

3/01/2024

**Release of Draft Relocation Plan for Public Comment
City of San Jose - Implementation of SB 330
For: 426,428 & 430 Page St. San Jose, CA
Permit Number: H23-025**

The owner, Page II Estate LLC (Applicant), of the property has filed an application with the City of San Jose to construct a new residential housing development on this property, 426, 428 & 430 Page St. San Jose, CA. The project will include residential demolition and removal of the existing property.

California law requires the Applicant to prepare and adopt a Relocation Plan which documents how they plan to assist all persons impacted by the demolition and removal of the Property. The public and displaced tenant(s) will have an opportunity to submit comments regarding the Draft Relocation Plan between March 1, 2024 to March 31, 2024. Comments and responses will be incorporated into a final Relocation Plan that will be submitted to the City of San Jose as part of the building permit process.

We encourage you to participate in the Draft Relocation Plan review. If you would like to submit comments, please do so by March 31, 2024. Public comments to the Draft Relocation Plan can be emailed to: SB330Help@sanjoseca.gov. Questions can be routed to the same email or call: (408) 975-2691.

Draft Relocation Plan

prepared on behalf of

Tianxing Wang, and Page II Estate LLC

for property located at

426, 428, and 430 Page Street, San José, California

This Draft Relocation Plan was prepared in compliance with California Senate Bill 330 under the direction of the City of San José Department of Planning, Building, and Code Enforcement

Prepared by



February 28, 2024

Table of Contents

1.0	Executive Summary	1
1.1	Applicable Laws and Ordinances	2
1.2	Purpose of Project	3
1.3	Applicant Relocation Assistance Program Obligations	3
1.3.1	Relocation Planning	4
1.3.2	Plans for Citizen Participation, Coordination Activities	5
1.3.3	Relocation Site Office and Relocation Advisor Availability	5
1.3.4	Temporary Relocation Plan	5
1.4	Applicant Replacement Unit Obligation	5
1.5	Displaced Occupants and the Right to Return	6
2.0	Map of Project Site	6
3.0	Project Photographs	7
4.0	Projected Dates of Displacement	8
5.0	Relocation Impact Needs of All Persons Displaced	8
6.0	Relocation Housing Resources	9
6.1	Locational Characteristics of the Property	10
6.2	Locational Characteristics of Comparable Replacement Housing	11
6.3	Locational Characteristics of Comparable Replacement Housing	12
7.0	Relocation Assistance Program	13
7.1	Relocation Advisory Assistance	13
7.2	Payments for Residential Moving and Related Expenses	13
7.2.1	Commercial Move	14
7.2.2	Fixed Move Payment	14
7.2.3	Actual Cost Move Based on Receipts	14
7.2.4	Storage Costs	14
7.3	Replacement Housing for Residential Tenants	15
7.4	Replacement Housing of Last Resort	16
7.5	Relocation Payments	16
7.6	Relocation Appeals Process	17
8.0	Relocation Cost Estimate	17
9.0	Appendix	18
	Appendix A: Relocation Planning Checklist	
	Appendix B: Replacement Unit Determination	
	Appendix C: Relocation Assistance Program Standard Information Statement	
	Appendix D: Sample General Information Notice	
	Appendix E: Sample Tenant Income Statement	
	Appendix F: Diagrammatic Sketch of Project Area	

1.0 Executive Summary

Tianxing Wang and Page II Estate LLC (Applicant) submitted a Notice of Intent to Withdraw to the City of San José Department of Planning, Building, and Code Enforcement in August of 2023 in connection with its plans to demolish residential units and develop the property located at 426, 428, and 430 Page Street in San José, California (Property).

The Properties are currently improved with two residential buildings and one accessory dwelling, containing a total of four units. Three of the units are currently rented to residential occupants, the fourth unit is vacant. Three of the units meet the definition of a Protected Unit. One household reported that their income is at or below the Santa Clara County very low-income Area Median Income (AMI)¹ for 2023.

