
OFFICE OF THE
COUNTY COUNSEL



COUNTY OF SANTA CRUZ

GOVERNMENT CENTER
(831)454-2040
FAX(831)454-2115

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

DWIGHT L. HERR
COUNTY COUNSEL

DEBORAH STEEN
SAMUEL TORRES, JR.
CHIEF ASSISTANTS

HARRY A. OBERHELMAN III
MARIE COSTA
JANE M. SCOTT
RAHN GARCIA
TAMYRA RICE
PAMELA FYFE
ELLEN LEWIS
KIM BASKETT
LEE GULLNER
DANA McRAE

ASSISTANTS

Agenda: September 15, 1998

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

Board of Directors
Santa Cruz County Redevelopment Agency
701 Ocean Street
Santa Cruz, California 95060

RE: Local Relocation Regulations and Guidelines

Dear Members of the Board:

The California Relocation Assistance Law requires all public entities to adopt rules and regulations concerning relocation assistance for persons displaced from their residences or business by governmental activities.

In May 1974 by Resolution 203-74 the County of Santa Cruz initially adopted Relocation Assistance and Real Property Acquisition Guidelines; the document has not been revised since. In May 1995 the Board of Directors of the Redevelopment Agency adopted its current Residential Relocation Guidelines and Business Relocation Guidelines.

In previous Board meetings this office was directed to return with a revision to County and RDA Guidelines, particularly in view of differing state and federal standards for

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computation of payments to displaced tenants. Following the July 1997 report to your Board on that subject, California enacted legislation which makes it consistent with the federal requirements (thereby reducing the potential financial liability of public entities in state-funded acquisitions). The State's own regulations for implementation of the Relocation Assistance Law were also completely revised in late 1997, for the first time since their promulgation some twenty years before.

After consultation among the departments most affected by this issue, consensus was reached that a single set of documents should be prepared, applicable both to County and RDA activities.

Therefore submitted for your consideration are three documents:

1. **Regulations Governing Relocation Assistance and Real Property Acquisition by County of Santa Cruz and Santa Cruz County Redevelopment Agency.** This document is intended to supersede and entirely replace the County's 1974 document. In format it parallels the revised State regulations; it is intended as a summary and outline of requirements rather than a repetition of them, and it refers to the requirements imposed in projects with federal or Caltrans funding.

2. **Business Relocation Guidelines.** Very little change has been made to this brochure which was approved for the RDA in May 1995, other than to state that it applies both to County and RDA and in the introductory language.

3. **Residential Relocation Guidelines.** Besides being made applicable to both County and RDA, this document has been revised to reflect the change in law concerning comparable replacement housing (mentioned above) and to make it clear to a reader that only those actually displaced as a result of the governmental activity could become eligible for benefits.

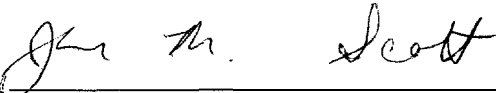
The Guidelines are informational documents for distribution to persons who might be relocated. They are written in a format which answers questions those persons are likely to have, giving examples of the calculation of benefits. They are referred to within the Regulations as being a part of the required public information process, although the Resolution proposed herewith would make the new "Regulations" the controlling document.

IT IS THEREFORE RECOMMENDED that your Board adopt the attached Resolutions approving Regulations Governing Relocation Assistance and Real Property

Acquisition by County of Santa Cruz and Santa Cruz County Redevelopment Agency,
Residential Relocation Guidelines, and Business Relocation Guidelines.

