



City of La Quinta

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HOUSING COMMISSION AGENDA

CITY HALL STUDY SESSION ROOM
78-495 Calle Tampico, La Quinta

SPECIAL MEETING
WEDNESDAY, February 15, 2017 AT 6:00 P.M.

CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance

PUBLIC COMMENT

At this time members of the public may address the Commission on any matter not listed on the agenda. Please complete a "Request to Speak" form and limit your comments to three minutes.

CONFIRMATION OF AGENDA

APPROVAL OF MINUTES

1. Approval of the minutes of February 1, 2017

BUSINESS SESSION

1. Review Washington Street Apartments' Draft Relocation Plan

REPORTS AND INFORMATIONAL ITEMS

COMMISSIONER ITEMS

DIRECTOR ITEMS

ADJOURNMENT

The next regular meeting of the La Quinta Housing Commission will be held on April 5, 2017, commencing at 6:00 p.m. at the La Quinta Study Session Room, 78-495 Calle Tampico, La Quinta, CA 92253.

DECLARATION OF POSTING

I, Gilbert Villalpando, Housing Coordinator, of the City of La Quinta, do hereby declare that the foregoing Agenda for the Housing Commission meeting was posted on the City's website, near the entrance to the Council Chambers at 78-495 Calle Tampico, and the bulletin boards at the Stater Brothers Supermarket at 78-630 Highway 111, and the La Quinta Cove Post Office at 51-321 Avenida Bermudas, on February 10, 2017.

DATED: February 10, 2017



Gilbert C. Villalpando, Housing Coordinator
City of La Quinta, California

PUBLIC NOTICES

The La Quinta City Study Session Room is handicapped accessible. If special equipment is needed for the hearing impaired, please call the City Clerk's office at 777-7103, twenty-four (24) hours in advance of the meeting and accommodations will be made.

If special electronic equipment is needed to make presentations to the Commission, arrangements should be made in advance by contacting the City Clerk's office at 777-7103. A one (1) week notice is required.

If background material is to be presented to the Commission during a Housing Commission meeting, please be advised that five (5) copies of all documents, exhibits, etc., must be supplied to the Secretary for distribution. It is requested that this take place prior to the beginning of the meeting.

Any writings or documents provided to a majority of the Commission regarding any item(s) on this agenda will be made available for public inspection at the Community Development Department's counter at City Hall located at 78-495 Calle Tampico, La Quinta, California, 92253, during normal business hours.



— GEM of the DESERT —

HOUSING COMMISSION MINUTES
TUESDAY, FEBRUARY 1, 2017

A regular meeting of the Housing Commission was called to order at 6:00 p.m. by Presiding Officer Susan Maysel’s, City Clerk.

PRESENT: Commission Members Johnson, Long and Rogers

ABSENT: None

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON MATTERS NOT ON AGENDA - None

CONFIRMATION OF AGENDA – Discuss B2 first.

APPROVAL OF MINUTES

Receive and File the minutes of November 6, 2013.

MOTION – Motion passed unanimously.

BUSINESS SESSION

1. Review Washington Street Apartments Draft Relocation Plan

Staff presented a power point showing pictures of existing units that were visited. Jon McMillion from Tall Man Group then explained how the phases would work and explained the rights of the tenants and answered questions from the Commissioners.

The Commission would like to take the time to review the relocation plan before they make any recommendations to the Housing Authority. They would like to meet again in 2 weeks. McMillion suggested that at the Housing Authority meeting of February 7th, it be noted that in the 30 day waiting period it will include the recommendations/comments of the Housing Commission along with public comments.

2. Select the Housing Commission Chairperson and Vice-Chairperson for 2017

MOTION – A motion was made and seconded by Commission Members Johnson/Rogers to select Commission Member Rogers as Chairperson and Commission Member Long as Vice-Chair. Motion passed unanimously.

REPORTS AND INFORMATIONAL ITEMS

Jim Cathcart gave a status update on the City Housing Program

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COMMISSIONER ITEMS

ADJOURNMENT

There being no further business, a motion was made and seconded by Commission Members Long/Johnson to adjourn at 7:04 p.m. Motion passed unanimously.

Respectfully submitted,

Pam Nieto, Deputy City Clerk
City of La Quinta, California

HOUSING COMMISSION MEETING: February 15, 2017

STAFF REPORT

AGENDA TITLE: REVIEW WASHINGTON STREET APARTMENTS DRAFT RELOCATION PLAN

RECOMMENDATION

Recommend draft Relocation Plan for distribution to Washington Street Apartment residents and general public.

EXECUTIVE SUMMARY

- The Housing Authority is planning for the construction and rehabilitation of Washington Street Apartments.
- A draft Relocation Plan (“Plan”) is required to be provided to Washington Street Apartments residents and the general public for a mandatory thirty (30) day review period.
- Health & Safety Code section 34292 provides that the Housing Commission should review and give recommendations prior to Housing Authority taking action on a Plan.
- The Plan was presented to the Housing Authority on February 7, 2017 and the Authority had no additions or recommendations.
- The Plan is back in front of the Housing Commission for review and recommendations. Recommendations from the Commission will be compiled and presented along with any public recommendations during the review period.
- After the mandatory 30 day review period the Housing Authority will be allowed to adopt the Plan as amended and take all actions necessary to implement it, including entering into agreements, spending available funds that lawfully may be used, and delegating staff the ability to take implementing actions subject to Housing Authority Board oversight and / or approval.

FISCAL IMPACT

Implementation will result in an expenditure of up to \$229,680 for relocation costs. Funds are available in the unreserved Housing Authority Project Area fund balance.

BACKGROUND/ANALYSIS

The former La Quinta Redevelopment Agency (RDA) acquired Washington Street Apartments located at 42-800 Washington Street in northwest La Quinta in 2008 for the preservation and rehabilitation of affordable housing. The existing apartments are rented to very-low and low-income senior and disabled adults receiving rental subsidy from the United States Department of Agriculture (USDA)/ Rural Development (RD). The project for both the construction of new units and re-construction of existing units was suspended in 2011 when the State dissolved RDA's.

The Housing Authority now has the necessary fund balances available that when combined with other affordable housing financing sources is sufficient for the implementation of the originally envisioned and now entitled Washington Street Apartment project.

In preparation for the next steps required in the financing of the project, a Plan must be approved and adopted by the Housing Authority Board. This Plan has been prepared to conform to provisions of the Uniform Relocation Assistance and Property Acquisition Policies Act of 1970 (URA) as amended and the State of California Relocation Assistance Guidelines and California Relocation Assistance Law (CRAL).