Table 1.0
Santa Clara County Area Median Income 2023

	Persons in Household							
	1	2	3	4	5	6	7	8
Very Low Income	\$62,450	\$71,400	\$80,300	\$89,200	\$96,350	\$103,500	\$110,650	\$117,750
Low Income	\$96,000	\$109,700	\$123,400	\$137,100	\$148,100	\$159,050	\$170,050	\$181,000

The Applicant intends to demolish the two residential buildings and one accessory dwelling unit to construct a new 4-story above grade building that will include twenty (20) units for sale. The residential units will include:

- Twelve (12) units will be 1 bedroom / 1 bathroom
- Eight (8) units will be 2 bedroom / 2 bathroom
- All units will be for sale

The Applicant does not have the power of Eminent Domain and will not utilize the City of San José’s power of Eminent Domain to acquire the Properties. The project is privately funded. There are no public funds or public/private partnership agreements anticipated for this project.

The Applicant has funded this Draft Relocation Plan under the direction of the City of San José Department of Planning, Building, and Code Enforcement in order to meet Applicant obligations set forth in California Senate Bill 330.

The Applicant will cause this Draft Relocation Plan to be circulated for public review and comment for a 30-day period in March 2024. Any comments received during the comment period will be captured in a Final Relocation Plan that will be filed with the City of San José Department of Planning, Building, and Code Enforcement. If the Applicant proceeds with the development of this project, the Applicant offers assurances to implement a Relocation Assistance Program in compliance with obligations set forth in California Senate Bill 330, California Relocation Assistance Law (CRAL), and the direction of the City of San José Department of Planning, Building, and Code Enforcement. The Applicant bears all obligations to implement a Relocation Assistance Program as outlined herein.

¹ [Income Limits 2023 \(ca.gov\)](https://www.ca.gov/)

Table 1.1
Project Contact Information

<i>Applicant:</i>	Page II Estate LLC, Tianxing Wang; carl@vcicompanies.com
<i>Applicant's Representative:</i>	Vincent Yin; vincent@vcompanies.com
<i>City Contact:</i>	City of San José Housing Department Pedro Leal; pedro.leal@sanjoseca.gov
<i>Author:</i>	Associated Right of Way Services, Inc. Emily Plurkowski; eplurkowski@arws.com

Table 1.2
Overview of Applicant Obligations for Protected Units under SB 330

✓ Provide noticing to tenants
✓ Prepare, circulate, and adopt a Relocation Plan in accordance with Ca Gov Code 7260
✓ Contract with Relocation consultant to implement a Relocation Assistance Program
✓ Provide Relocation Assistance to Households
✓ Provide Moving Payments to Households
✓ Provide Replacement Housing Payments to Households
✓ Allow households to remain until 120 days prior to construction start date
✓ Replace same number of residential units
✓ Replace same number of protected units
✓ Notify tenants of right to return to a housing unit affordable at their same or lower income category

1.1 Applicable Laws and Ordinances

Housing Accountability Act (HAA) Gov Code § 65589.5

Established the state's overarching policy that a local government may not deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farm working housing that are consistent with objective local development standards.

Permit Streamlining Act (PSA) Gov Code § 65920-64

Applies to housing development projects, decreases required timeframe to approve or disapprove a housing development project with an EIR.

Housing Crisis Act of 2019 (HCA), Chapter 654, Statutes of 2019 (SB 330, SB 8, and AB1218)

Amended the Housing Accountability Act and Permit Streamlining Act. Added new provisions to the Government Code limiting local authority to downzone property or adopt new, subjective design standards. Effective January 1, 2020, and sunsets in January 1, 2030 (per SB 8).

California Assembly Bill 1218

Removed the date the Housing Crisis Act requirements sunset.

Ellis Act Gov Code § 7060-7060.7

State law concerning property owners' right to evict tenants, obligations to provide assistance to eligible households, and replace units

California Relocation Assistance Law CA Government Code § 7260

Establishes Relocation Planning and Relocation Assistance Program requirements for eligible displaced persons.

California Code of Regulations Title 25, § 6000

Provides regulatory guidance for implementing California Relocation Assistance Law.

1.2 Purpose of Project

The Applicant submitted a Notice of Intent to Withdraw to the City of San José Department of Planning, Building, and Code Enforcement in August of 2023 in connection with its plans to demolish residential units and develop the property located at 426, 428, and 430 Page Street in San José, California (Property).

The Applicant intends to demolish the residential units and construct a total of twenty (20) residential units. Those units will be offered for sale approximately June of 2025. The units will include:

- A four-story above grade building
- Twelve (12) units will be 1 bedroom / 1 bathroom
- Eight (8) units will be 2 bedroom / 2 bathroom

1.3 Applicant Relocation Assistance Program Obligations

California Senate Bill 330 requires property owners and developers to plan for the relocation of all low and very low-income households and to implement a Relocation Assistance Program in compliance with California Relocation Assistance Law² and implementing regulations³.