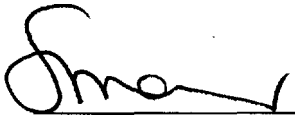
Very truly yours,

DWIGHT L. HERR, COUNTY COUNSEL

By 

Jane M. Scott
Assistant County Counsel

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

cc: Tom Burns
John Fantham

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted

RESOLUTION ADOPTING REGULATIONS GOVERNING RELOCATION
ASSISTANCE AND REAL PROPERTY ACQUISITION

WHEREAS all public entities are required by law to adopt rules and regulations to administer relocation assistance, and

WHEREAS amendments have been made to the California Relocation Assistance Law and related regulations, and it is appropriate to enact local rules and regulations reflecting those changes;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz resolves and orders that:

1. The document entitled Regulations Governing Relocation Assistance and Real Property Acquisition by County of Santa Cruz and Santa Cruz County Redevelopment Agency, attached hereto and incorporated by this reference, is approved and adopted, superseding the regulations originally approved by Resolution No. 203-74.

2. The documents entitled Residential Relocation Guidelines and Business Relocation Guidelines are approved for use pursuant to the foregoing Regulations.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____, 1998, by the following vote:

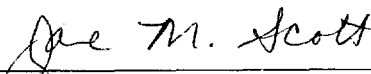
AYES:	SUPERVISORS
NOES:	SUPERVISORS

ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairman of the
Board of Supervisors

ATTEST: _____
Clerk of the Board

Approved as to form:



JANE M. SCOTT
Assistant County Counsel

DISTRIBUTION: County Counsel
Redevelopment Agency
Public Works

BEFORE THE BOARD OF DIRECTORS
OF THE SANTA CRUZ COUNTY REDEVELOPMENT AGENCY

RESOLUTION NO.

On the motion of Director
duly seconded by Director
the following resolution is adopted

RESOLUTION ADOPTING REGULATIONS GOVERNING RELOCATION
ASSISTANCE AND REAL PROPERTY ACQUISITION

WHEREAS all public entities are required by law to adopt rules and regulations to administer relocation assistance, and

WHEREAS amendments have been made to the California Relocation Assistance Law and related regulations, and it is appropriate to enact local rules and regulations reflecting those changes;

NOW, THEREFORE, the Board of Directors of the Santa Cruz County Redevelopment Agency resolves and orders that:

1. The document entitled Regulations Governing Relocation Assistance and Real Property Acquisition by County of Santa Cruz and Santa Cruz County Redevelopment Agency, attached hereto and incorporated by this reference, is approved and adopted, superseding the regulations originally approved by Resolution No. 185-95.
2. The documents entitled Residential Relocation Guidelines and Business Relocation Guidelines are approved for use pursuant to said Regulations.

PASSED AND ADOPTED by the Board of Directors of the Santa Cruz County Redevelopment Agency, this ____ day of _____, 1998, by the following vote:

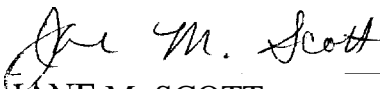
AYES:	DIRECTORS
NOES:	DIRECTORS

ABSENT: DIRECTORS
ABSTAIN: DIRECTORS

Chairman of the
Board of Directors

ATTEST: _____
Clerk of the Board

Approved as to form:

 _____
JANE M. SCOTT
Assistant Agency Counsel

DISTRIBUTION: County Counsel
Redevelopment Agency
Public Works

REGULATIONS GOVERNING RELOCATION ASSISTANCE AND
REAL PROPERTY ACQUISITION
BY COUNTY OF SANTA CRUZ
AND
SANTA CRUZ COUNTY REDEVELOPMENT AGENCY

Article 1. General

1.1 Authority for Regulations

(a) The regulations contained herein are adopted under authority of, and intended to implement, the California Relocation Assistance Law (California Government Code §§ 7260 et seq.) as well as the regulations promulgated thereunder (Title 25, California Code of Regulations §§ 6000 et seq.). This document supersedes the Guidelines adopted by Resolution 203-74 of the Santa Cruz County Board of Supervisors.

(b) With respect to a federally funded project, relocation assistance payments and advisory assistance shall be provided as required by federal law.