ALTERNATIVES

Recommend draft Relocation Plan with edits.

Prepared by: Jon McMillen, Development Consultant

ATTACHMENT: 1. Washington Street Apartments' Draft Relocation Plan

WASHINGTON STREET APARTMENTS

42-800 WASHINGTON STREET
LA QUINTA, CA 92253

DRAFT RELOCATION PLAN

LA QUINTA HOUSING AUTHORITY

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I. INTRODUCTION

The La Quinta Housing Authority (“Authority”) is planning for the rehabilitation of Washington Street Apartments located at 42-800 Washington Street in La Quinta, California (the “Property”). The Property was built in the 1980s with financial assistance from the United States Department of Agriculture (USDA) as Rural Development (RD), and is restricted as affordable housing for senior and disabled adults. The USDA, through RD, provides rental assistance to the residents.

In 2008, the former La Quinta Redevelopment Agency (“Agency”) acquired the Property for purposes of preserving and rehabilitating the Property as affordable housing. The Agency’s plans included expanding the Property by constructing new affordable housing units, rehabilitating all of existing 72-apartments, and enhancing and reconfiguring the community center and management offices (the “Project”).

In 2011 the Project was suspended when the California Legislature dissolved all redevelopment agency’s in the State of California, including the Agency. Prior to the dissolution of the Agency, the City of La Quinta (“City”) established the Authority, which now has sufficient funds, when leveraged with other affordable housing financing mechanisms, to carry out the Project, as originally envisioned. The Project consists of the construction of 26 new single story apartments organized within four buildings, a new community building and laundry facilities, rehabilitation of all 72 existing apartments, upgraded infrastructure and improved site work.

In anticipation of implementing the Project, Authority staff and its Relocation Consultant have prepared this draft Relocation Plan (Plan). This Plan evaluates existing and anticipated conditions to determine replacement or temporary housing requirements for residents. This Plan sets forth policies and procedures necessary to conform with statutes and regulations established by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC Chapter 61, Section 4601 et seq.) (“URA”) as amended and the State California Relocation Assistance Law, California Government Code section 7260 et seq. (“CRAL”) and the California Relocation Assistance and Real Property Acquisition Guidelines (Title 25, California Code of Regulations, chapter 6, section 6000 et seq.) (“Guidelines”).

The Project will be constructed in phases as detailed in [Attachment 2](#). This phasing will allow for all residents to remain at the Property during construction and rehabilitation activities. Rehabilitation of individual residential apartments

requiring temporary displacement will not take longer than 3 months from start to finish. Because this timeframe is anticipated to be less than 12 months, and all residents continue to qualify for rental subsidy under the RD program, no permanent relocation offsite is required.

A. ASSESSMENT OF NEEDS

To obtain information for the preparation of this Plan, direct, personal interviews were conducted with households living at Washington Street Apartments. Residents of the Property were provided an overview of the project including construction sequence, schedule, and process. The inquiries made of the households concerned household size, length of occupancy, home language, disabilities and health concerns. The interviews were conducted on-site during December 2016.

Occupancy

There are 72 households encompassed in this Plan, 67 single-person households and 5 two-person households. There are 77 residents in total living in the existing 72 one-bedroom apartments.

Income

The onsite property manager provided income information, which was collected during annual income certification at the Property. All incomes are in compliance with USDA/ Rural Development Section 515 loan standards.

Ethnicity/Language

The residents identified themselves as Caucasian (39), Hispanic (31), African American (4), and Asian (3). The primary language reported by residents is English (65), Spanish (10), and Vietnamese (2). All informational notices have been provided in both Spanish and English and the Vietnamese-speaking residents were provided translation by a family member.

Senior/ Disabled Adult Households

The resident makeup consists of 49 seniors (age 62 and older) and 28 adults with disabilities. Five of the residents will require ADA accessible apartments during their relocation period.

The Project Site

The Project Site is situated on the southeast corner of Washington Street and Hidden River Road in northwest La Quinta. A regional site map is attached to this Plan as **Attachment 1**. A depiction of the Project site is attached to this Plan as **Attachment 2**. The Project Site is located within close proximity to a community park, shopping centers, and grocery stores.

Relocation Area and Location Needs

All temporary relocation will take place on the existing project site in newly constructed or re-constructed units of similar size and configuration of existing apartments. Residents that have accessibility needs will be provided accessible units in close proximity to laundry facilities, parking, community center, and management office.

Matters that would apply to permanent relocation of households off-site have not been addressed in this Plan. Temporary relocation will occur on the Property, in comparably sized, configured and equipped apartments. No permanent relocations are expected.

B. TEMPORARY RELOCATION

Each existing apartment will take approximately sixty (60) days to rehabilitate. Rehabilitation will take place in phases, and during this period when an existing apartment is under construction, the existing apartment will need to be vacated, to ensure that the rehabilitation occurs safely. With moving time and coordination factored in, each resident will need to be relocated for approximately three months.

Each household will be given the opportunity to move into a new or newly re-constructed apartment at the Property. All of the new and rehabilitated apartments will be single story, modern and of similar size as the existing apartments.

Each household will receive moving assistance and payment of all expenses associated with transferring utilities from their existing apartment to the temporary apartment. Residents housing costs will continue to be at their current rent level plus utilities. Should there be additional out of pocket costs, the Authority will pay those costs directly or will reimburse the household.

At the end of the approximately sixty (60) day rehabilitation period, each resident will have the choice to stay in the apartment they have been temporarily occupying, or move back to their original, rehabilitated apartment. If a resident elects to stay in the apartment they have been temporarily occupying, then that apartment will then be considered their permanent residence and the relocation process for that resident will be complete.

If a resident elects to move back to their original, rehabilitated apartment, then that resident will be offered the same assistance they received during the temporary relocation.

C. PROGRAM ASSURANCES AND STANDARDS

Adequate funds are available to accommodate the payment of all required relocation benefits. Services will be provided to ensure that displacement does not result in different or separate treatment of households based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability or any other basis protected by the federal Fair Housing Amendments Act, the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the California Fair Employment & Housing Act, and the Unruh Act, as well as any other arbitrary or unlawful discrimination.