Based on household information provided by the Applicant and households, the Property is currently improved with four units, including an accessory dwelling, three of which are currently rented to residential tenant occupants. One of the households reported their income to be at or below 50% of the Area Median Income (AMI).

² California Relocation Assistance Law (California Government Code 7260)

³ Cal. Code Regs. Tit. 25, § 6000

Therefore, the Applicant will be required to adequately plan for and provide Relocation Assistance to the households.

1.3.1 Relocation Planning⁴

Senate Bill 330 (SB330), the Housing Crisis Act of 2019 was passed by the California State Legislature and ultimately signed by Governor Newsome in October of 2019 and was further amended in 2021 and 2023. SB330 obligates property owners and developers to adequately plan for the displacement of low and very low-income households who live in protected residential units. Low and very low-income households living in protected residential units who are displaced as a result of owner and/or developer removal of the residential unit are protected under SB330, California Relocation Assistance Law⁵, and the California Department of Housing and Community Development Guidelines⁶ promulgated thereto.

Table 1.3.1
SB330 Program Definitions

<i>Project:</i>	A development by a private owner or developer which causes the displacement of low or very low-income households living in a protected residential dwelling unit.
<i>Displaced Person:</i>	Low and very low-income households living in a protected residential unit who is displaced as a result of owner and/or developer removal of the residential unit.
<i>Protected Unit:</i>	A Protected Unit means any of the following <ul style="list-style-type: none">• Residential dwelling units that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low-income within the past five years.• Residential dwelling units that are or were subject to any form of rent or price control through a public entity's valid exercise of its police power within the past five years.• Residential dwelling units that are or were occupied by lower or very low income households within the past five years.• Residential dwelling units that were withdrawn from rent or lease in accordance with Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 within the past 10 years.
<i>Low-Income:</i>	Household Income at 50% to 80% of Area Median Income
<i>Very Low-Income:</i>	Household Income at 35% to 50% of Area Median Income

The Applicant funded the development of this Draft Relocation Plan (Plan) and the Relocation Assistance Program (Program) presented herein to ensure that all eligible displaced persons receive adequate assistance to meet the goals of the California Relocation Assistance Law and implementing regulations.

The City of San José Department of Planning, Building, and Code Enforcement (City) contracted with Associated Right of Way Services, Inc. (Consultant) to develop a Draft Relocation Plan (Plan) in accordance with State Relocation Law and Regulations⁷. This Plan provides the necessary information

⁴ Cal. Code Regs. Tit. 25, § 6038, § 6038(b)(12), (13), (14)

⁵ California Relocation Assistance Law (California Government Code § 7260)

⁶ Cal. Code Regs. Tit. 25, § 6000

⁷ Gov. Code § 7261, Cal. Code Regs. Tit. 25, § 6038

and research to successfully relocate eligible displaced persons to comparable replacement sites in the greater community and provide the City and the Applicant with information concerning the anticipated and assumed relocation impacts of this Project.

1.3.2 Plans for Citizen Participation, Coordination Activities⁸

This Plan will be circulated to the previous occupants of the Property and will be available for public review and comment upon request from March 1, 2024 through March 31, 2024. The Plan will also be available at the City of San José Department of Planning, Building, and Code Enforcement during normal office hours. Appendix A provides a checklist for planning obligations under Cal Code Regs § 6038.

1.3.3 Relocation Site Office and Relocation Advisor Availability⁹

The Applicant shall contract with a Relocation consultant. The Relocation consultant shall assign Relocation Advisors who will work closely with each household to clearly communicate the details of the Relocation Assistance Program, deliver notices, work with the households to search for and secure replacement housing and assist households with filing claims for payments under the Relocation Assistance Program. Due to the small number of household displacements, an on-site office will not be needed for this project.

1.3.4 Temporary Relocation Plan¹⁰

No household will be required to temporarily relocate. All eligible displaced persons will be offered Permanent Relocation Assistance. Therefore, the Applicant will not need to produce a Temporary Relocation Plan for the Project.

