

Austin Transit Partnership

# Relocation Brochure

FEBRUARY 2026



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# 1. Introduction

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Austin Transit Partnership (ATP) is moving forward with Austin Light Rail and has begun to acquire land for the public right of way needed for the transit project. As a result, your residence, business or organization may be required to relocate. If you are required to move as the result of the property acquisition for the Austin Light Rail project, ATP will assign you a Relocation Agent to help you understand the resources available and file the documents required to receive financial assistance.

ATP is aware of the cost and inconvenience associated with moving and will provide assistance to qualified businesses, organizations, and residents displaced through our Relocation Assistance Program. This program includes financial assistance to reimburse owners and tenants for costs associated with relocating to a new location, as well as pre-approved professional move planner services to assist in the relocation process.

ATP has contracted with a service provider to acquire the necessary right of way and help provide assistance to those displaced.

Because Austin Light Rail is anticipated to be built using federal funds, individuals, businesses and organizations displaced by property acquisitions needed for the project are protected under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act). This law determines which displaced owners and tenants qualify for assistance and guarantees that all qualified displaced owners and tenants receive financial assistance using uniform standards and procedures to ensure that all are treated equally and fairly.

This brochure provides general information about relocation services and financial assistance available under the Uniform Act. This brochure is for general information purposes only; it is not a document of law, rule, or regulation.

Your Relocation Agent will be able to answer questions specific to your situation and provide additional information. To ensure an accurate determination of your relocation benefits, you must discuss any proposed move with the Relocation Agent so that a definite understanding of eligibility requirements can be reached.

## Qualification for Assistance

Relocation assistance is available to individuals, families, businesses, farmers, ranchers, and nonprofit organizations lawfully present in the United States who are displaced as a result of an infrastructure project. No relocation payment or advisory assistance may be provided for persons or entities not lawfully present in the United States, unless such person can demonstrate to the agency's satisfaction that denial of relocation assistance will result in an exceptional and extremely unusual hardship to such person's spouse, parent or child who is a citizen of the United States. This assistance applies to tenants as well as owners occupying the real property needed for the project.

## Advance Notice

Each displaced person and business will be given sufficient time to plan for an orderly, timely and efficient move. This applies not only to residential occupants, but to all properties where an occupant must move to a new location or move personal property to a new location. To the greatest extent practicable, no person lawfully occupying real property will be required to move from that site without at least a 90-day written notice.

To ensure eligibility and prompt payment of your relocation benefits, you must provide your ATP Relocation Agent advance notice of the approximate date of the planned move and a list of the items to be moved so that an ATP representative may inspect the personal property at the displacement and replacement sites and monitor the move. An occupant who moves prior to the date negotiations are initiated for acquisition of the property will not be eligible for any relocation payment, unless he or she receives a written notice of advanced relocation eligibility before he or she moves from the property.

## 2. Important Definitions

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**Contributes Materially:** During the two taxable years prior to the year of displacement, or during such period that the agency determines to be more equitable, a business or farm operation had average annual gross receipts of at least \$5,000.00; or, had average annual net earnings of at least \$1,000.00; or, contributed at least thirty-three and one third percent of the owner's or operator's average annual gross income from all sources.

**DS&S (Decent, Safe and Sanitary):** Housing that is in sound, clean and weather tight condition, in good repair and adequately maintained, in conformance with applicable state and local building, plumbing, electrical, housing and occupancy codes (which includes being adequate in size to accommodate displaced occupants) or similar ordinances or regulations, and which meets minimum standard guidelines.

**Displaced Person (Displacee):** Any person who moves from real property, or who moves their personal property from real property, either as a result of the acquisition of such real property in whole, or in part by a public entity or by any person having an agreement with or acting on behalf of a public entity, or as the result of a written order from a public entity to vacate real property for public use.

**Functionally Equivalent:** Performs the same function as at the displacement dwelling and provides the same utility.

**Utility Costs:** Expenses for electricity, gas, other heating and cooking fuels, water, and sewer.

**Replacement Housing Payment (RHP):** A differential housing payment that may be in the form of a Purchase Supplement, Rental Assistance Payment, or a Down Payment Assistance.