No one will be required to move without 90 days' prior written, notice and unless "comparable" replacement temporary housing can be located and is available. "Comparable" housing includes standards such as: decent, safe, and sanitary (as defined in § 6008(d) of the Guidelines); comparable as to the number of bedrooms, living space, and type and quality of construction of the current unit but not lesser in rooms or living space than necessary to accommodate the displaced households; in an area that does not have unreasonable environmental conditions; not generally less desirable than the current unit with respect to location to schools, employment, health and medical facilities, and other public and commercial facilities and services; and within the financial means of the displaced households as defined in section 6008, subdivision (c)(5) of the Guidelines. The relocation program to be implemented by the Authority conforms to the standards and provisions set forth in Government Code section 7260 et seq., the Guidelines, California Health and Safety Code section 33410 et seq., if applicable, and all other applicable regulations and requirements.

D. RELOCATION ASSISTANCE PROGRAM

Staff is available to assist residents of Washington Street Apartments with questions about relocation and/or assistance in relocating and moving. Jon McMillen, the Relocation Coordinator, can be contacted at (760) 212-2322 from 8:30 am to 5:00 pm, Monday through Friday. A comprehensive relocation assistance program, with technical and advisory assistance, will be provided to all households. Close contact will be maintained with residents during this process. Specific activities will include:

1. Periodic updates and meetings with residents to provide project and schedule updates as well as the latest sequencing and phasing plans.

2. Assistance with completion and filing of relocation claims, packing, moving and utility coordination, and appeals forms, if necessary.

E. CITIZEN PARTICIPATION/PLAN REVIEW

This Plan will be provided to the households and will be made available to the public for the mandatory thirty (30) day review period. Comments to this Plan will be included as a Plan addendum prior to submission for final approval before the Housing Authority. Upon Authority approval, a copy of the approved Plan will be forwarded to the California Department of Housing and Community Development (“HCD”).

F. RELOCATION BENEFIT CATEGORIES

Relocation benefits will be provided in accordance with the URA and the Guidelines, and all other applicable regulations and requirements. Benefits will be provided and or paid upon submission of required claim forms and documentation in accordance with approved procedures. The Authority will provide appropriate benefits for all households as required by law.

Residential Moving Assistance

The subject households will be provided professional packing and moving assistance from a licensed professional mover paid for by the Authority. However, if a resident requests to move themselves, payments will be limited to a “fixed payment” of \$100. Pursuant to the most recent URA, Fixed Residential Moving Cost Schedule moving payments are limited to \$100 when an agency provides all moving services for residents free of charge. The households may select the method of moving and payment as identified below:

Fixed Payment - A fixed payment for moving expenses limited to \$100. The resident is responsible for moving.

- OR -

No Payment – The Authority provides all packing and moving services by a professional mover free of charge.

Additional Assistance

In addition to moving assistance it is anticipated that some residents will require help setting up and transferring utilities, and completing change of address

forms and notices. The Relocation Consultant will provide this assistance as needed and the Authority will pay these costs directly or will reimburse the tenant for out of pocket expense.

G. PAYMENT OF RELOCATION BENEFITS

Relocation benefit payments will be made expeditiously. Claims and supporting documentation for relocation benefits must be filed with the Relocation Coordinator within eighteen (18) months from the final move in date of the claimant. This is defined as the date the resident accepts their temporary apartment as their new permanent residence or moves back into their reconstructed apartment. The Relocation Coordinator will then submit the relocation benefit claim form to the City of La Quinta Finance Department for review and payment, if appropriate. Failure to submit claims within the 18 month period will result in nonpayment of such claims.

The information provided above represents the outside timeline for claims. It is anticipated that all moving services will be provided free of charge by the Authority and all expenses associated with utility transfers or other incidentals will be paid directly by the Authority or reimbursed within 5 business days of receipt of claim by the Authority.

H. APPEALS POLICY

The appeals policy will follow the standards described in section 6150 et seq. of the Guidelines as supplemented by the Authority's approved Grievance Procedures (**See Attachment 3.**). Briefly stated, the relocated households will have the right to ask for a review when there is a complaint regarding any of its rights to relocation and relocation assistance, such as a determination as to eligibility, the amount of payment, or the failure to provide a comparable replacement housing referral. The request for review must be made within eighteen (18) months from: (i) the date the claimant moves; -or- (ii) the date on which final payment is made, whichever is later. Failure to make a timely request for review will result in a denial of the request.

I. PROJECTED DATES FOR RELOCATION

Households will receive 90-day notice before they are required to move. Moving will occur during phase 2 through 4 of the Washington Street Apartments project. Phase 1 of the project will involve the construction of 24 one-bedroom apartments, community building and laundry facilities. Phase 2, 3 and 4 will

WASHINGTON STREET APARTMENTS– DRAFT RELOCATION PLAN

LA QUINTA HOUSING AUTHORITY

entail the reconstruction of existing apartments three buildings (24 units) at a time. Existing units must be vacated prior to re-construction.

WASHINGTON STREET APARTMENTS

PHASING SCHEDULE	2018				2019			
	1ST	2ND	3RD	4TH	1ST	2ND	3RD	4TH
NEW CONSTRUCTION	PHASE 1 NEW CONSTRUCTION							
PHASE 1 REHAB						RELO		
PHASE 2 REHAB							RELO	
PHASE 3 REHAB								RELO

NOTE: Phasing schedule may adjust depending on closing of financing, and construction sequencing. An updated schedule will be maintained at the Washington Street Apartment Management Office.

J. ESTIMATED RELOCATION COST

The following estimates are for budgeting purposes only. These figures should not be interpreted as firm, “not to exceed” or actual costs. These figures are based on the data obtained through occupant interviews, estimated moving costs, and the judgment of the Authority staff. They do not include payments to consultants or to contractors.

Any and all required financial assistance will be provided. The budget estimate is:

Moving Costs:	\$ 180,000
Utility and Incidental:	\$ 28,800
Contingency 10%:	<u>\$ 20,880</u>
TOTAL:	\$ 229,680

With the adoption of the final Relocation Plan the Authority will appropriate funds to cover the aforementioned direct relocation costs plus payment to consultants or contractors. The Authority currently has \$17,453,938 in the Housing Authority Project Area Fund.

ATTACHMENT 1. REGIONAL SITE MAP



ATTACHMENT 2. PROJECT SITE MAP



ATTACHMENT 3: GRIEVANCE PROCESS

LA QUINTA HOUSING AUTHORITY

GRIEVANCE PROCEDURES

Purpose: The purpose of the Grievance Procedures is to attempt to resolve disputes between the claimant and the La Quinta Housing Authority (“Authority”) at the lowest possible administrative level while affording the claimant an opportunity to have a full and fair review of his/her case. Therefore, all relevant evidence should be presented at the lowest level of these proceedings. In any case where such evidence could have been presented at a lower level and the claimant failed to do so, the relevant hearing body may, at its discretion, refer the matter back to the lower level for consideration and determination prior to their considering such evidence. A failure to provide evidence at a lower level of proceedings may prevent the issue or evidence from being further reviewed, including, without limit, in judicial review for failure to exhaust remedies. These procedures are supplemented by and shall be construed to be consistent with HCD Guidelines sections 6150-6176 of Title 25 of the California Code of Regulations.