1.2 Definitions

(a) Except as otherwise provided herein, or as revised by virtue of Chapter 597 of the 1997 Statutes (see (b)), the definitions set forth at Title 25, California Code of Regulations, Section 6008, shall apply to the provisions of this document. In addition, the following definitions shall apply:

(b) “County/Agency” means the County of Santa Cruz or the Santa Cruz County Redevelopment Agency.

(c) “HCD Guidelines” refers to the Housing and Community Development regulations set out at Title 25, California Code of Regulations, sections 6000 et seq.

(d) All definitions adopted by Chapter 597 of the 1997 Statutes, amending Government Code sections 7260, 7262.5 and 7264 effective January 1, 1998,, shall apply to these Regulations.

1.3 Purpose and Policy

(a) The purpose of these regulations is to ensure that uniform, fair and equitable treatment is afforded persons displaced from their homes, businesses or farms as a result of the actions of a public entity in order that such person shall not suffer disproportionate injury as a result of action taken for the benefit of the public as a whole.

(b) In the acquisition of real property by County/Agency, it shall endeavor to ensure consistent and fair treatment for owners of real property to be acquired, to encourage and expedite acquisition by agreement with owners of such property in order to avoid litigation and relieve congestion in courts, and to promote confidence in public land acquisition.

(c) County/Agency shall not participate in or undertake a project that will displace individuals from their homes unless comparable replacement dwellings will be available within a reasonable period of time prior to displacement.

1.4 Prior Determinations

(a) Displacement. County/Agency will not proceed with any phase of a project or other activity which will result in the displacement of any person, business or farm until it makes the following determinations:

(1) Fair and reasonable relocation payments will be provided to eligible persons as required by Article 3 of the HCD Guidelines,

(2) A relocation assistance program offering the services described in Article 2 of the HCD Guidelines will be established.

(3) Eligible persons will be adequately informed of the assistance, benefits, policies, practices and procedures, including grievance procedures, provided for in the HCD Guidelines.

(4) Based upon recent survey and analysis of both the housing needs of persons who will be displaced and available replacement housing and considering competing demands for that housing, comparable replacement dwellings will be available, or provided, if necessary, within a reasonable period of time prior to displacement sufficient in number, size and cost for the eligible persons who require them.

(5) Adequate provisions have been made to provide orderly, timely, and efficient relocation of eligible persons to comparable replacement housing available without regard to race, color, religion, sex, sexual preference, age (over 18), gender, marital status, or national origin with minimum hardship to those affected.

(6) A relocation plan meeting the requirements of section 6038 has been prepared.

(b) Acquisition. County/Agency will not proceed with any phase of a project or any other activity which will result in the acquisition of real property until it determines that with respect to such acquisition and to the greatest extent practicable.

(1) Adequate provisions have been made to be guided by the provisions of Article 6 of the HCD Guidelines, and

(2) Eligible persons will be informed of the pertinent benefits, policies and requirements of the HCD Guidelines.

1.5 Citizen Participation

County will encourage citizen participation in any relocation program or plan, as required by HCD Guideline 6012.

1.6 Prerequisite to Displacement

No person shall be displaced until County/Agency has fulfilled the obligations imposed by the California Relocation Assistance Act, the federal Uniform Relocation Act (when applicable), and Caltrans regulations (when applicable).

Article 2. Relocation Assistance Advisory Program and Assurance of Comparable Replacement Housing

2.1 Purposes

(a) County/Agency intends to provide a relocation assistance advisory program and intends not to cause displacement of any person from his dwelling without adequate notice and unless comparable replacement housing is available.

(b) County/Agency intends its relocation assistance advisory program to satisfy the requirements of the Act, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the Unruh Civil Rights Act, the Rumford Act, and applicable state, federal and local anti-discrimination laws including Santa Cruz County Code Chapter 8.52. Advisory services shall offer maximum assistance to minimize the hardship of displacement and to ensure that (a) all persons displaced from their dwellings are relocated into housing meeting the criteria for comparable replacement housing, and (b) all persons displaced from their places of business or farm operations are assisted in

reestablishing with a minimum of delay and loss of earnings.

