowner Files (Minimum Requirements for homeowner files)

- Notices and proof of delivery.
- Claim forms.
- Appraisal of displacement home.
- List of comparable homes (HUD Comparability Form).
- Legal Certification Form or sign off on claim form.
- Purchase price of new home and other incidentals per the purchase agreement and final escrow settlement), and proof of payment- wire transfer.
- Inspection of replacement home
- Log of advisory services provided and all contacts with displacee.

Businesses Tenant Files (Minimum Requirements for Businesses)

- Notices and proof of delivery.
- Minimum Requirements for
- Business Claim Form.
- Appraisal or other documentation of fixtures, furniture and equipment and leasehold interest, if any. (Provide an explanation for any furniture, furniture, equipment that is not moved.
- Receipts, estimates or bids for all moving expenses and proof of payment.
- Receipts, estimates or bids for re-establishment and proof of payment.
- Log of advisory services provided and all contacts with displacee.



Residential Information
Confidential, Purposely left blank



Business Information

| ID # | Type of use | Equipment | Special Needs | Comments |
|------|-----------------------|--|----------------------------------|--|
| 1 | Sushi restaurant | Kitchen, dining room, office | Health permits, custom stainless | |
| 2 | Korean restaurant | Kitchen, dining room, office | Health permits, custom stainless | |
| 3 | Bakery | Kitchen, dining room, office | Health permits, custom stainless | |
| 4 | Korean restaurant | Kitchen, dining room, office | Health permits, custom stainless | |
| 5 | Retail Persian Rugs | Retail display, POS system, signage Chairs, | N/A | |
| 6 | Wedding Chapel | gazebos, office, video | Locate nearby | Barbers are independent operators w that rent booth space from owner |
| 7 | 9 Station Barber Shop | 9 Barber stations, shampoo sinks | | |
| 8 | Independent Barber | | | |
| 9 | Independent Barber | | | |
| 10 | Independent Barber | | | |
| 11 | Independent Barber | | | |
| 12 | Independent Barber | | | |
| 13 | Independent Barber | | | |
| 14 | Independent Barber | | | |
| 15 | Independent Barber | | | |
| 16 | Independent Barber | | | |



| ID # | Type of use | Equipment | Special Needs | Comments |
|------|--|---|--|--|
| 17 | Massage | Massage Tables, office . Lobby furniture Large high speed printers, | Health permit vocational requirements / Massage therapists are independent contractors | |
| 18 | High Volume commercial printer Office for general contractor | older sensitive equipment, office | large power requirements, machine calibration | |
| 19 | | office equipment | | |
| 20 | After school tutoring | computers, desks, chairs, office equipment | | considered a school, dept of ed permits & locational requirements require long lead time |
| 21 | Tae Kwon Do Center | mats, exercise equipment, mirrors, barres, desk. Chairs 50 + keyboards, grand piano, video teaching systems, individual instruction rooms | | must stay in the area, mats are custom made for the space. |
| 22 | Music instruction | | | As a franchise they must meet locational requirements of Franchisor |
| 23 | Retail Banking | 16 teller stations, 2 vaults, safe deposit boxes | | regulatory issues require 1 year lead time, can't infringe on another branch |
| 24 | Parking | | | Low relocation but possibly large loss of goodwill |
| 25 | Parking | | | Low relocation but possibly large loss of goodwill |
| 26 | Parking | | | Low relocation but possibly large loss of goodwill |



| ID # | Type of use | Equipment | Special Needs | Comments |
|------|--|--|---|---|
| 27 | Parking | | Low relocation but possibly large loss of goodwill | |
| 28 | Medical office | exam tables, office equipment, inventory | Health permits | |
| 29 | Basic office | | | |
| 30 | Basic office | | | |
| 31 | Basic office | | | |
| 32 | Basic office | | | |
| 33 | Basic office | office equipment | | |
| 34 | Basic office | office equipment | Time sensitive must close on Friday & open on Monday | |
| 35 | Basic office | office equipment | | |
| 36 | Basic office | office equipment | | |
| 37 | Basic office | office equipment | | |
| 38 | Basic office | office equipment | | Owns building, occupies two suites employees listed above |
| 39 | Basic office | office equipment | manages other business | |
| 40 | TV -film production, marketing | office equipments, TV editing bays & equipment, computer network, office furniture | data security requirements from studios because of early release materials used to make movie adds & trailers | |
| 41 | Basic office | | | |
| 42 | Retail storefront, computer sales, service | Office furniture, computer diagnostic & testing equipment | | |
| 43 | Non profit | office equipment & furnishings | | |
| 44 | Billboard | | may be grandfather in at present site | |