A. Right of Review

Initial Determination: Any displaced person or business who is not satisfied with a determination as to eligibility, amount of payment, and failure by the Authority to provide comparable permanent or adequate temporary replacement housing or the Authority's property management practices, or not properly applying appropriate regulations, at his/her election, may have his/her claim reviewed and reconsidered by the Authority's relocation consultant in accordance with the following procedures.

To obtain an initial determination from the Authority's relocation consultant, claimant must complete a Relocation Complaint form and submit it to the Authority's relocation consultant and the City Clerk within (540) days from the date he/she moves from the acquired property or receives final compensation for displacement from the property, whichever is later.

The Authority's relocation consultant shall provide the claimant with a full written explanation of the determination and the basis therefore, which explanation shall be provided within three weeks from the date of receipt of the request. The written explanation shall include a statement of claimant's right to seek within ten (10) days further review of his/her claim by either formal or informal review and an explanation of the steps the claimant must take to obtain this review.

The right to an informal oral presentation as provided in section B below or a formal hearing as provided in section C below shall not be conditioned upon first obtaining an initial determination from the Authority's relocation consultant.

B. Informal Oral Presentation

Authority Review: If the claimant feels that the written explanation provided in section A above is incorrect or inadequate, or if the claimant desires to proceed directly to informal review, he/she may request an informal hearing with the City Housing Specialist or Designee ("Specialist").

- (1) To obtain an informal hearing before the Specialist the claimant must request in writing that the Specialist schedule such a hearing. Such written request shall be made (i) within ten (10) days from the date of the written initial determination or, if the claimant does not wish to request an initial determination, (ii) by submitting a Relocation Complaint form within five hundred forty (540) days from the date he/she moves from the acquired property or receives final compensation from the property, whichever is later.
 - (a) Within fifteen (15) days from the date of receipt of claimant's Relocation Complaint form for an informal hearing, he/she will be afforded an opportunity to make an oral presentation, or to request a written review by the Specialist of the relevant documents and written materials submitted by the claimant.
 - (b) The claimant may be represented by an attorney or other person of his/her choosing at the oral presentation hearing (at the cost of the claimant).
 - (c) The Specialist shall prepare a summary of the matters discussed and determinations made during the informal hearing, or written review, and serve a copy thereof upon the claimant.
 - (d) The Specialist shall review and reconsider the determination of the claimant's case in light of:
 - All material upon which the Authority based its original determination including all applicable rules and regulations;
 - The reasons given by the claimant for requesting review and reconsideration of his/her claim;
 - Whatever additional written material has been submitted by the claimant; and

- Any further information which the Specialist may, in his/her discretion, obtain by request, investigation or research, to ensure fair and full review of the claim.
 - The proceedings shall not be bound by any formal rules of evidence.
- (2) The final determination on review by the Specialist shall include, but is not limited to:
- (a) The Authority relocation consultant's initial determination, if applicable;
 - (b) The factual and legal basis upon which the decision is based, including any pertinent explanation or rationale; and
 - (c) A statement of claimant's right to seek within ten (10) days further review of his/her claim by the City Manager and Finance Director and an explanation of the steps the claimant must take to obtain this review.
- (3) The right to a formal hearing as provided in section C below shall not be conditioned upon first obtaining an informal hearing by the Specialist.

C. Request for Formal Review

The City Manager and Finance Director Review: If the claimant feels that the initial determination by the Authority's relocation consultant, the Specialist's determination following the informal oral hearing, or written review by the Specialist is incorrect or inadequate, or if the claimant desires to proceed directly to formal review, he/she may request a formal hearing before the City Manager and City Finance Director, acting as the Appeals Board ("Appeals Board").

To obtain a formal hearing before the Appeals Board the claimant must request in writing that the Specialist schedule such a hearing. Such request shall be made (i) within ten (10) days from the date of the Authority relocation consultant's initial determination, the Specialist's determination following the informal hearing or the Specialist written review or, (ii) if the claimant does not wish to request an informal hearing, within five hundred forty (540) days from the date he/she moves from the acquired property or receives final compensation from the property, whichever is later.

- (1) Within fifteen (15) days from the date of receipt of claimants written request, he/she will be notified of the formal hearing date. If the claimant

requests additional time to prepare material for consideration and shows good cause therefore, the hearing date shall be continued to another date.

- (2) The Appeals Board shall, at the time it gives notice of the formal hearing date, notify the claimant that he/she has the right to be represented by an attorney or others at his/her own expense, to present his/her case by oral or documentary evidence; the right to submit oral or documentary evidence; the right to submit rebuttal evidence to conduct such cross-examination as may be required for full and true disclosure of facts; and the right to seek judicial review after having exhausted all administrative appeal remedies.
- (3) The Appeals Board shall review and reconsider the initial determination and/or the determination made at an informal hearing taking into consideration all material upon which the challenged determination was made, all applicable rules and regulations, the reasons given by the claimant for requesting review, any additional relevant evidence, oral or documentary, submitted by either the claimant or the Authority's representatives. No evidence may be relied upon by the Appeals Board where the claimant has been improperly denied an opportunity to rebut evidence or cross-examine a witness. The proceedings of the Appeals Board shall not be bound by any formal rules of evidence.
- (4) The Appeals Board shall make its determination within six weeks from the date on which the formal hearing is concluded or the date of receipt of the last material submitted, whichever is later.
- (5) The Appeals Board's determination shall be made in writing and shall contain its decision, the factual and legal basis upon which the decision is made and a statement informing the claimant of his/her right to appeal the decision to the Authority Board as provided below.
- (6) The claimant shall be promptly served with a copy of the Appeals Board's determination.

