

## Memorandum

Date: June 3, 2024

To: Statewide Real Estate Services and Mega Programs

From: Danny Johnson, Relocation Program Manager  
Headquarters Real Estate Services

Subject: 49 CFR Part 24 Final Rule - Relocation Implementation Phase 1

The purpose of this memorandum is to provide preliminary guidance on implementing several amendments to the Uniform Relocation Act resulting from changes published in the final rule. These regulatory changes go into effect June 3, 2024. This memo only addresses portions of 49 CFR 24 related to the Relocation Assistance Program and serves to update WSDOT's Right of Way Manual related to the same.

The revisions are prompted by enactment of the Moving Ahead for Progress in the 21st Century Act (MAP-21), which increased statutory relocation benefits and reduced length of occupancy requirements. This memo updates existing procedures on the use of those provisions. The FHWA is also updating the Uniform Act regulations in response to comments received during the rulemaking's public comment period and to reflect the FHWA's experience with the Federal-aid highway program since the last comprehensive rulemaking for the part, which occurred in 2005.

The benefits of the FHWA changes primarily relate to improved equity and fairness to persons that are displaced from their properties or that move as a result of Federal projects or projects receiving Federal funds.

The final rule amended the below monetary benefits:

- Rental Supplement - \$9,570 (previously \$7,200)
- Purchase Price Differential - \$41,200 (previously \$31,000)
- Fixed Payment for Business - \$53,200 (previously \$40,000)
- Reestablishment - \$33,200 federal limit. **WA Limit of \$50,000 still effective**
- \$5,000 - Site Searching (previously \$2,500)

- **New:** moving expense entitlement to reimburse residential tenants only. This new entitlement reimburses actual costs for rental replacement dwelling application expenses and credit report fees up to \$1,000.

Property owners, tenants, and other displaced persons are entitled to the benefits and protections in effect as of the date of the initiation of negotiations (ION) for the parcel in question. The ION is the date that the initial written offer of just compensation is delivered by WSDOT to the owner or owner's representative to purchase the real property for the project, as per 49 CFR § 24.2(a), Initiation of Negotiations.

For projects underway as of the effective date for the final rule (June 3, 2024), the applicability of the new rule is as follows:

- If the ION occurred before the effective date of the final rule (June 3, 2024), property owners, tenants, and other displaced persons are entitled to benefits under the regulation in effect as of the date of the ION.
- If the ION occurs on or after the effective date of the final rule (June 3, 2024), property owners, tenants, and other displaced persons from that parcel are entitled to the benefits and protections contained in the final rule.

There are many additional changes to the Relocation Assistance Program resulting from the final rule that are not addressed in this memo. Until applicable policy is created, regions are directed to follow current policies with the exception of the monetary adjustments noted above.

To accommodate pre and post final rule displacements, the relocation forms and brochures are separated into the following:

1. Current WAC Forms and Brochures (all unchanged)
2. Final Rule 49 CFR 24 Forms and Brochures (21 forms and 2 brochures are updated to reflect the revised monetary limits, described above, and to mirror the new language adopted in the final rule)

You can find all forms and brochures on the Relocation Workspace page by selecting the relocation type and following the prompts. This will direct you to the right versions to use.

The redline versions of all changes can be found in the Relocation Workspace page under Final Rule Information.