

WAC 468-100-301 Payment for actual reasonable moving and related expenses. (1) General.

(a) Any owner-occupant or tenant who qualifies as a displaced person (defined at WAC 468-100-002(9)) and who moves from a dwelling (including a mobile home) or who moves from a business, farm or non-profit organization is entitled to payment of his or her actual moving and related expenses, as the agency determines to be reasonable and necessary.

(b) A nonoccupant owner of a rented mobile home is eligible for actual cost reimbursement under this section to relocate the mobile home. If the mobile home is not acquired as real estate, but the homeowner-occupant obtains a replacement housing payment under one of the circumstances described in WAC 468-100-502 (1)(c), the homeowner-occupant is not eligible for payment for moving the mobile home, but may be eligible for a payment for moving personal property from the mobile home.

(2) **Moves from a dwelling.** A displaced person's actual, reasonable and necessary moving expenses for moving personal property from a dwelling may be determined based on the cost of one, or a combination of the following methods: Eligible expenses for moves from a dwelling include the expenses described in subsection (7)(a) through (g) of this section. Self-moves based on the lower of two bids or estimates are not eligible for reimbursement under this section.

(a) Commercial move - Moves performed by a professional mover.

(b) Self-move - Moves that may be performed by the displaced person in one or a combination of the following methods:

(i) Fixed residential moving cost schedule (described in WAC 468-100-302).

(ii) Actual cost move. Supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the cost paid by a commercial mover. Equipment rental fees should be based on the actual cost of renting the equipment but not exceed the cost paid by a commercial mover.

(3) **Moves from a mobile home.** A displaced person's actual, reasonable and necessary moving expenses for moving personal property from a mobile home may be determined based on the cost of one, or a combination of the following methods: Self-moves based on the lower of two bids or estimates are not eligible for reimbursement under this section. Eligible expenses for moves from a mobile home include those expenses described in subsection (7)(a) through (g) of this section (however, if the mobile home is not acquired but the owner obtains a replacement housing payment under one of the circumstances described in WAC 468-100-502, the owner is not eligible for payment for moving the mobile home). In addition to the items in subsection (1) of this section, the owner-occupant of a mobile home that is moved as personal property and used as the person's replacement dwelling, is also eligible for the moving expenses described in subsection (7)(h) through (j) of this section.

(a) Commercial move - Moves performed by a professional mover.

(b) Self-move - Moves that may be performed by the displaced person in one or a combination of the following methods:

(i) Fixed residential moving cost schedule (described in WAC 468-100-302).

(ii) Actual cost move. Supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the cost paid by a commercial mover. Equipment rental fees should be based on the actual

cost of renting the equipment but not exceed the cost paid by a commercial mover.

(4) **Moves from a business, farm or nonprofit organization.** Personal property as determined by an inventory from a business, farm or nonprofit organization may be moved by one or a combination of the following methods: Eligible expenses for moves from a business, farm or nonprofit organization include those expenses described in subsection (7)(a) through (g) of this section and subsection (7)(k) through (r) of this section and WAC 468-100-303.

(a) Commercial move. Based on the lower of two bids or estimates prepared by a commercial mover. At the agency's discretion, payment for a low-cost or uncomplicated move may be based on a single bid or estimate.

(b) Self-move. A self-move payment may be based on one or a combination of the following:

(i) The lower of two bids or estimates prepared by a commercial mover or qualified agency staff person. At the agency's discretion, payment for a low-cost or uncomplicated move may be based on a single bid or estimate; or

(ii) Supported by receipted bills for labor and equipment. Hourly labor rates should not exceed the rates paid by a commercial mover to employees performing the same activity and equipment rental fees should be based on the actual rental cost of the equipment but not to exceed the cost paid by a commercial mover.

(5) **Personal property only.** Eligible expenses for a person who is required to move personal property from real property but is not required to move from a dwelling (including a mobile home), business, farm or nonprofit organization include those expenses described in subsection (7)(a) through (g) and (r) of this section.

(6) **Advertising signs.** The amount of a payment for direct loss of an advertising sign, which is personal property, shall be the lesser of:

(a) The depreciated reproduction cost of the sign, as determined by the agency, less the proceeds from its sale; or

(b) The estimated cost of moving the sign, but with no allowance for storage.

(7) **Eligible actual moving expenses.**

(a) Transportation of the displaced person and personal property. Transportation costs for a distance beyond fifty miles are not eligible, unless the agency determines that relocation beyond fifty miles is justified.

(b) Packing, crating, unpacking, and uncrating of the personal property.

(c) Disconnecting, dismantling, removing, reassembling, and reinstalling relocated household appliances and other personal property. For businesses, farms or nonprofit organizations this includes machinery, equipment, substitute personal property, and connections to utilities available within the building; it also includes modifications to the personal property, including those mandated by federal, state or local law, code or ordinance, necessary to adapt it to the replacement structure, the replacement site, or the utilities at the replacement site, and modifications necessary to adapt the utilities at the replacement site to the personal property (expenses for providing utilities from the right of way to the building or improvement are excluded).

(d) Storage of the personal property for a period not to exceed twelve months, unless the agency determines that a longer period is necessary.

(e) Insurance for the replacement value of the property in connection with the move and necessary storage.

(f) The replacement value of property lost, stolen, or damaged in the process of moving (not through the fault or negligence of the displaced person, his or her agent, or employee) where insurance covering such loss, theft, or damage is not reasonably available.

(g) Other moving-related expenses that are not listed as ineligible under subsection (8) of this section as the agency determines to be reasonable and necessary.