**Owner of a Dwelling:** A person who is considered to have met the requirement to own a dwelling if the person purchases or holds any of the following interests in real property: i) Fee title, a life estate, a land contract, a 99 year lease, or a lease including any options for extension with at least 50 years to run from the date of acquisition; or ii) An interest in a cooperative housing project which includes the right to occupy a dwelling; or iii) A contract to purchase any of the interests or estates described in this section; or iv) Any other interest, including a partial interest, which in the judgement of the agency warrants consideration as ownership.

**Person:** Any individual, partnership, corporation, limited liability company, or association.

**Relocation Agent:** Refers to agent or specialist who is knowledgeable of the Uniform Relocation Assistance and Real Property Act of 1970. This agent will be responsible for working with displacees who are displaced by the project to successfully navigate and claim benefits they may be eligible for. This agent will be assigned based on specialty (personal property, non-residential, or residential), experience, and availability.

**Small Business:** A business having not more than 500 employees working at the site being acquired or displaced by a program or project, which site is the location of economic activity. Sites occupied solely by outdoor advertising signs, displays, or devices do not qualify as a business for purposes of 49 CFR 24.303 or 24.304.

**Tenant:** A person who has the temporary use and occupancy of real property owned by another.

**Uniform Act or Act:** The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601 et seq.),

## 3. Residential Displacees

### Moving Cost Reimbursement

If you qualify as a displaced person, you are entitled to reimbursement of your reasonable and necessary moving costs and certain related expenses incurred in moving. The methods of moving and the various types of moving cost payments are explained below.

#### Individuals and Families

Displaced individuals and families may choose to be paid on the basis of actual, reasonable and necessary moving costs and related expenses, or according to a fixed moving cost schedule. However, to ensure your eligibility and prompt payment of moving expenses, you must contact the Relocation Agent from ATP before you move.

#### You Can Choose Either:

##### Actual Reasonable Moving Costs

Including:

- Packing & unpacking
- Temporary storage
- Transportation
- Moving insurance
- Other related costs

OR

##### Fixed Moving Cost Schedule

Based on:

- Room count

#### Actual Reasonable Moving Costs

You may be paid for your actual reasonable moving and related expenses incurred based on receipted bills, commercial move invoice or commercial move estimates. Reimbursement will be limited to a 50-mile distance.

Related expenses may include:

- Packing and unpacking personal property.
- Disconnecting and reconnecting household personal property.
- Utility and telephone connection charges.
- Temporary storage of personal property.
- Insurance while property is in storage or transit.
- Mobile home park entrance fees.

Expenses must be necessary and reasonable as determined by ATP and supported by receipts. Prior to taking action or incurring any moving expenses, verify eligibility for reimbursement with your Relocation Agent.

## Fixed Moving Cost Schedule

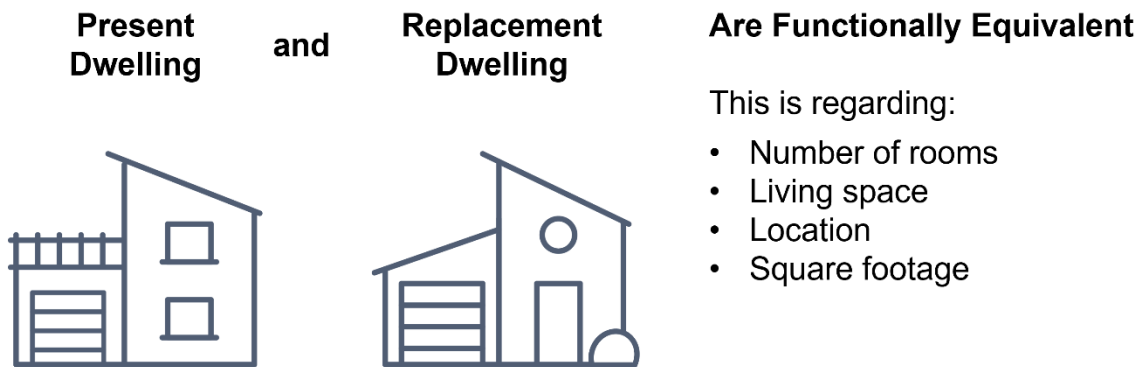
Alternatively, you may choose to be paid based on a fixed moving cost schedule. This payment is based on the number of rooms in your dwelling. Receipts are not necessary. Under this option you will **not** be eligible for reimbursement of related expenses.