1.4 Applicant Replacement Unit Obligations

The City of San José Department of Planning, Building, and Code Enforcement prepared a Replacement Unit Determination notice in January of 2024 (Appendix B) that identifies the Applicant's obligation to replace protected units on this property. SB330 obligates an Applicant to match or exceed the greatest number of dwelling units that existed on the Project site within the past five years. The project must also replace all existing or demolished Protected Units. Protected Units are dwelling units that meet certain criteria within five years prior to the submission of a Replacement Unit Determination (RUD) application.

1.5 Displaced Occupants and the Right to Return

The Applicant shall provide notice to the displaced households that they have a right to return and a right of first refusal to purchase a dwelling that is affordable to their household. New Project dwelling

⁸ Cal. Code Regs. Tit. 25, § 6038, § 6038(b)(12), (13), (14)

⁹ Cal. Code Regs. Tit. 25, § 6038(b)(11)

¹⁰ Cal. Code Regs. Tit. 25, § 6038(b)(10)

unit affordability obligations are defined in Section 50052.5 of the Health and Safety Code. Each household interested in purchasing an affordable unit will be required to secure financing for the purchase and complete the purchase in a timely manner. Terms and conditions are governed by Senate Bill 330 and related laws and regulations.

2.0 Map of the Project Site¹¹

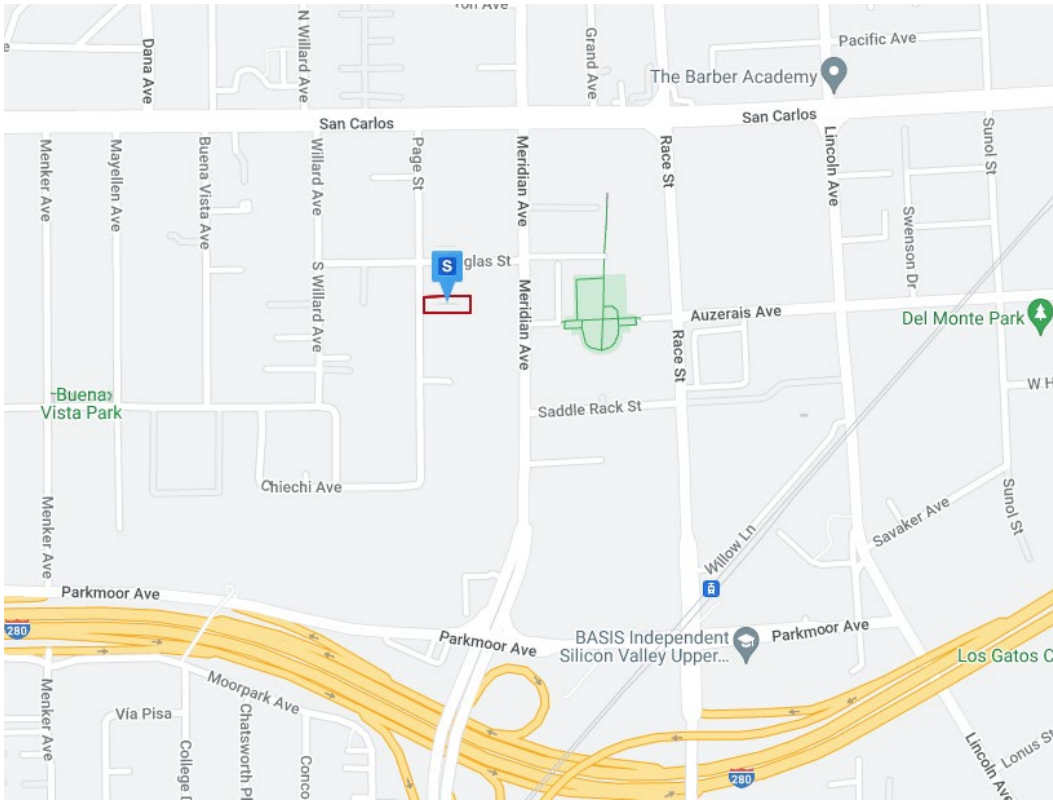


Image 2.1: Map of Project Location

¹¹ Cal. Code Regs. Tit. 25, § 6038(b)(1)

3.0 Project Photographs



Image 3.1: Aerial View of Property at 426, 428 and 430 Page Street, San Jose, CA



Image 3.2: SFR at 426 (left) and SFR at 430 (right) Page Street, San Jose, CA

4.0 Projected Dates of Displacement¹²

The Applicant intends to require households to vacate the Property by February 29, 2024. This will provide the eligible displaced households with a minimum of 90 days to relocate into comparable replacement housing. Eligible households will not be required to vacate until at least 120 days prior to construction in accordance with SB 330 requirements.