2.2 Eligibility

(a) Relocation assistance and benefits shall be available to:

(1) Any person who occupies property from which he will be displaced.

(2) Any person who will move from real property or will move his personal property from real property, because he will be displaced from other real property on which he conducts a business or farm operation.

(3) Any person who is displaced from real property as a direct result of its acquisition by a public entity whether the move is voluntary or involuntary.

(4) Any person who, following the initiation of negotiations by a public entity, is displaced as the direct result of the pending acquisition.

(5) Any person who moves as the result of pending acquisition, rehabilitation or demolition by a public entity either following receipt of a Notice of Intent to Displace or as a result of inducement or encouragement by the public entity, if such person has not previously waived in writing the right to relocation benefits.

(b)(1) Post-acquisition tenants, those who lawfully occupy property only after a public entity acquires it, or who lawfully occupy property after the private acquisition of property by a person with a written agreement with a public entity for the purpose of financing the purchase or development of the property, are not eligible for assistance and benefits other than advisory assistance to the extent determined by the displacing agency.

A public entity shall inform post acquisition tenants regarding the projected date of displacement and, periodically, should inform post acquisition tenants of any changes in this projection.

(2) When the displacement of a post acquisition tenant causes a hardship for that person because of a critical housing shortage, age, handicap, infirmity, lack of financial means or other circumstance, the displacing entity shall provide relocation advisory assistance and, may in its discretion, provide other financial relocation benefits. In such hardship situations a public entity is encouraged to provide advisory assistance and payment for moving expenses.

(3) Where County/Agency, on property it owns, is making housing available on

a permanent basis, a post-acquisition tenant who moves as the result of a written order from the public entity to vacate is eligible for relocation assistance and benefits if the order to vacate is related to a plan to demolish, rehabilitate or change the use of such units.

2.3 Rehabilitation and Demolition

If County/Agency undertakes a rehabilitation or demolition program and as a result a person or business is displaced from privately owned property, the County/Agency shall provide assistance and benefits. If a person or business is displaced by such an undertaking from property acquired by County/Agency, it shall provide the assistance and benefits required by law.

2.4 Relocation Plan

(a) Except for activities which will result in displacement of 15 or fewer households, or an insignificant amount of nonresidential displacement, prior to proceeding with any phase of a project or other activity that will result in displacement County/Agency shall prepare a Relocation Plan. The Relocation Plan shall be prepared as soon as possible following the initiation of negotiations, and shall comply with Title 25, CCR § 6038. The Plan shall be submitted to the Board of Supervisors or to the Board of Directors of the Santa Cruz County Redevelopment Agency, as appropriate, for approval in accordance with HCD Guideline 6038.

2.5 Relocation Assistance Advisory Program

(a) In any relocation assistance advisory program undertaken by County/Agency, it shall:

(1) Fully inform eligible persons under this Article within 60 days following the initiation of negotiations but not later than the close of escrow on the property, for a parcel as to the availability of relocation benefits and assistance and the eligibility requirements therefor, as well as the procedures for obtaining such benefits and assistance, in accordance with the requirements of HCD Guideline 6046. For projects by private parties with an agreement with a public entity, the “initiation of negotiations” shall be the later of the date of acquisition or the date of the written agreement between the private entity and the public entity for purposes of acquiring or developing the property for the project.

(2) Determine the extent of the need of each such eligible person for relocation

assistance in accordance with the requirements of HCD Guideline 6048.

(3) Assure eligible persons that within a reasonable period of time prior to displacement there will be available comparable replacement housing, meeting the criteria described in section 6008(c), sufficient in number and kind for and available to such eligible persons.

(4) Provide current and continuing information on the availability, prices, and rentals of comparable sales and rental housing, and of comparable commercial properties and locations, and as to security deposits, closing costs, typical down payments, interest rates, and terms for residential property in the area.

(5) Assist each eligible person to complete applications for payments and benefits.

(6) Assist each eligible, displaced person to obtain and move to a comparable replacement dwelling.