Review by Housing Authority. Any person who believes himself/herself to be aggrieved by any final decision of the Appeals Board may, within ten (10) days after that date on the Appeal Board's notice of such ruling or act, appeal the Appeals Board's determination to the Housing Authority Board of Directors (the "Authority") by filing with the City Housing Specialist a written statement of the rulings or acts complained of and the reasons for taking such appeal. The Specialist shall thereupon refer such appeal to the Secretary of the Authority and to the Authority for consideration at its next regular meeting, and the Authority shall thereupon fix a time for the hearing of said matter, which time shall be not less than thirty (30) days from the time said appeal is presented to the Authority by the Specialist. On the date thus fixed, or on the date to which said hearing shall have been continued, the

Authority shall proceed to hear and consider the evidence relating to said matter and shall make and enter on its minutes its final determination therein. The Authority may confirm, modify or set aside the findings of the Appeals Board, and the Authority's determination in the matter shall be final and conclusive. No proceeding or action shall lie against the City, the Authority, the City Housing Specialist, the City Manager, the Finance Director or any member thereof, nor against any officer, agent or employee of the Authority or City, to review or enjoin the enforcement of a determination or order of the Authority made pursuant hereto, or to recover monetary compensation not consistent with a determination or order on behalf of the Authority, unless such action is commenced within ninety days (90) from and after service of notice of the findings and final determination of the Authority. Notice of the final determination of the Authority shall be served by the City Housing Specialist upon the person, or persons, taking the appeal. The effect of any determination from the City Housing Specialist or Appeals Board from which an appeal is taken as herein provided shall be suspended and of no force or effect until such appeal is fully determined by the Authority.

The claimant shall be deemed to have exhausted his/her administrative remedies upon filing timely appeals and the Authority taking action upon his/her complaint.

D. Time Limits

General: The City Housing Specialist may extend any of the time limits as permitted by HCD Guidelines section 6162 upon a showing of good cause; provided, however, that the time periods established by these Grievance Procedures within which to timely appeal a decision from a lower body shall not be extended. Any refusal to waive a time limit may be reviewed in accordance with the procedures set forth in Section C above; provided, however, any request to review shall be made within thirty (30) days from the date of receipt by claimant of written notice that the request to extend time has been denied.

E. Review of Files By Claimant

The claimant may inspect all files and records bearing upon his/her claim or the prosecution of the claimant's grievance, except to the extent the confidentiality of the material sought or the disclosure thereof is protected or prohibited by law.

F. Effect of Determination

Determinations made by the Authority Board pursuant to the paragraph entitled "Review by Housing Authority" in section C shall be applicable to all eligible persons in similar situations regardless of whether any such eligible person seeks a review. All written determinations shall be filed in the records of the Authority and available for public inspection.

G. Right to Counsel

Any claimant has the right to be represented by an attorney at his/her expense at any and all stages of the proceedings set forth in this Article.

H. Stay of Displacement Pending Review

If claimant seeks to prevent displacement, the Authority shall not require the claimant to move until at least 20 days after it has made a determination and the claimant has had an opportunity to seek judicial review. In all cases the Authority shall notify the claimant in writing 20 days prior to the proposed new date of displacement.

I. Further Review

If the Authority denies the eligibility of a claimant for a payment, or disapproves the full amount claimed, or refuses to consider the claim on its merits because of untimely filing, or any other ground, the Authority's notification to the claimant of its determination shall inform the claimant of its reasons therefore, and shall also inform the claimant of the applicable procedures for obtaining further review of this determination.

These regulations prescribe the La Quinta Housing Authority's procedures for granting administrative relief to any person aggrieved by a determination as to eligibility for a payment authorized by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the State of California Government Code Section 7260, et. seq., with regard to the obligation of the Authority to refer such person to an adequate replacement dwelling or to any person aggrieved by a determination as to eligibility for a payment authorized by the above legislation to provide the opportunity for his/her application to be reviewed by the appropriate department responsible for administering such payments.

WASHINGTON STREET APARTMENTS

42-800 WASHINGTON STREET
LA QUINTA, CA 92253

DRAFT RELOCATION PLAN

LA QUINTA HOUSING AUTHORITY

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I. INTRODUCTION

The La Quinta Housing Authority (“Authority”) is planning for the rehabilitation of Washington Street Apartments located at 42-800 Washington Street in La Quinta, California (the “Property”). The Property was built in the 1980s with financial assistance from the United States Department of Agriculture (USDA) as Rural Development (RD), and is restricted as affordable housing for senior and disabled adults. The USDA, through RD, provides rental assistance to the residents.

In 2008, the former La Quinta Redevelopment Agency (“Agency”) acquired the Property for purposes of preserving and rehabilitating the Property as affordable housing. The Agency’s plans included expanding the Property by constructing new affordable housing units, rehabilitating all of existing 72-apartments, and enhancing and reconfiguring the community center and management offices (the “Project”).

In 2011 the Project was suspended when the California Legislature dissolved all redevelopment agency’s in the State of California, including the Agency. Prior to the dissolution of the Agency, the City of La Quinta (“City”) established the Authority, which now has sufficient funds, when leveraged with other affordable housing financing mechanisms, to carry out the Project, as originally envisioned. The Project consists of the construction of 26 new single story apartments organized within four buildings, a new community building and laundry facilities, rehabilitation of all 72 existing apartments, upgraded infrastructure and improved site work.

In anticipation of implementing the Project, Authority staff and its Relocation Consultant have prepared this draft Relocation Plan (Plan). This Plan evaluates existing and anticipated conditions to determine replacement or temporary housing requirements for residents. This Plan sets forth policies and procedures necessary to conform with statutes and regulations established by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC Chapter 61, Section 4601 et seq.) (“URA”) as amended and the State California Relocation Assistance Law, California Government Code section 7260 et seq. (“CRAL”) and the California Relocation Assistance and Real Property Acquisition Guidelines (Title 25, California Code of Regulations, chapter 6, section 6000 et seq.) (“Guidelines”).

The Project will be constructed in phases as detailed in [Attachment 2](#). This phasing will allow for all residents to remain at the Property during construction and rehabilitation activities. Rehabilitation of individual residential apartments

requiring temporary displacement will not take longer than 3 months from start to finish. Because this timeframe is anticipated to be less than 12 months, and all residents continue to qualify for rental subsidy under the RD program, no permanent relocation offsite is required.

A. ASSESSMENT OF NEEDS

To obtain information for the preparation of this Plan, direct, personal interviews were conducted with households living at Washington Street Apartments. Residents of the Property were provided an overview of the project including construction sequence, schedule, and process. The inquiries made of the households concerned household size, length of occupancy, home language, disabilities and health concerns. The interviews were conducted on-site during December 2016.

Occupancy

There are 72 households encompassed in this Plan, 67 single-person households and 5 two-person households. There are 77 residents in total living in the existing 72 one-bedroom apartments.

Income

The onsite property manager provided income information, which was collected during annual income certification at the Property. All incomes are in compliance with USDA/ Rural Development Section 515 loan standards.