| ID # | Type of use | Equipment | Special Needs | Comments |
|------|-----------------------|---|--|---|
| 45 | Parking | | used by tenants | Private lot |
| 46 | Fine Art Gallery | Office, display walls, inventory | Location near LACMA | |
| 47 | Art & Photo workshops | office, chairs, minimal items | | |
| 48 | Non profit | office equipment & furnishings | | |
| 49 | Non profit | office equipment & furnishings | | |
| 50 | Non profit | office equipment & furnishings | Possibly an office sharing arrangement | |
| 51 | Non profit | office equipment & furnishings | Possibly an office sharing arrangement | |
| 52 | UNK | office equipment & furnishings | Possibly an office sharing arrangement | |
| 53 | Property Management | office equipment & furnishings | Possibly an office sharing arrangement | |
| 54 | Manager | office equipment & furnishings | Possibly an office sharing arrangement | |
| 55 | UNK | office equipment & furnishings | Possibly an office sharing arrangement | |
| 56 | Unk | office equipment & furnishings | Possibly an office sharing arrangement | |
| 57 | Property Management | office equipment & furnishings | Possibly an office sharing arrangement | |
| 58 | Publishing | Office equipment & furnishings | | |
| 59 | Architecture firm | Office equipment & furnishings, computers | | |
| 60 | Music Production | Office equipment & recording equipment | Possibly extensive improvements for sound studio | No response. Web site indicates this could be a recording studio. |



| ID # | Type of use | Equipment | Special Needs | Comments |
|------|---|---|---|-------------------------------|
| 61 | Non profit Career, vocational expert | Office equipment & furnishings, computers office furniture & equipment and built in cabinets | Needs to move in the immediate area, close to clients and courts | |
| 62 | Fine Art Gallery | Large access doors, furniture & office equipment | special use gallery walls | |
| 63 | Acupuncture | exam tables. Office furniture & equipment | Health Dept Permits | |
| 64 | Art Museum | display walls, office equipment and furniture | Location near LACMA | |
| 65 | Chiropractic | medical equipment | may have x-ray facility | |
| 66 | TV -film production | camera equipment, furniture, pin ball, televisions, computers, office equipment, tripods, props, | extensive collection of memorabilia and fine art, full kitchen, will need lots of packing materials & labor. TV editing equipment requires sound isolation | |
| 67 | Interior design | office furniture & equipment, computers | | |
| 68 | Marketing / sales | office furniture & equipment | | |
| 69 | Film Production | office equipment & furniture, computers, routers | Disconnect & reconnect IT & phones, LAN | |
| 70 | Restaurant | | | Parking only |
| 71 | Billboard | | Possibly grandfathered in | |
| 72 | Parking | | May cause loss of patronage | unknown effect on store |



| ID # | Type of use | Equipment | Special Needs | Comments |
|------|-----------------------------|--|---|----------|
| 73 | Vocational / Beauty School | salon stations, office buildouts Vault, safety deposit boxes, 2 ATM machines, 8 teller stations, banking equipment, office & lobby furniture & equipment, security | Satellite facility may be rendered useless , 1 - 1/2 year lead time to meet regulatory issues. Ongoing classes do not allow for any downtime | |
| 74 | Retail Banking | Kitchen, dining room, office Pilates machines, office equipment, mats, weights | long lead time to meet regulatory requirements, extensive TIs, off street parking, cannot locate near another branch Health permits, custom stainless, rabbinical requirements for kosher establishment | |
| 75 | Restaurant | Medical equipment, rehab equipment, office furniture and equipment | mats custom made for the space | |
| 76 | Pilates Studio | Business furnishings & equipment | extensive TIs, health permits | |
| 77 | Chiropractic / Sports Rehab | exam tables, office equipment, inventory | possibly heavy installations for x-rays & diagnostic equipment (MRI etc) | |
| 78 | Entertainment Talent Agent | office equipment & furnishings | | |
| 79 | Medical office | office equipment & furnishings | | |
| 80 | Basic office | | | |
| 81 | Basic office | | | |



| ID # | Type of use | Equipment | Special Needs | Comments |
|-------------|--------------------|---|-------------------------------|---|
| 82 | Basic office | office equipment & furnishings | | |
| 83 | Basic office | office equipment & furnishings | | |
| 84 | Medical records | office equipment & furnishings, large number of files | Possible HIPPA requirements | |
| 85 | Counseling | office equipment & furnishings | | |
| 86 | Personal Banking | office equipment & furnishings | No vault, safety deposits etc | |
| 87 | Film Location | | | no personal property on site. Possibly large loss of Goodwill |
| 88 | Parking | | | unpaved |