Only adequate inspection will insure that a particular unit meets this standard. If a displaced person occupies a unit to which he is referred by the public entity and the unit does not satisfy the comparable replacement dwelling standard, the public entity has not fulfilled its obligation to assist the displaced person to obtain such a dwelling. Whenever this occurs the public entity shall offer to locate such a dwelling for the displaced person and to pay again all moving and related expenses. If the displaced person chooses not to move from the unit that he occupied following referral, the public entity shall not assert that he is ineligible to receive relocation assistance and benefits on the basis of that unit's failure to satisfy the comparable replacement dwelling standard.

(7) Assist each eligible person displaced from his business or farm operation in obtaining and becoming established in a suitable replacement location.

(8) Provide any services required to insure that the relocation process does not result in different or separate treatment on account of race, color, religion, national origin, sex, sexual preference, age (over 18), gender, marital status, familial status, or any basis protected by state or federal anti-discrimination laws, or any other arbitrary circumstances.

(9) Supply to such eligible persons information concerning federal and state housing programs, disaster loan and other programs administered by the Small Business Administration, and other federal or state programs, offering assistance to displaced persons.

(10) Provide other advisory assistance to eligible persons in order to minimize their hardships. It is recommended that, as needed, such assistance include counseling and referrals with regard to housing, financing, employment, training, health and welfare, as well as other assistance.

(11) Inform all persons who are expected to be displaced about the eviction policies to be pursued in carrying out the project, which policies shall be in accordance with the provisions of section 5058.

(b) County/Agency shall consider whether it is appropriate and necessary to make County/Agency staff available at times and/or locations other than regular office hours in order to make the advisory program accessible to affected persons.

2.6 Replacement Housing Prior to Displacement and Notices to Displaced Persons

(a) No eligible person shall be required to move from his dwelling unless within a reasonable period of time prior to displacement comparable replacement dwellings or, in the case of a temporary move (as defined in section 6044), adequate replacement dwellings (as defined in subsection (b) below) are available to such person.

(b) The criteria for adequate replacement dwellings are in all respects identical to those for comparable replacement dwellings, except that an adequate replacement dwelling, with respect to the number of rooms, habitable living space and type of construction, need be only adequate not comparable.

(c) Reasonable Offer of Replacement Housing.

The requirements of this section shall be deemed to have been satisfied if a person is offered and refuses without justification reasonable choices of specifically identified comparable replacement dwellings which fully satisfy the criteria set forth in the Guidelines. The offers shall be in writing, in a language understood by the displaced person. The number of offers determined to be reasonable should be not less than three.

(d) Notice.

No eligible person occupying property shall be required to move from a dwelling or to move a business or farm operation, without at least 90 days written notice from the public entity requiring the displacements. Public entities shall notify each individual tenant to be displaced as well as each owner occupant.

(e) Waiver.

The requirement in subsection (a) above may be waived only when immediate possession of real property is of crucial importance and by one of the following circumstances:

(1) When displacement is necessitated by a major disaster as defined in Section 102(2) of the Hazard Mitigation and Relocation Assistance Act of 1993 (42 U.S.C. 5 12 1) and/or the California Natural Disaster Assistance Act.

(2) During periods of declared national or state emergency.

2.7 Temporary Move

(a) County/Agency shall minimize the use of temporary relocation resources to the greatest extent feasible.

(b) When temporary relocation is permissible under HCD Guideline 6044, prior to the move County/Agency shall determine and provide written assurance to each displaced person that:

(1) Comparable replacement housing will be made available at the earliest possible time but in any event no later than 12 months from the date of the move to temporary housing. Temporarily housed persons may agreed to extend the 12 month limitation but, if they do not, the public entity shall ensure that comparable replacement dwellings are available within the 12 month period.

(2) Comparable replacement housing will be made available, on a priority basis, to the individual or family who has been temporarily rehoused.