Ethnicity/Language

The residents identified themselves as Caucasian (39), Hispanic (31), African American (4), and Asian (3). The primary language reported by residents is English (65), Spanish (10), and Vietnamese (2). All informational notices have been provided in both Spanish and English and the Vietnamese-speaking residents were provided translation by a family member.

Senior/ Disabled Adult Households

The resident makeup consists of 49 seniors (age 62 and older) and 28 adults with disabilities. Five of the residents will require ADA accessible apartments during their relocation period.

The Project Site

The Project Site is situated on the southeast corner of Washington Street and Hidden River Road in northwest La Quinta. A regional site map is attached to this Plan as **Attachment 1**. A depiction of the Project site is attached to this Plan as **Attachment 2**. The Project Site is located within close proximity to a community park, shopping centers, and grocery stores.

Relocation Area and Location Needs

All temporary relocation will take place on the existing project site in newly constructed or re-constructed units of similar size and configuration of existing apartments. Residents that have accessibility needs will be provided accessible units in close proximity to laundry facilities, parking, community center, and management office.

Matters that would apply to permanent relocation of households off-site have not been addressed in this Plan. Temporary relocation will occur on the Property, in comparably sized, configured and equipped apartments. No permanent relocations are expected.

B. TEMPORARY RELOCATION

Each existing apartment will take approximately sixty (60) days to rehabilitate. Rehabilitation will take place in phases, and during this period when an existing apartment is under construction, the existing apartment will need to be vacated, to ensure that the rehabilitation occurs safely. With moving time and coordination factored in, each resident will need to be relocated for approximately three months.

Each household will be given the opportunity to move into a new or newly re-constructed apartment at the Property. All of the new and rehabilitated apartments will be single story, modern and of similar size as the existing apartments.

Each household will receive moving assistance and payment of all expenses associated with transferring utilities from their existing apartment to the temporary apartment. Residents housing costs will continue to be at their current rent level plus utilities. Should there be additional out of pocket costs, the Authority will pay those costs directly or will reimburse the household.

At the end of the approximately sixty (60) day rehabilitation period, each resident will have the choice to stay in the apartment they have been temporarily occupying, or move back to their original, rehabilitated apartment. If a resident elects to stay in the apartment they have been temporarily occupying, then that apartment will then be considered their permanent residence and the relocation process for that resident will be complete.

If a resident elects to move back to their original, rehabilitated apartment, then that resident will be offered the same assistance they received during the temporary relocation.

C. PROGRAM ASSURANCES AND STANDARDS

Adequate funds are available to accommodate the payment of all required relocation benefits. Services will be provided to ensure that displacement does not result in different or separate treatment of households based on race, nationality, color, religion, national origin, sex, marital status, familial status, disability or any other basis protected by the federal Fair Housing Amendments Act, the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, the California Fair Employment & Housing Act, and the Unruh Act, as well as any other arbitrary or unlawful discrimination.

No one will be required to move without 90 days' prior written, notice and unless "comparable" replacement temporary housing can be located and is available. "Comparable" housing includes standards such as: decent, safe, and sanitary (as defined in § 6008(d) of the Guidelines); comparable as to the number of bedrooms, living space, and type and quality of construction of the current unit but not lesser in rooms or living space than necessary to accommodate the displaced households; in an area that does not have unreasonable environmental conditions; not generally less desirable than the current unit with respect to location to schools, employment, health and medical facilities, and other public and commercial facilities and services; and within the financial means of the displaced households as defined in section 6008, subdivision (c)(5) of the Guidelines. The relocation program to be implemented by the Authority conforms to the standards and provisions set forth in Government Code section 7260 et seq., the Guidelines, California Health and Safety Code section 33410 et seq., if applicable, and all other applicable regulations and requirements.

D. RELOCATION ASSISTANCE PROGRAM

Staff is available to assist residents of Washington Street Apartments with questions about relocation and/or assistance in relocating and moving. Jon McMillen, the Relocation Coordinator, can be contacted at (760) 212-2322 from 8:30 am to 5:00 pm, Monday through Friday. A comprehensive relocation assistance program, with technical and advisory assistance, will be provided to all households. Close contact will be maintained with residents during this process. Specific activities will include:

1. Periodic updates and meetings with residents to provide project and schedule updates as well as the latest sequencing and phasing plans.

2. Assistance with completion and filing of relocation claims, packing, moving and utility coordination, and appeals forms, if necessary.

E. CITIZEN PARTICIPATION/PLAN REVIEW

This Plan will be provided to the households and will be made available to the public for the mandatory thirty (30) day review period. Comments to this Plan will be included as a Plan addendum prior to submission for final approval before the Housing Authority. Upon Authority approval, a copy of the approved Plan will be forwarded to the California Department of Housing and Community Development (“HCD”).

F. RELOCATION BENEFIT CATEGORIES

Relocation benefits will be provided in accordance with the URA and the Guidelines, and all other applicable regulations and requirements. Benefits will be provided and or paid upon submission of required claim forms and documentation in accordance with approved procedures. The Authority will provide appropriate benefits for all households as required by law.

Residential Moving Assistance

The subject households will be provided professional packing and moving assistance from a licensed professional mover paid for by the Authority. However, if a resident requests to move themselves, payments will be limited to a “fixed payment” of \$100. Pursuant to the most recent URA, Fixed Residential Moving Cost Schedule moving payments are limited to \$100 when an agency provides all moving services for residents free of charge. The households may select the method of moving and payment as identified below:

Fixed Payment - A fixed payment for moving expenses limited to \$100. The resident is responsible for moving.

- OR -

No Payment – The Authority provides all packing and moving services by a professional mover free of charge.

Additional Assistance

In addition to moving assistance it is anticipated that some residents will require help setting up and transferring utilities, and completing change of address

forms and notices. The Relocation Consultant will provide this assistance as needed and the Authority will pay these costs directly or will reimburse the tenant for out of pocket expense.

G. PAYMENT OF RELOCATION BENEFITS

Relocation benefit payments will be made expeditiously. Claims and supporting documentation for relocation benefits must be filed with the Relocation Coordinator within eighteen (18) months from the final move in date of the claimant. This is defined as the date the resident accepts their temporary apartment as their new permanent residence or moves back into their reconstructed apartment. The Relocation Coordinator will then submit the relocation benefit claim form to the City of La Quinta Finance Department for review and payment, if appropriate. Failure to submit claims within the 18 month period will result in nonpayment of such claims.

The information provided above represents the outside timeline for claims. It is anticipated that all moving services will be provided free of charge by the Authority and all expenses associated with utility transfers or other incidentals will be paid directly by the Authority or reimbursed within 5 business days of receipt of claim by the Authority.