## Replacement Housing Payments

Replacement Housing Payments can be better understood if you become familiar with the definition of the following terms.

- Comparable
- Decent, Safe and Sanitary (DSS)

A comparable Replacement means that your...



## Comparable

A comparable replacement dwelling must be decent, safe, and sanitary, and should be functionally equivalent to your present dwelling. While it may not necessarily be identical to your present dwelling, the replacement should have certain attributes:

- Similar number of rooms and living space.
- Located in an area not subject to unreasonable adverse environmental conditions.
- Generally not be less desirable than your present location with respect to public utilities and commercial and public facilities.
- Located on a site that is typical size for residential development with normal site improvements.
- Currently available to you and within your financial means.

## Decent, Safe, and Sanitary (DSS)

Replacement housing must be decent, safe, and sanitary. This means the dwelling meets all of the minimum requirements established by the state and conforms to applicable housing and occupancy codes. The dwelling shall:

- Be structurally sound, weather tight and in good repair.
- Contain a safe electrical wiring system adequate for lighting and electrical appliances.
- Contain a heating system capable of sustaining a healthful temperature (approximately 70 degrees) except in those areas where local climatic conditions do not require such a system.
- Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced person(s).
- Contain a well-lighted and ventilated bathroom providing privacy and containing a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and sewage drainage system.
- Contain a kitchen area with a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, with adequate space and utility connections for a stove and refrigerator.
- Have unobstructed egress to safe, open space at ground level.
- Be free of any barriers that prevent reasonable ingress, egress, or use of the dwelling in the case of a displaced person that is disabled.

## Replacement Housing Payments

Replacement housing payments are separated into three basic types:

1. Purchase Supplement
2. Rental Assistance
3. Down Payment Assistance

The type of payment depends on whether you are an owner or a tenant, and how long you have lived in the property being acquired prior to negotiations.

## Occupancy Time Periods and What You Are Entitled To

There is one basic length-of-occupancy requirement that determines the type of replacement housing payment to which you are entitled. Length-of-occupancy simply means the number of days that you occupied a dwelling immediately before the date of initiation of negotiations by the acquiring agency.

- Owners who were in occupancy 90 days or more immediately prior to the initiation of negotiations may be eligible for a purchase supplement.
- If you are a tenant who has been in occupancy 90 days or more immediately prior to the initiation of negotiations, you may be eligible either for rental or down-payment assistance.

If you have been in occupancy less than 90 days before the initiation of negotiations and the property is subsequently acquired, or if you move onto the property after the initiation of negotiations and you are still in occupancy on the date of acquisition, you may be eligible for rental or down-payment assistance. Check with the Relocation Agent for more details.

## **Purchase Supplement (Owner-Occupants of 90 Days or More)**

If you are an owner and have occupied your home for 90 days or more immediately prior to the initiation of negotiations you may be eligible for a purchase supplemental as well as assistance with incidental costs necessary to purchase a comparable decent, safe, and sanitary replacement dwelling, in addition to the just compensation for your property. ATP's designated relocation agent will compute the maximum purchase supplement payment you are eligible to receive. **You must purchase and occupy a DSS replacement dwelling within one (1) year from the later of the following dates:**

- The date at least one comparable replacement dwelling has been made available to you, or
- The date you receive final payment for the displacement dwelling or, in the case of condemnation, the date the full amount of the estimate of just compensation is deposited in the court.

### **The Purchase Supplement Includes:**

- **Price Differential**

The price differential payment is the amount that a replacement dwelling exceeds the acquisition cost of the displacement dwelling, not to exceed the amount of the approved replacement housing supplement. The price differential payment and the following payments are in addition to the acquisition price paid for your property.

- **Increased Mortgage Interest Costs**

You may be reimbursed for increased mortgage interest costs if market interest rates for a new mortgage exceed that of your present mortgage. To be eligible, your acquired dwelling must have been encumbered by a bona fide mortgage, which was a valid lien for at least 180 days immediately preceding the initiation of negotiations.