(3) The move to temporary housing will not affect a claimant's eligibility for a replacement housing payment nor deprive him of the same choice of replacement housing units that would have been made available had the temporary move not been made and the costs of a temporary move will not be considered as all or a part of the relocation payments to which a displaced person is entitled.

(D) If a project plan anticipates moves back into replacement housing accommodations in the project or program area, the person who has been temporarily displaced will be given priority opportunity to obtain such housing accommodations.

(E) The public entity will pay all costs in connection with the move to temporary housing, including increased housing costs.

2.8 Informational Program

County/Agency shall provide for distribution of information in conformance with the requirements of HCD Guideline 6046. The Redevelopment Agency Guidelines adopted on May 23, 1995 will be utilized as appropriate.

2.9 Survey and Analysis of Relocation Needs

Immediately following the initiation of negotiations, County/Agency shall cause a survey to be conducted, and prepare an analysis of needs based thereon, in the manner prescribed by HCD Guidelines 6048 and 6050.

2.10 Survey and Analysis of Available Relocation Resources

Within 60 days following the initiation of negotiations, County/Agency shall initiate a survey and analysis of relocation resources in compliance with HCD Guideline 6052.

2.11 Termination of Relocation Assistance

County/Agency's relocation obligations shall cease in any of the following circumstances:

- (a) A displaced person moves to a comparable replacement dwelling and receives all assistance and payments to which he is entitled.
- (b) The displaced person moves to substandard housing, refuses reasonable offers of additional assistance in moving to a decent, safe and sanitary replacement dwelling and receives all payments to which he is entitled.
- (c) All reasonable efforts to trace a person have failed. Unsuccessful efforts to trace a particular displaced person shall not lessen the obligation to provide last resort housing.
- (d) The business concern or farm operation has received all assistance and payments to which it is entitled and has been successfully relocated or has ceased operations.
- (e) A person displaced from his dwelling, business or farm refuses reasonable offers of assistance, payments and comparable replacement housing.

2.12 Eviction

Eviction through an action for unlawful detainer or other lawful means shall occur only as a last resort, and shall be undertaken by County/Agency only for one or more of the following reasons:

- (1) Failure to pay rent, except in those cases where the failure to pay is due to the lessor's failure to keep the premises in habitable condition, is the result of harassment or retaliatory action or is the result of discontinuation or substantial interruption of services.
- (2) Performance of a dangerous, illegal act in the unit.
- (3) Material breach of the rental agreement and failure to correct breach within 30 days of notice.
- (4) Maintenance of a nuisance and failure to abate within a reasonable time following notice.
- (5) Refusal to accept one of a reasonable number of offers of replacement dwellings.
- (6) The eviction is required by State or local law and cannot be prevented by reasonable efforts on the part of County/Agency.

Article 3. Relocation Payments

3.1 Basic Eligibility Conditions

A person who satisfies the conditions set out at HCD Guideline 6034 establishes his or her basic eligibility for relocation payments by County/Agency. A person who moves from real property or who moves his personal property from real property because he will be displaced from other real property on which he conducts a business or farm operation, establishes eligibility on the basis of the move from such other property only for payments made pursuant to HCD Guideline 6090.

3.2 Notice of Intent to Displace

County/Agency may issue a written Notice of Intent to Displace at any time after forming a reasonable expectation of acquiring real property.

3.3 Filing of Claims

(a) All claims filed with County/Agency shall be submitted within eighteen months of the date on which the claimant receives final payment for the property or the date on which he moves, whichever is later. County/Agency may extend this period upon a proper showing of good cause.

Except where specifically provided otherwise a claimant shall not be required to submit a copy of his tax returns in support of a claim for relocation payments.

(b) Whenever County/Agency rejects a request by a claimant for a waiver of the time limits provided in HCD Guideline 6088, a claimant may file a written request for review of this decision in accordance with the procedures set forth in HCD Guidelines 6156 and 6158, except that such written request for review shall be filed within 90 days of the claimant's receipt of the County/Agency's determination.