H. APPEALS POLICY

The appeals policy will follow the standards described in section 6150 et seq. of the Guidelines as supplemented by the Authority's approved Grievance Procedures (**See Attachment 3.**). Briefly stated, the relocated households will have the right to ask for a review when there is a complaint regarding any of its rights to relocation and relocation assistance, such as a determination as to eligibility, the amount of payment, or the failure to provide a comparable replacement housing referral. The request for review must be made within eighteen (18) months from: (i) the date the claimant moves; -or- (ii) the date on which final payment is made, whichever is later. Failure to make a timely request for review will result in a denial of the request.

I. PROJECTED DATES FOR RELOCATION

Households will receive 90-day notice before they are required to move. Moving will occur during phase 2 through 4 of the Washington Street Apartments project. Phase 1 of the project will involve the construction of 24 one-bedroom apartments, community building and laundry facilities. Phase 2, 3 and 4 will

WASHINGTON STREET APARTMENTS– DRAFT RELOCATION PLAN

LA QUINTA HOUSING AUTHORITY

entail the reconstruction of existing apartments three buildings (24 units) at a time. Existing units must be vacated prior to re-construction.

WASHINGTON STREET APARTMENTS

PHASING SCHEDULE	2018				2019			
	1ST	2ND	3RD	4TH	1ST	2ND	3RD	4TH
NEW CONSTRUCTION	PHASE 1 NEW CONSTRUCTION							
PHASE 1 REHAB						RELO		
PHASE 2 REHAB							RELO	
PHASE 3 REHAB								RELO

NOTE: Phasing schedule may adjust depending on closing of financing, and construction sequencing. An updated schedule will be maintained at the Washington Street Apartment Management Office.

J. ESTIMATED RELOCATION COST

The following estimates are for budgeting purposes only. These figures should not be interpreted as firm, “not to exceed” or actual costs. These figures are based on the data obtained through occupant interviews, estimated moving costs, and the judgment of the Authority staff. They do not include payments to consultants or to contractors.

Any and all required financial assistance will be provided. The budget estimate is:

Moving Costs:	\$ 180,000
Utility and Incidental:	\$ 28,800
Contingency 10%:	<u>\$ 20,880</u>
TOTAL:	\$ 229,680

With the adoption of the final Relocation Plan the Authority will appropriate funds to cover the aforementioned direct relocation costs plus payment to consultants or contractors. The Authority currently has \$17,453,938 in the Housing Authority Project Area Fund.

ATTACHMENT 1. REGIONAL SITE MAP



ATTACHMENT 3: GRIEVANCE PROCESS

LA QUINTA HOUSING AUTHORITY

GRIEVANCE PROCEDURES

Purpose: The purpose of the Grievance Procedures is to attempt to resolve disputes between the claimant and the La Quinta Housing Authority (“Authority”) at the lowest possible administrative level while affording the claimant an opportunity to have a full and fair review of his/her case. Therefore, all relevant evidence should be presented at the lowest level of these proceedings. In any case where such evidence could have been presented at a lower level and the claimant failed to do so, the relevant hearing body may, at its discretion, refer the matter back to the lower level for consideration and determination prior to their considering such evidence. A failure to provide evidence at a lower level of proceedings may prevent the issue or evidence from being further reviewed, including, without limit, in judicial review for failure to exhaust remedies. These procedures are supplemented by and shall be construed to be consistent with HCD Guidelines sections 6150-6176 of Title 25 of the California Code of Regulations.

A. Right of Review

Initial Determination: Any displaced person or business who is not satisfied with a determination as to eligibility, amount of payment, and failure by the Authority to provide comparable permanent or adequate temporary replacement housing or the Authority's property management practices, or not properly applying appropriate regulations, at his/her election, may have his/her claim reviewed and reconsidered by the Authority's relocation consultant in accordance with the following procedures.

To obtain an initial determination from the Authority's relocation consultant, claimant must complete a Relocation Complaint form and submit it to the Authority's relocation consultant and the City Clerk within (540) days from the date he/she moves from the acquired property or receives final compensation for displacement from the property, whichever is later.

The Authority's relocation consultant shall provide the claimant with a full written explanation of the determination and the basis therefore, which explanation shall be provided within three weeks from the date of receipt of the request. The written explanation shall include a statement of claimant's right to seek within ten (10) days further review of his/her claim by either formal or informal review and an explanation of the steps the claimant must take to obtain this review.

The right to an informal oral presentation as provided in section B below or a formal hearing as provided in section C below shall not be conditioned upon first obtaining an initial determination from the Authority's relocation consultant.

B. Informal Oral Presentation

Authority Review: If the claimant feels that the written explanation provided in section A above is incorrect or inadequate, or if the claimant desires to proceed directly to informal review, he/she may request an informal hearing with the City Housing Specialist or Designee ("Specialist").

- (1) To obtain an informal hearing before the Specialist the claimant must request in writing that the Specialist schedule such a hearing. Such written request shall be made (i) within ten (10) days from the date of the written initial determination or, if the claimant does not wish to request an initial determination, (ii) by submitting a Relocation Complaint form within five hundred forty (540) days from the date he/she moves from the acquired property or receives final compensation from the property, whichever is later.
 - (a) Within fifteen (15) days from the date of receipt of claimant's Relocation Complaint form for an informal hearing, he/she will be afforded an opportunity to make an oral presentation, or to request a written review by the Specialist of the relevant documents and written materials submitted by the claimant.
 - (b) The claimant may be represented by an attorney or other person of his/her choosing at the oral presentation hearing (at the cost of the claimant).
 - (c) The Specialist shall prepare a summary of the matters discussed and determinations made during the informal hearing, or written review, and serve a copy thereof upon the claimant.
 - (d) The Specialist shall review and reconsider the determination of the claimant's case in light of:
 - All material upon which the Authority based its original determination including all applicable rules and regulations;
 - The reasons given by the claimant for requesting review and reconsideration of his/her claim;
 - Whatever additional written material has been submitted by the claimant; and

- Any further information which the Specialist may, in his/her discretion, obtain by request, investigation or research, to ensure fair and full review of the claim.
 - The proceedings shall not be bound by any formal rules of evidence.
- (2) The final determination on review by the Specialist shall include, but is not limited to:
- (a) The Authority relocation consultant's initial determination, if applicable;
 - (b) The factual and legal basis upon which the decision is based, including any pertinent explanation or rationale; and
 - (c) A statement of claimant's right to seek within ten (10) days further review of his/her claim by the City Manager and Finance Director and an explanation of the steps the claimant must take to obtain this review.
- (3) The right to a formal hearing as provided in section C below shall not be conditioned upon first obtaining an informal hearing by the Specialist.