- **Incidental Expenses for Replacement Housing**

You may also be reimbursed for other expenses such as reasonable costs incurred for loan applications, recording fees and certain other closing costs. This does not include prepaid expenses, such as real estate taxes and property insurance or costs for services normally paid by sellers of residential properties, or provided by title companies and closing agents as part of other services.

## The Rental Assistance Supplement (Tenants or Owner-Occupants of Less Than 90 Days)

The rental assistance supplement is designed to assist you when renting a decent, safe and sanitary (DSS) replacement dwelling. If you choose to rent a replacement dwelling and the rental payments are higher than you have been paying, you may be eligible for a rental assistance payment. ATP will determine the maximum payment you may be eligible to receive in accordance with established procedures. The rental assistance payment will be paid in a lump sum unless ATP determines that the payment should be paid in installments. You must rent and occupy a DSS replacement dwelling within one (1) year after the date of move.

## Down Payment Assistance

Owner-occupants of less than 90 days and tenants may be eligible for down-payment assistance and related incidental expenses, the total of which is not to exceed the amount of the approved rental assistance supplement. Incidental expenses for replacement housing include the reasonable costs of loan applications, recording fees and certain other closing costs. These do not include prepaid expenses such as real estate taxes and property insurance.

You may also be eligible for the reimbursement of loan origination or assumption fees, if such fees are normal to real estate transactions in your area and do not represent prepaid interest.

Remember, you must purchase and occupy a DSS replacement dwelling within one (1) year of your moving.

All eligible displacees have a freedom of choice in the selection of replacement housing. If a displaced person decides not to accept the replacement housing comparable offered by ATP, he or she may choose a replacement dwelling of their choice, providing it meets DSS housing standards .

## Fair Housing Law

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act and later acts and amendments make discriminatory practices in the purchase and rental of most residential units illegal if based on race, color, national origin, religion, sex, familial status, or disability. Whenever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not necessarily located in an area of minority concentration, that are within their financial means.

This policy, however, does not require an acquiring agency to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

## To All Residential Displacees

The most important thing to remember is that the replacement dwelling you select must meet the basic “decent, safe and sanitary” standards to receive any benefits.

Do not:

- Execute a sales contract or a lease agreement until a representative from ATP has inspected and certified in writing that the dwelling you propose to purchase or rent does meet the basic standards.
- Jeopardize your right to receive a replacement housing payment by moving into a substandard dwelling.

## 4. Businesses and Nonprofit Organizations

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### Moving Cost Reimbursement

If you qualify as a displaced business, farm or non-profit organization, you may be reimbursed on the basis of actual reasonable moving costs and related expenses or, under certain circumstances, a fixed payment (in Lieu).

Actual reasonable moving expenses may be paid when the move is performed by a commercial mover or if you move yourself. Related expenses, such as personal property losses, and expenses in finding a replacement site may also be reimbursable. You may also be reimbursed for expenses incurred in the reestablishment of your business.

Reimbursements for moving expenses are limited to actual reasonable and necessary expenses incurred for a move not more than a 50-mile distance from the displacement location.

Expenses must be necessary and reasonable as determined by ATP and supported by receipts. Prior to taking action or incurring any moving expenses, verify eligibility for reimbursement with your Relocation Agent.

### Two Ways to Move Your Business:

1. **Commercial Mover.** You may be reimbursed the actual reasonable costs of your move carried out by a professional Mover.
2. **Self-Move.** If you elect to take full responsibility for all or part of the move, ATP may approve a negotiated reimbursement payment or, alternatively, you may be reimbursed for actual moving expenses supported by paid receipts. All payments may not exceed the lowest acceptable bid or estimate prepared by qualified moving firms, moving consultants or a qualified ATP employee or contractor.

If you elect to not move a piece of personal property and/or replace a piece of personal property's function, you may be eligible for alternative move payments, such as a direct loss of tangible personal property payment or substitute personal property payment. Please contact your Relocation Agent to discuss these alternative move payment options.