5.0 Relocation Impact Needs of All Persons to be Displaced¹³

The Project will require the displacement of three households. The households were asked to provide occupant and income information. The Applicant’s Relocation consultant will meet with the households and will request documentation of occupancy and income in order to establish eligibility for the relocation assistance described in this Plan.

The dwellings consist of four units, three of which are currently occupied.

**Table 5.1
 Summary of Relocation Impact**

Residential Impact		
Very Low-Income Household	3 Households	7-15 Persons
Low-Income Household	0	0
Non-Residential Impact		
Business, Farm, Non-Profit	0	

Below is a brief description of the households, with the current information that has been provided.

Household #1 – The unit is vacant and not considered a protected unit.

Household #2 – The household did not provide a Tenant Income Statement. The unit is a 1-bedroom unit whose tenants have been in tenancy since 2016. The monthly rent is \$1,160.

Household #3 – The household is comprised of 5 occupants living in a 2-bedroom Single Family Residential (SFR) unit who have been in tenancy since 2016. This household self-reported that they qualify as a very low-income household (50% AMI or below). The monthly rent is \$2,050.

Household #4 - The household did not provide a Tenant Income Statement. The unit is a 1-bedroom whose tenants have been in tenancy since 2016. The monthly rent is \$1,500.

It is assumed that the three households will qualify as displaced persons and will receive assistance from the Applicant under the Relocation Assistance Program. The Applicant’s Relocation consultant will meet with the households and will request documentation of occupancy and income in order to establish eligibility. It is estimated that the households will be assisted with renting comparable replacement

¹² Cal. Code Regs. Tit. 25, § 6038(b)(2)

¹³ Cal. Code Regs. Tit. 25, § 6038(b)(3) and § 6048

dwellings. For Household #2, a comparable replacement dwelling would be a 1-bedroom SFR or duplex in San Jose, for Household #3 a comparable replacement dwelling would be a 2-bedroom SFR, and for Household #4 a comparable replacement dwelling would be a 1-bedroom SFR or duplex.

6.0 Relocation Housing Resources¹⁴

A survey of area housing resources was conducted in January of 2024. The survey focused on one and two-bedroom Single Family Residential (SFR) and duplex units in San Jose. Comparable housing is defined in state relocation law and regulations¹⁵. It is necessary that households relocate into housing that is decent, safe, and sanitary¹⁶. It is assumed that the properties listed below are comparable, decent, safe, and sanitary. No effort was made to individually inspect each dwelling. The Applicant's Relocation consultant will work closely with each household to ensure that there is sufficient assistance under the Relocation Assistance Program to ensure that all households relocation into comparable, decent, safe, and sanitary housing including Relocation Advisory Assistance, Home Inspections, and Replacement Housing Payments.

The Applicant is committed to assisting eligible displaced persons with finding and securing Comparable Replacement Housing¹⁷ that is within their financial means. This definition includes:

- **Decent, safe, and sanitary**¹⁸
- **Functionally equivalent** to the displacement dwelling. The term functionally equivalent means that it performs the same function and provides the same utility. While a comparable replacement dwelling need not possess every feature of the displacement dwelling, the principal features must be present. Generally, functional equivalency is an objective standard, reflecting the range of purposes for which the various physical features of a dwelling may be used. However, in determining whether a replacement dwelling is functionally equivalent to the displacement dwelling, the Agency may consider reasonable trade-offs for specific features when the replacement unit is equal to or better than the displacement dwelling;
- **Adequate in size** to accommodate the occupants;
- In an area not subject to unreasonable **adverse environmental conditions**;
- In a **location generally not less desirable** than the location of the displaced person's dwelling with respect to public utilities and commercial and public facilities, and reasonably accessible to the person's place of employment;
- On a site that is **typical in size for residential development** with normal site improvements, including customary landscaping. The site need not include special improvements such as outbuildings, swimming pools, or greenhouses.