C. Request for Formal Review

The City Manager and Finance Director Review: If the claimant feels that the initial determination by the Authority's relocation consultant, the Specialist's determination following the informal oral hearing, or written review by the Specialist is incorrect or inadequate, or if the claimant desires to proceed directly to formal review, he/she may request a formal hearing before the City Manager and City Finance Director, acting as the Appeals Board ("Appeals Board").

To obtain a formal hearing before the Appeals Board the claimant must request in writing that the Specialist schedule such a hearing. Such request shall be made (i) within ten (10) days from the date of the Authority relocation consultant's initial determination, the Specialist's determination following the informal hearing or the Specialist written review or, (ii) if the claimant does not wish to request an informal hearing, within five hundred forty (540) days from the date he/she moves from the acquired property or receives final compensation from the property, whichever is later.

- (1) Within fifteen (15) days from the date of receipt of claimants written request, he/she will be notified of the formal hearing date. If the claimant

requests additional time to prepare material for consideration and shows good cause therefore, the hearing date shall be continued to another date.

- (2) The Appeals Board shall, at the time it gives notice of the formal hearing date, notify the claimant that he/she has the right to be represented by an attorney or others at his/her own expense, to present his/her case by oral or documentary evidence; the right to submit oral or documentary evidence; the right to submit rebuttal evidence to conduct such cross-examination as may be required for full and true disclosure of facts; and the right to seek judicial review after having exhausted all administrative appeal remedies.
- (3) The Appeals Board shall review and reconsider the initial determination and/or the determination made at an informal hearing taking into consideration all material upon which the challenged determination was made, all applicable rules and regulations, the reasons given by the claimant for requesting review, any additional relevant evidence, oral or documentary, submitted by either the claimant or the Authority's representatives. No evidence may be relied upon by the Appeals Board where the claimant has been improperly denied an opportunity to rebut evidence or cross-examine a witness. The proceedings of the Appeals Board shall not be bound by any formal rules of evidence.
- (4) The Appeals Board shall make its determination within six weeks from the date on which the formal hearing is concluded or the date of receipt of the last material submitted, whichever is later.
- (5) The Appeals Board's determination shall be made in writing and shall contain its decision, the factual and legal basis upon which the decision is made and a statement informing the claimant of his/her right to appeal the decision to the Authority Board as provided below.
- (6) The claimant shall be promptly served with a copy of the Appeals Board's determination.

Review by Housing Authority. Any person who believes himself/herself to be aggrieved by any final decision of the Appeals Board may, within ten (10) days after that date on the Appeal Board's notice of such ruling or act, appeal the Appeals Board's determination to the Housing Authority Board of Directors (the "Authority") by filing with the City Housing Specialist a written statement of the rulings or acts complained of and the reasons for taking such appeal. The Specialist shall thereupon refer such appeal to the Secretary of the Authority and to the Authority for consideration at its next regular meeting, and the Authority shall thereupon fix a time for the hearing of said matter, which time shall be not less than thirty (30) days from the time said appeal is presented to the Authority by the Specialist. On the date thus fixed, or on the date to which said hearing shall have been continued, the

Authority shall proceed to hear and consider the evidence relating to said matter and shall make and enter on its minutes its final determination therein. The Authority may confirm, modify or set aside the findings of the Appeals Board, and the Authority's determination in the matter shall be final and conclusive. No proceeding or action shall lie against the City, the Authority, the City Housing Specialist, the City Manager, the Finance Director or any member thereof, nor against any officer, agent or employee of the Authority or City, to review or enjoin the enforcement of a determination or order of the Authority made pursuant hereto, or to recover monetary compensation not consistent with a determination or order on behalf of the Authority, unless such action is commenced within ninety days (90) from and after service of notice of the findings and final determination of the Authority. Notice of the final determination of the Authority shall be served by the City Housing Specialist upon the person, or persons, taking the appeal. The effect of any determination from the City Housing Specialist or Appeals Board from which an appeal is taken as herein provided shall be suspended and of no force or effect until such appeal is fully determined by the Authority.

The claimant shall be deemed to have exhausted his/her administrative remedies upon filing timely appeals and the Authority taking action upon his/her complaint.

D. Time Limits

General: The City Housing Specialist may extend any of the time limits as permitted by HCD Guidelines section 6162 upon a showing of good cause; provided, however, that the time periods established by these Grievance Procedures within which to timely appeal a decision from a lower body shall not be extended. Any refusal to waive a time limit may be reviewed in accordance with the procedures set forth in Section C above; provided, however, any request to review shall be made within thirty (30) days from the date of receipt by claimant of written notice that the request to extend time has been denied.

E. Review of Files By Claimant

The claimant may inspect all files and records bearing upon his/her claim or the prosecution of the claimant's grievance, except to the extent the confidentiality of the material sought or the disclosure thereof is protected or prohibited by law.

F. Effect of Determination

Determinations made by the Authority Board pursuant to the paragraph entitled "Review by Housing Authority" in section C shall be applicable to all eligible persons in similar situations regardless of whether any such eligible person seeks a review. All written determinations shall be filed in the records of the Authority and available for public inspection.

G. Right to Counsel

Any claimant has the right to be represented by an attorney at his/her expense at any and all stages of the proceedings set forth in this Article.

H. Stay of Displacement Pending Review

If claimant seeks to prevent displacement, the Authority shall not require the claimant to move until at least 20 days after it has made a determination and the claimant has had an opportunity to seek judicial review. In all cases the Authority shall notify the claimant in writing 20 days prior to the proposed new date of displacement.

I. Further Review

If the Authority denies the eligibility of a claimant for a payment, or disapproves the full amount claimed, or refuses to consider the claim on its merits because of untimely filing, or any other ground, the Authority's notification to the claimant of its determination shall inform the claimant of its reasons therefore, and shall also inform the claimant of the applicable procedures for obtaining further review of this determination.

These regulations prescribe the La Quinta Housing Authority's procedures for granting administrative relief to any person aggrieved by a determination as to eligibility for a payment authorized by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the State of California Government Code Section 7260, et. seq., with regard to the obligation of the Authority to refer such person to an adequate replacement dwelling or to any person aggrieved by a determination as to eligibility for a payment authorized by the above legislation to provide the opportunity for his/her application to be reviewed by the appropriate department responsible for administering such payments.