(h) The reasonable cost of disassembling, moving, and reassembling any appurtenances attached to a mobile home, such as porches, decks, skirting, and awnings, which were not acquired, anchoring of the unit, and utility "hookup" charges.

(i) The reasonable cost of repairs and/or modifications so that a mobile home can be moved and/or made decent, safe, and sanitary.

(j) The cost of a nonrefundable mobile home park entrance fee, to the extent it does not exceed the fee at a comparable mobile home park, if the person is displaced from a mobile home park or the agency determines that payment of the fee is necessary to effect relocation.

(k) Any license, permit, fees or certification required of the displaced person at the replacement location. However, the payment may be based on the remaining useful life of the existing license, permit, fees or certification.

(l) Professional services as the agency determines to be actual, reasonable and necessary for:

(i) Planning the move of the personal property;

(ii) Moving the personal property; and

(iii) Installing the relocated personal property at the replacement location.

(m) Relettering signs and replacing stationery on hand at the time of displacement that are made obsolete as a result of the move.

(n) Actual direct loss of tangible personal property incurred as a result of moving or discontinuing the business or farm operation. The payment shall consist of the lesser of:

(i) The fair market value in place of the item, as is for continued use, less the proceeds from its sale (to be eligible for payment, the claimant must make a good faith effort to sell the personal property, unless the agency determines that such effort is not necessary. When payment for property loss is claimed for goods held for sale, the market value shall be based on the cost of the goods to the business, not the potential selling prices); or

(ii) The estimated cost of moving the item as is, but not including any allowance for storage; or for reconnecting a piece of equipment if the equipment is in storage or not being used at the acquired site. If the business or farm operation is discontinued, the estimated cost of moving the item shall be based on a moving distance of fifty miles.

(o) The reasonable cost incurred in attempting to sell an item that is not to be relocated.

(p) Purchase of substitute personal property. If an item of personal property, which is used as part of a business or farm operation, is not moved but is promptly replaced with a substitute item that performs a comparable function at the replacement site, the displaced person is entitled to payment of the lesser of:

(i) The cost of the substitute item, including installation costs of the replacement site, minus any proceeds from the sale or trade-in of the replaced item; or

(ii) The estimated cost of moving and reinstalling the replaced item but with no allowance for storage. At the agency's discretion, the estimated cost for a low-cost or uncomplicated move may be based on a single bid or estimate.

(q) Searching for a replacement location. A business or farm operation is entitled to reimbursement for actual expenses, not to exceed two thousand five hundred dollars, as the agency determines to be reasonable, which are incurred in searching for a replacement location, including:

(i) Transportation;

(ii) Meals and lodging away from home;

(iii) Time spent searching, based on reasonable salary or earnings;

(iv) Fees paid to a real estate agent or broker to locate a replacement site, exclusive of any fees or commissions related to the purchase of such sites;

(v) Time spent in obtaining permits and attending zoning hearings; and

(vi) Time spent negotiating the purchase of a replacement site based on a reasonable salary or earnings.

(r) Low value/high bulk. When the personal property to be moved is of low value and high bulk, and the cost of moving the property would be disproportionate to its value in the judgment of the displacing agency, the allowable moving cost payment shall not exceed the lesser of: The amount which would be received if the property were sold at the site or the replacement cost of a comparable quantity delivered to the new business location. Examples of personal property covered by this provision include, but are not limited to, stockpiled sand, gravel, minerals, metals and other similar items of personal property as determined by the agency.

(8) **Ineligible moving and related expenses.** A displaced person is not entitled to payment for:

(a) The cost of moving any structure or other real property improvement in which the displaced person reserved ownership (however, this part does not preclude the computation under WAC 468-100-401 (2) (d) (iii));

(b) Interest on a loan to cover moving expenses;

(c) Loss of goodwill;

(d) Loss of profits;

(e) Loss of trained employees;

(f) Any additional operating expenses of a business or farm operation incurred because of operating in a new location except as provided in WAC 468-100-360 (1) (f);

(g) Personal injury;

(h) Any legal fee or other cost for preparing a claim for a relocation payment or for representing the claimant before the agency;

(i) Expenses for searching for a replacement dwelling;

(j) Physical changes to the real property at the replacement location of a business or farm operation except as provided in WAC 468-100-301 (7) (c) and 468-100-306(1);

(k) Costs for storage of personal property on real property already owned or leased by the displaced person; and

(l) Refundable security and utility deposits.

(9) **Notification and inspection (nonresidential).** The agency shall inform the displaced person, in writing, of the requirements of this section as soon as possible after the initiation of negotiations. This information may be included in the relocation information provided the displaced person as set forth in WAC 468-100-203. To be eligible for payments under this section, the displaced person must:

(a) Provide the agency reasonable advance notice of the approximate date of the start of the move or disposition of the personal property and an inventory of the items to be moved. However, the agency may waive this notice requirement after documenting its file accordingly.

(b) Permit the agency to make reasonable and timely inspections of the personal property at both the displacement and replacement sites and to monitor the move.

(10) **Transfer of ownership (nonresidential).** Upon request and in accordance with applicable law, the claimant shall transfer to the agency ownership of any personal property that has not been moved, sold, or traded-in.

[Statutory Authority: Chapter 8.26 RCW. WSR 06-02-068, § 468-100-301, filed 1/3/06, effective 2/3/06; WSR 89-17-048 (Order 121), § 468-100-301, filed 8/14/89, effective 9/14/89.]