3.4 Payments

Payments to eligible persons shall be for the purposes, and in the amounts, required by terms of the California Relocation Assistance Act, the federal Uniform Relocation Act (when applicable), and Caltrans regulations (when applicable), which terms are in effect at the time when displacement activities are undertaken.

Article 4. Last Resort Housing

4.1 Purpose

(a) No eligible person shall be required to move from his dwelling because of the action of County/Agency unless comparable replacement housing is available to him.

(b) If on the basis of data derived from surveys and analyses which satisfy the requirements of HCD Guidelines 6048 and 6052, the County/Agency is unable to demonstrate that comparable replacement housing will be available as required, County/Agency shall determine whether to use its funds or the funds authorized for the project to provide such necessary replacement housing or to modify, suspend or terminate the project or undertaking.

4.2 Replacement Housing Plan

(a) Upon a determination pursuant to 4.1(b) that County/Agency shall provide replacement housing, County/Agency shall proceed pursuant to HCD Guidelines 6 124

and 6126 in developing the plan and obtaining approval and comments.

4.3 Determination of Plan Feasibility and Compliance

(a) Following consideration of the comments, County/Agency shall determine whether or not: the plan is feasible; the plan complies with applicable environmental standards and procedures; and the plan is compatible with the local general plan, housing element, and area wide housing plan or strategy. If any of the foregoing three determinations is negative, County/Agency shall revise the plan pursuant to HCD Guideline 6 128.

(b) Upon matching positive determinations pursuant to (a), County/Agency may proceed to provide, rehabilitate, or construct replacement housing in compliance with HCD Guidelines 6130 - 6138.

4.4 Additional or Alternative Assistance

If comparable replacement dwellings are not available, or are not available within the monetary limits of Government Code sections 7263 and 7264 (as appropriate), additional or alternative assistance shall be provided as described in section 6139.

Article 5. Grievance Procedure

5.1 Right of Review

(a) Any complainant, that is any person who believes himself aggrieved by a determination as to eligibility, the amount of payment, the failure of the County/Agency to provide comparable permanent or adequate temporary replacement housing or the County's/Agency's property management practices may, at his election, have his claim reviewed and reconsidered by the County's/Agency's authorized designee (other than the person who made the determination in question) in accordance with the procedures set forth in this article, as supplemented by the procedures that County/Agency may establish for such review and reconsideration.

(b) A person or organization directly affected by the relocation plan may petition the department to review the final relocation plan of County/Agency to determine if the plan is in compliance with state laws and guidelines or review the implementation of a relocation plan to determine if the County/Agency is acting in compliance with its relocation plan.

5.2 Notification to Claimant

If County/Agency denies or refuses to consider a claim, the notification to the complainant of its determination shall inform the complainant of its reasons and the applicable procedures for obtaining review of the decision.

5.3 Stages of Review

(a) A complainant may request any or all of the following forms of review by County/Agency, subject to the time limits and procedures in HCD Guideline 6 156: (1) Further Written Information, (2) Informal Oral Presentation, and (3) Formal Review and Reconsideration.

(b) Upon receiving a request for formal review and reconsideration, County/Agency shall proceed pursuant to HCD Guideline 6 158.

(c) The procedures set out at sections 6162 - 6174 shall be observed by County/Agency.

5.4 Judicial Review

No complainant may seek judicial review of any matter subject to these regulations without first exhausting the remedies and complying with the procedures prescribed herein to obtain a final administrative decision.

Article 6. Acquisition Policies

6.1 Acquisition Policies

(a) County/Agency shall make every reasonable effort to acquire property by negotiation and to do so expeditiously.

(b) To the greatest extent practicable, County/Agency shall be guided by the practices described in HCD Guidelines 6 182 through 6 194.

6.2 Public Records

A purchase price and other consideration paid by County/Agency is public information, available upon request.

6.3 Service of Notices

Service of any notice pursuant to this Article shall be made either by first class

mail or by personal service upon the person to be notified.