APPENDIX J

SITE PHOTOS



WSE Parcel # W-0103



WSE Parcel # W- 0401



WSE Parcel # W- 1201



WSE Parcel # W – 1202 & W-1202-1



WSE Parcel # W – 1203 & W-1203-1



WSE Parcel # W – 1203 & W-1203-1



WSE Parcel # W – 1701 & W-1701-1



WSE Parcel # W – 1702



WSE Parcel # W – 1703



WSE Parcel # W – 1703-1



WSE Parcel # W – 1703-1



WSE Parcel # W – 1704



WSE Parcel # W- 1801



WSE Parcel # W - 1802



WSE Parcel # W – 2301



WSE Parcel # W – 2302



WSE Parcel # W – 2307



WSE Parcel # W -2308



WSE Parcel # W - 2309



WSE Parcel # W – 6102

APPENDIX K

ZIP CODE DEMOGRAPHICS

ZIP CODE 90010

This geographic area holds a population, according to the 2000 census of 4,501. A mixed population of White and Asian and Black, 81% of the adult population has graduated high school and 23% have attained a BA. Residential population includes an evenly split male and female population with 45% having lived in the same home for at least five years. Singles and married couples, average age 38 with 16% children from 0-18 years of age. Median income is \$66,369.

Means of transportation to work: 61% drove a car alone; 23% used some form of public transportation.

ZIP CODE 90211

This geographic area holds a population, according to the 2010 census of 10,065. A majority population White (79%) with 20% Black, Hispanic and Asian. 92% of the population have graduated high school and 51% have attained a BA or higher with 50% having lived in the same home for at least five years. Residential population includes 46% male and 53% female. Singles and married couples with 22% children from 0-18 years of age. 30% of the population is over 50 years of age. Median Income is \$67,243.

Means of transportation to work: 71% drove to work alone; 16% utilized public transportation. 98% of the residents live and work in this County

ZIP CODE 90036

This geographic area holds a population, according to the 2010 census, of 36,232. A mixed population of White and Asian, 94% of the adult population has graduated high school and 38% have attained a BA. Residential population includes an evenly split male and female population with 40% having lived in the same home for at least five years. 81% of households are renter households. Singles and married couples, average age 33 with 16% children from 0-18 years of age. Median income is \$78,001.

Means of transportation to work: 53% drove to work alone; 35% utilized public transportation. 98.5% of zip code residents live and work in LA County.

ZIP CODE 90005

This geographic area holds a population, according to the 2010 census, of 37,681. There is a mixed population of White, Asian and Black. 67.7% of the adult population has graduated high school and 25.5% have attained a BA degree. The residential population includes an evenly split male and female population with 51.7% having lived in the same home for at least five years. Singles and married couples average age is 33 and 17% of the population is children from 0-18 years of age. The median household income is \$32,955.

Means of transportation to work: 42% drove to work alone; 37.6% utilized public transportation.

ZIP CODE 90048

This geographic area holds a population, according to the 2010 census, of 21,397. There is a majority of White residents (84%) with 94% of the adult population having graduated high school and 64% have attained a BA degree or higher. The residential population includes 47% male and 52% female population with 47% having lived in the same home for at least five years. 29% of households are owner occupants. Singles and married couples average age is 39 and 13% of the population is children from 0-18 years of age. The median household income is \$77,855.

Means of transportation to work: 76% drove to work alone; 3.5% utilized some form of public transportation.

COMMERCIAL DEMOGRAPHICS**90010**

- Notable locations in zip code 90010: Sigmund Hecht Library (A), Wilshire Professional Building (B), Memorial Branch Los Angeles Public Library (C).
- Churches in zip code 90010 include: Our Savior Lutheran Church (A), Thirty-second Church of Christ Scientist (B), Wilshire Boulevard Temple of B'nai B'rith (C), Saint James Episcopal Church (D), Saint Basils Roman Catholic Church (E), Christ Church (F), Christian Unity Church (G).
- Tourist attractions : British Virgin Islands Tourist Board (3450 Wilshire Boulevard Suite 1202), City Tours & Travel (3701 Wilshire Boulevard), Barbados Consulate & Tourism Authority (3440 Wilshire Boulevard Suite 1207), Ace America Tour Service (Tours & Charters; 3921 Wilshire Boulevard Suite 333).

