

# Community Care Expansion (CCE) Program

## Purpose

The information in this CCE Relocation Fact Sheet provides a broad overview of relocation laws for purposes of the CCE program. This CCE Relocation Fact Sheet does not, and is not intended to, constitute legal advice; instead, all information, content, and materials are for general informational purposes only. Readers of this Fact Sheet, including CCE applicants and awardees, should contact their attorney to obtain advice with respect to any legal matter, including to determine applicability of and ensure compliance with relocation laws. Awardees may also want to contact a relocation consultant who can assist with preparation and implementation of the relocation plan as discussed below.

## Relocation Laws

The CCE program is currently state funded. Therefore, if relocation requirements are triggered, awardees should first refer to California relocation law:

- Government Code (GOV) Section 7260 et seq.
- Relocation Assistance and Property Acquisition Guidelines (25 California Code of Regulations (CCR) Section 6000 et seq.)

Federal law also applies if the awardee uses federal funds to finance any phase of a project:

- 42 United States Code (USC) Chapter 61
- Uniform Relocation Act Regulations (49 Code of Federal Regulations (CFR) Part 24)

Awardees may use federal funding as CCE match, if approved, and may otherwise braid federal funding into their CCE projects. If a project uses both state and federal funds, then both state and federal relocation laws apply. In these cases, awardees should apply the provisions of each law that provide the greatest benefits to the displaced person. Awardees should seek counsel on how to address situations in which they anticipate using federal funds.

## What Triggers Relocation Requirements?

Relocation requirements are triggered when a public agency (county, city) or a private entity (non- or for-profit organization) uses CCE funds in any of the following ways:

- Expansion Funds
  - To acquire property that is occupied (by either a resident or a business)
  - To rehabilitate, demolish, or perform any other activity on occupied property that requires either the temporary\* or permanent displacement of residents or businesses
    - Example: Expand or create a new usable space that would increase capacity and the square footage of the facility
- Preservation Funds
  - To use Capital Projects (CP) funds to rehabilitate, demolish, or perform any other activity on occupied property that requires either the temporary\* or permanent displacement of residents or businesses
    - Example: Repairs or upgrades to bedrooms

In general, if a public or private entity acquires a property using CCE state general funds for all or a portion of the purchase price or acquires the property with the intent of constructing improvements funded with CCE state general funds, eligible persons or businesses displaced because of the acquisition or construction are entitled to relocation benefits. If the displaced persons or businesses moved before the acquisition, relocation benefits may still be owed if the displacement was the result of the private entity making an offer to acquire the property.

*\*See Temporary Relocation section on page 3 for additional information.*

## What Are Relocation Benefits?

People and businesses are eligible for permanent relocation benefits when they move from, or move their personal property from, real property as a direct result of one of the above triggering activities. The three main categories of relocation benefits are advisory assistance, moving assistance, and financial assistance. Below are examples of benefits that CCE awardees may be required to provide.

- Advisory assistance
  - Specific services designed to minimize hardships of potentially displaced persons, including a personal interview with each occupant to determine needs and preferences and development of an individualized plan to address these needs and preferences
  - Notices to displaced persons (see Noticing Requirements section on pages 3)
  - Information for displaced persons on relocation and other assistance they may be eligible for, and on how to apply
  - Assistance in finding an alternative dwelling or business location, including providing referrals to replacement housing

For more specifics on advisory assistance, see guidance issued by the [California Department of Transportation \(Caltrans\)](#)

- Moving assistance
  - Payment of actual reasonable moving costs, or
  - Fixed moving allowance, determined in accordance with established Federal Highway Administration schedules maintained by Caltrans (Caltrans Schedule)
- Financial assistance
  - Replacement housing assistance for residential tenants and homeowners
  - Reestablishment expenses for small businesses
    - Compensates for increased costs at new location, including increased rent, new signage, repairs or improvements to new location, permit or license fees, and advertisement of new location. Reestablishment expenses are capped at \$10,000 under state law.

## Planning for Relocation

Awardees whose CCE projects are subject to California relocation law must prepare a relocation plan and submit it to the California Department of Social Services (CDSS) for approval before proceeding with any activity that will result in displacement. At least 30 days prior to submission, the plan must also be made available to the tenants of the property.

For projects displacing 15 or fewer households, the completion of the model California Department of Housing and Community Development relocation plan satisfies the requirements to prepare a relocation plan. A plan is not required for projects that will result in an insignificant amount of non-residential displacement. Relocation plans should include:

- A description of the property and the neighborhood
- Information on relocation needs of the residents or businesses to be displaced, including incomes, household size, and special needs (information is gathered from interviews of the residents)
- Analysis of available relocation housing resources, i.e., a housing market study
- A cost estimate for carrying out the plan and identification of funding sources

See 25 CCR Section 6038 for specific details regarding what should be included in the plan and the full list of requirements for the relocation plan.

## Noticing Requirements

Prior to displacement, displaced persons must receive various required notices. Awardees should pay attention to the timing requirements, as they vary depending on the notice at issue. Two significant notices include the following:

- General Information Notice
  - Delivered as soon as feasible after offer to acquire property or after contract or funding award from public agency
  - Must generally describe relocation benefits; sample forms can be found in the U.S. Department of Housing and Urban Development (HUD) Relocation Handbook

- 90-Day Notice
  - Must give displaced persons at least 90 days' notice before they are required to move

## Temporary Relocation

If a displaced person needs to move only temporarily and can return to the property after completion of rehabilitation, then this is considered temporary relocation. If displaced persons will be unable to reside in the displacement dwelling for more than 12 months, then they are entitled to permanent relocation benefits.

Temporary relocation requires:

- The same noticing as permanent relocation
- A relocation plan addressing temporary relocation
- Advisory assistance
- Moving assistance for both the move out of the displacement dwelling and the move back to the displacement dwelling
- Payment of all increased costs of the displaced persons while displaced, for example:
  - Increased rent
  - Meal allowance, if displaced person is relocated to a place without kitchen facilities
  - Utility hookup fees

## Additional Relocation Resources

Please note that, while awardees may find the following resources helpful, not all the information may be directly applicable to CCE.

- [HUD Handbook 1378: Tenant Assistance, Relocation and Real Property Acquisition](#)
- [Caltrans Relocation Brochures](#)