¹⁴ Cal. Code Regs. Tit. 25, § 6038(b)(4), § 6048 and § 6052

¹⁵ Cal Code Regs. Tit. 25, § 6008(c)

¹⁶ Cal. Code Regs. Tit. 25, § 6008(d)

¹⁷ Cal. Code Regs. Tit. 25, § 6038(c)

¹⁸ Cal. Code Regs. Tit. 25, § 6008(d)

- **Currently available** to the displaced person on the private market unless household receive government housing assistance. and
- **Within the financial means of the displaced person.** A replacement dwelling rented by an eligible displaced person is considered to be within his or her financial means if, after receiving rental assistance under this part, the person's monthly rent and estimated average monthly utility costs for the replacement dwelling do not exceed the person's base monthly rental for the displacement dwelling as described below.

For a displaced person who is not eligible to receive a replacement housing payment because of the person's failure to meet length of occupancy requirements, comparable replacement rental housing is considered to be within the person's financial means if an Agency pays that portion of the monthly housing costs of a replacement dwelling which exceeds the person's base monthly rent for the displacement dwelling. Such rental assistance must be paid under Replacement Housing of Last Resort.

For a person receiving government housing assistance before displacement, a dwelling that may reflect similar government housing assistance. In such cases any requirements of the government housing assistance program relating to the size of the replacement dwelling shall apply.

6.1 Locational Characteristics of the Property

The Property is situated in Central San Jose within the Postal Zip Code of 95126. Residents are situated close to State Route 280 to the south. Residents enjoy easy access to the Santa Clara Valley Transportation Authority (VTA) light rail and bus system. The San Jose International Airport is also located 9 miles to the north. The surrounding community includes parks, libraries, recreational facilities, schools, and medical facilities. Residents can find grocery stores, restaurants, community automotive repair businesses, and other small community-based businesses within three miles.

6.2 Locational Characteristics of Comparable Replacement Housing

Relocation to the replacement units listed below or anywhere within Central San Jose area should ensure that the occupants have similar or improved access to public services, public facilities such as parks, transportation, medical services, and employment. The households will receive sufficient replacement housing assistance to ensure that they have the option to relocate into comparable, Decent, Safe, and Sanitary replacement housing where they have continued similar access to all amenities.

The tables below show samples of 1-bedroom and 2-bedroom SFR's and duplexes that were available for rent during the research period of January 2024. The survey found that there was a sufficient supply of 1-bedroom and 2-bedroom SFR's available for rent to accommodate the potentially eligible households, and it is expected to remain that way through the project timeframe.

Table 6.2		
Available 1-Bedroom Single Family Residences for Rent in San Jose		
January 2024		
<i>Property Address</i>	<i>Monthly Rent</i>	<i>Distance from Property (miles)</i>
2075 Scott St., San Jose, CA 95128	\$2,495	1.4
479 Vaughn Ave., San Jose, CA 95128	\$2,400	1.6
658 Elm St San Jose, CA 95126	\$2,200	1.7
1542-2 Grace Ave., San Jose, CA 95125	\$2,700	2.2
1364 Pine Ave., San Jose, CA 95125	\$1,725	2.6
1248 Roycott Way, San Jose, CA 95125	\$1,375	2.9
1158 S 6th St., San Jose, CA 95112	\$2,280	3.3
1077 Obrien Ct., San Jose, CA 95126	\$3,750	4.3
339 N 7th St #2., San Jose, CA 95112	\$2,425	4.3
2250 Almaden Rd #B, San Jose, CA 95125	\$2,350	4.3
356 S 21st St., San Jose, CA 95116	\$2,000	5.3
369 N 18th St., San Jose, CA 95112	\$2,500	5.6
3764 Rhoda Dr., San Jose, CA 95117	\$2,700	5.6
1868 Rosswood Dr., San Jose, CA 95124	\$1,850	5.7
1057 Cynthia Ln., San Jose, CA 95129	\$1,450	7.8
1775 Monrovia Dr., San Jose, CA 95122	\$2,050	8.1
1783 Glestone Ct., San Jose, CA 95121	\$2,500	8.4
1905 Laurinda Dr., San Jose, CA 95124	\$1,800	8.9
3128 Vesuvius Ln., San Jose, CA 95132	\$2,250	10.2
1783 Glenstone Ct., San Jose, CA 95121	\$1,900	9.4