Top industries in this zip code by the number of employees:

- Administrative and Support and Waste Management and Remediation Services: Security Guards and Patrol Services (over 1000 employees: 1 establishment, 500-999 employees: 1 establishment, 250-499 employees: 2 establishments, 100-249 employees: 4 establishments, 50-99 employees: 1 establishment, 20-49 employees: 4 establishments, 10-19 employees: 6 establishments, 5-9 employees: 2 establishments, 1-4 employees: 4 establishments)
- Finance and Insurance: Direct Property and Casualty Insurance Carriers (over 1000: 1, 500-999: 1, 250-499: 1, 100-249: 1, 50-99: 4)
- Administrative and Support and Waste Management and Remediation Services: Temporary Help Services (250-499: 2, 100-249: 7, 50-99: 3, 20-49: 4, 10-19: 1, 5-9: 1, 1-4: 5)
- Professional, Scientific, and Technical Services: Offices of Lawyers (100-249: 1, 50-99: 4, 20-49: 13, 10-19: 25, 5-9: 52, 1-4: 292)
- Finance and Insurance: Insurance Agencies and Brokerages (over 1000: 1, 50-99: 1, 20-49: 5, 10-19: 5, 5-9: 12, 1-4: 58)
- Other Services (except Public Administration): Religious Organizations (500-999: 1, 250-499: 1, 100-249: 1, 20-49: 2, 10-19: 1, 5-9: 3, 1-4: 19)
- Health Care and Social Assistance: Home Health Care Services (50-99: 8, 20-49: 17, 10-19: 5, 5-9: 1, 1-4: 7)
- Administrative and Support and Waste Management and Remediation Services: Janitorial Services (250-499: 1, 100-249: 1, 20-49: 4, 10-19: 9, 5-9: 4, 1-4: 9)
- Finance and Insurance: Investment Advice (500-999: 1, 10-19: 2, 5-9: 2, 1-4: 29)
- Professional, Scientific, and Technical Services: Human Resources and Executive Search Consulting Services (500-999: 1, 20-49: 1, 10-19: 2, 1-4: 3)

90036**Notable locations in this zip code:**

- Notable locations in zip code 90036: Television City (A), Lindy Opera House (B), Petersen Automotive Museum (C), Fairfax Branch Los Angeles Public Library (D), Pan Pacific Auditorium (E), Los Angeles County Art Museum (F), German Cultural Center (G), Korean Cultural Center (H).
- Shopping Centers: Park La Brea Shopping Center (1), Town and Country Shopping Center (2).

- Churches in zip code 90036 include: Temple Beth Zion (A), Etz Jacob Synagogue (B), Tifereth Zvi Synagogue (C), Wilshire Crest Presbyterian Church (D), Hope Lutheran Church (E), Shaarei Tefila Synagogue (F), Cathedral Chapel (G).
- Parks in zip code 90036 include: West Wilshire Recreation Center (1), West Wilshire Playground (2), Rosewood Park (3), Hancock Park (4). Post office: Miracle Mile Station Los Angeles Post Office (A). Tourist attractions (not listed on the city page): Craft & Folk Art Museum (Cultural Attractions- Events- & Facilities; 5814 Wilshire Boulevard), Beyond the Glitz Tours (5850 West 3rd Street).

Top industries in this zip code by the number of employees:

- Professional, Scientific, and Technical Services: Payroll Services (over 1000 employees: 2 establishments, 50-99 employees: 1 establishment, 5-9 employees: 1 establishment, 1-4 employees: 2 establishments)
- Accommodation and Food Services: Full-Service Restaurants (250-499: 1, 100-249: 6, 50-99: 7, 20-49: 11, 10-19: 5, 5-9: 11, 1-4: 22)
- Information: Television Broadcasting (over 1000: 1, 20-49: 1)
- Health Care and Social Assistance: General Medical and Surgical Hospitals (over 1000: 1)
- Administrative and Support and Waste Management and Remediation Services: Temporary Help Services (500-999: 1, 100-249: 2, 20-49: 2, 1-4: 2)
- Information: Motion Picture and Video Production (250-499: 1, 100-249: 2, 20-49: 2, 5-9: 1, 1-4: 58)
- Accommodation and Food Services: Limited-Service Restaurants (50-99: 2, 20-49: 13, 10-19: 10, 5-9: 7, 1-4: 20)
- Information: Cable and Other Program Distribution (500-999: 1, 20-49: 1)