### Reestablishment Expenses for Replacement Site

A business, farm, or nonprofit organization may be eligible to receive a payment, not to exceed \$33,200.00 for expenses actually incurred in relocating and reestablishing at a replacement site. These reestablishment expenses must be reasonable and necessary as determined by ATP. Your Relocation Agent will explain the eligible expenses under this category of relocation assistance.

## Searching Expenses for Replacement Property

Displaced businesses, farms, and nonprofit organizations are entitled to reimbursement for actual reasonable expenses incurred in searching for a replacement property, not to exceed \$5,000.00.

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, brokers, or consultants (excluding commissions); expenses negotiating the purchase of a replacement site based on a reasonable salary or fee, including actual, reasonable, and necessary attorney's fees; time spent in obtaining permits and attending zoning hearings; and other expenses determined as reasonable and necessary by ATP. Businesses may choose a one-time payment of \$1,000.00 for search expenses with minimal or no documentation as an alternative payment method.

## Fixed Payment (in Lieu)

Displaced businesses, farms, and nonprofit organizations may be eligible for a fixed payment in lieu of actual moving expenses, reestablishment expenses, personal property losses and searching expenses. The fixed payment may not be less than \$1,000.00 or more than \$53,200.00.

For a business to be eligible for a fixed payment, ATP must determine that all of the following apply:

1. The business owns or rents personal property that must be moved in connection with its displacement and for which expense would be incurred in its move.
2. The business cannot be relocated without a substantial loss of its existing patronage.
3. The business is not part of a commercial enterprise having more than three other entities not being acquired and are under the same ownership and engaged in the same or similar business activities.
4. The business is not operated at a displacement dwelling solely for the purpose of renting such dwelling to others.
5. The business is not operated at the displacement site solely for the purpose of renting the site to others.
6. The business contributed materially to the income of the displaced person during the two (2) taxable years prior to displacement.

When the fixed payment claim option is selected, a displaced business, farm, or nonprofit organization may not claim any other type of relocation expenses.

Not all displaced businesses, farms or nonprofit organizations will qualify for this type of payment. Check with the Relocation Agent for more details.

Applications for fixed payments in lieu of actual expenses must be filed with ATP prior to the planned move from the displacement property.

## 5. Claim for Payment

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### How Do I Obtain My Relocation Payment?

You must file a claim for reimbursement. ATP will provide required claim forms, assist you in completing them, and explain the documentation to submit to receive your relocation reimbursement. If the expenses that you must incur prior to your move cause an undue hardship, discuss your financial needs with your Relocation Agent.

### When Should I File My Claim?

You must have all your claims submitted to ATP no later than 18 months from the applicable following date:

- For tenants: the date of displacement from the property.
- For owners: the date of displacement or the date of final payment for acquisition of the real property, whichever is later.

The date of displacement is defined as the date of the 30-day notice to vacate or the actual date of the move, whichever is earlier.

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, ATP may extend this time period for good cause. ATP is required to pay you 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 may take to resolve the matter.

### Duplicate Payments

No payment will be made under the Relocation Program if the displaced person is eligible to receive another payment provided by law that has substantially the same purpose and effect as the relocation payment.

### Another Important Benefit

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code or for determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law. Your relocation benefits will not have an adverse effect on your:

- Social security eligibility
- Welfare eligibility
- Income taxes

## 6. Appeals

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If you believe that ATP has failed to properly determine your eligibility, or the amount of a payment, you may appeal to ATP within sixty (60) days after receiving the written notification of ATP's determination of your claim.

Applications for appeal must be submitted in writing and ATP will consider a written appeal regardless of form. ATP's assigned Relocation Agent will assist you in filing an appeal and explain the procedures to follow. You will be given a prompt and full opportunity to be heard by ATP's Executive Director or his/her assigned Appeal Team members.

You have a right to be represented by legal counsel or other representative in connection with your appeal, but solely at your own expense. ATP shall permit you to inspect and copy all materials pertinent to your appeal. ATP may, however, impose reasonable conditions on your right to inspect, consistent with applicable laws and ATP's policies and procedures.

A written decision of the matters being appealed will be issued promptly. The written findings shall explain the basis for the decision.

If the relief sought was granted the matter will be considered closed. If the relief sought was denied, you shall be advised of your right to seek judicial review of ATP's decision.