90211**Top industries in this zip code by the number of employees:**

- Information: Motion Picture and Video Production (over 1000 employees: 1 establishment, 20-49 employees: 1 establishment, 10-19 employees: 1 establishment, 5-9 employees: 1 establishment, 1-4 employees: 24 establishments)
- Health Care and Social Assistance: Offices of Physicians (except Mental Health Specialists) (100-249: 1, 20-49: 9, 10-19: 10, 5-9: 42, 1-4: 138)
- Accommodation and Food Services: Full-Service Restaurants (100-249: 1, 50-99: 5, 20-49: 6, 10-19: 7, 5-9: 2, 1-4: 10)
- Administrative and Support and Waste Management and Remediation Services: Temporary Help Services (100-249: 2, 50-99: 1, 20-49: 2, 10-19: 1, 5-9: 1, 1-4: 2)
- Arts, Entertainment, and Recreation: Promoters of Performing Arts, Sports, and Similar Events without Facilities (250-499: 1, 1-4: 3)
- Health Care and Social Assistance: Offices of Dentists (10-19: 6, 5-9: 23, 1-4: 38)
- Professional, Scientific, and Technical Services: Offices of Lawyers (10-19: 4, 5-9: 12, 1-4: 88)
- Construction: New Housing Operative Builders (100-249: 1, 50-99: 1, 20-49: 1, 1-4: 2)
- Health Care and Social Assistance: Home Health Care Services (100-249: 1, 20-49: 2, 10-19: 1, 5-9: 1)

90210**Top industries in this zip code by the number of employees:**

- Management of Companies and Enterprises: Corporate, Subsidiary, and Regional Managing Offices (over 1000 employees: 3 establishments, 100-249 employees: 1 establishment, 20-49 employees: 2 establishments, 10-19 employees: 1 establishment, 1-4 employees: 4 establishments)
- Accommodation and Food Services: Full-Service Restaurants (100-249: 4, 50-99: 14, 20-49: 11, 10-19: 7, 5-9: 7, 1-4: 10)
- Accommodation and Food Services: Hotels (except Casino Hotels) and Motels (500-999: 2, 100-249: 1, 50-99: 1, 20-49: 1, 10-19: 1, 1-4: 3)
- Health Care and Social Assistance: Offices of Physicians (except Mental Health Specialists) (50-99: 1, 20-49: 6, 10-19: 16, 5-9: 40, 1-4: 176)
- Professional, Scientific, and Technical Services: Offices of Lawyers (20-49: 5, 10-19: 13, 5-9: 17, 1-4: 104)
- Arts, Entertainment, and Recreation: Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures (100-249: 3, 50-99: 1, 10-19: 1, 5-9: 5, 1-4: 35)
- Finance and Insurance: Commercial Banking (250-499: 1, 50-99: 1, 20-49: 2, 10-19: 4, 5-9: 1, 1-4: 4)
- Other Services (except Public Administration): Beauty Salons (50-99: 1, 20-49: 7, 10-19: 8, 5-9: 7, 1-4: 23)
- Arts, Entertainment, and Recreation: Independent Artists, Writers, and Performers (20-49: 3, 10-19: 1, 5-9: 7, 1-4: 165)

90013**Notable locations in this zip code:**

Notable locations in zip code 90013: Grand Central Market (A), Ronald Reagan Building (B), International Jewelry Center (C), Hibernian Building (D), Edison Building (E), Little Tokyo Branch Los Angeles Public Library (F), Sana Fe Building (G), Bradbury Building (H), Fire Station Number 28 (I). Park in zip code 90013: Pershing Square (1).

Top industries in this zip code by the number of employees in:

- Utilities: Natural Gas Distribution (500-999 employees: 1 establishment, 250-499 employees: 1 establishment, 10-19 employees: 1 establishment)
- Wholesale Trade: Jewelry, Watch, Precious Stone, and Precious Metal Merchant Wholesalers (50-99: 1, 20-49: 1, 10-19: 14, 5-9: 41, 1-4: 170)
- Professional, Scientific, and Technical Services: Offices of Lawyers (100-249: 3, 10-19: 2, 5-9: 3, 1-4: 21)
- Management of Companies and Enterprises: Corporate, Subsidiary, and Regional Managing Offices (250-499: 1, 50-99: 1, 20-49: 1, 10-19: 2, 5-9: 1, 1-4: 1)
- Health Care and Social Assistance: Temporary Shelters (100-249: 2, 50-99: 2, 10-19: 2)
- Construction: Commercial and Institutional Building Construction (250-499: 1, 20-49: 1, 1-4: 2)
- Wholesale Trade: Toy and Hobby Goods and Supplies Merchant Wholesalers (20-49: 1, 10-19: 2, 5-9: 16, 1-4: 49)
- Other Services (except Public Administration): Parking Lots and Garages (100-249: 1, 10-19: 1, 5-9: 6, 1-4: 19)

- Health Care and Social Assistance: Residential Mental Health and Substance Abuse Facilities (100-249: 1, 50-99: 1, 10-19: 1)
- Health Care and Social Assistance: Other Community Housing Services (100-249: 1, 20-49: 1, 10-19: 3)