Table 6.3		
Available 2-Bedroom Single Family Residences for Rent in San Jose (and surrounding cities) January 2024		
<i>Property Address</i>	<i>Monthly Rent</i>	<i>Distance from Property (miles)</i>
32 S Morrison Ave., San Jose, CA 95126	\$3,300	1.1
463 Menker Ave., San Jose, CA 95128	\$4,200	1.1
2079 Fruitdale Ave., San Jose, CA 95128	\$3,600	1.6
342 S Redwood Ave., San Jose, CA 95128	\$2,500	2.3
712 N Genevieve Ln., San Jose, CA 95128	\$2,850	2.4
228 N 6th St., San Jose, CA 95112	\$2,995	3
831 Washington St., Santa Clara, CA 95050	\$2,950	3
63 Gilman Ave., Campbell, CA 95008	\$3,950	4
331 N 11th St., San Jose, CA 95112	\$3,395	4.3
401 N 5th St., San Jose, CA 95112	\$2,995	4.6
1289 Fremont St., Santa Clara, CA 95050	\$4,000	4.6
736 N 5th St., San Jose, CA 95112	\$3,750	4.8
15437A Stratford Ave., San Jose, CA 95124	\$3,300	6.7
1090 Wood Duck Ave., Santa Clara, CA 95051	\$5,500	6.9
5479 Tyhurst Walkway # 2, San Jose, CA 95123	\$2,550	9.7
827 Lewis Ave., Sunnyvale, CA 94086	\$2,900	10.7
644 Church St., Mountain View, CA 94041	\$3,795	13.2
1939 Colony St., Mountain View, CA 94043	\$3,400	15.4

This survey found that there is a sufficient supply of what appear to be comparable housing in Central San Jose. These rental properties should be available and affordable within each of the household's financial means with the assistance of the Relocation Assistance Program. While there are active public projects in Central San Jose that will cause the displacement of similarly sized households, the concurrent displacement should not affect the availability of comparable housing for this household.

7.0 Relocation Assistance Program¹⁹

This portion of the Plan summarizes the Relocation Assistance Program that the Applicant will administer to eligible displaced persons. This summary of benefits has been provided for general information purposes only and should not be interpreted as law.

7.1 Relocation Advisory Assistance²⁰

The Applicant will contract with a Relocation consultant staffed by experienced Relocation Advisors who will work with each displaced person to provide assistance throughout the planning and moving process. Relocation Advisors will deliver written information regarding eligible benefits and available replacement sites as sites become available.

The Project goal is for each eligible displaced person (household) to successfully relocate back into the community. It is important that an occupant actively participates in the relocation process, searching for viable replacement sites, and working closely with a Relocation Advisor to plan for the relocation.

All eligible displaced persons shall receive appropriate noticing that helps them understand the available benefits and the project schedule. A Relocation Advisor will assist in the search for comparable, decent, safe, and sanitary replacement housing that is available to the occupant and is within the household's financial means. Transportation will be offered to inspect housing referrals, if needed. The Applicant will ensure each eligible displaced household receives adequate notice prior to the required move date. At a minimum, each eligible displaced household will receive 90-days advance written notice of the required move date. A Relocation Advisor will also prepare claim forms on behalf of each household and will help to file those claims for reimbursement under the Relocation Program.

Eligible displaced persons will be provided advisory assistance which may include assistance in the referral of complaints of discrimination to the appropriate federal, state, or local fair housing enforcement agency. Relocation Advisors can also act as a resource to possible sources of funding and assistance from other local, state, and federal agencies and will make every effort to help secure the services of those agencies with trained personnel who have the expertise to help.

7.2 Payments for Residential Moving and Related Expenses²¹

Each eligible displaced person is entitled to receive a moving payment from the Applicant to cover the cost to move personal property to a replacement home. The Relocation Program covers specific costs related to the move. Each household may elect one or a combination of the following three options for cost reimbursement:

Table 7.2
Moving Payment Options

One or a combination of the following

Commercial Move <i>Payment Limit</i> Actual/Reasonable/Necessary	Fixed Moving Payment <i>Payment Limit</i> FHWA Move Schedule	Actual Cost Move <i>Payment Limit</i> Invoices and Receipts
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¹⁹ Cal. Code Regs. Tit. 25, § 6038(b)(5)

²⁰ Cal. Code Regs. Tit. 25, § 6038(b)(5), § 6040, and § 6046

²¹ Cal. Code Regs. Tit. 25, § 6038(b)(5) and § 6090

7.2.1 Commercial Move

The Applicant will make payments to reimburse eligible displaced persons for actual moving expenses based on the lower of at least two acceptable moving bids from qualified professional moving carriers. Compensable costs include all reasonable costs to pack, move, and unpack all personal property for a distance up to 50 miles. A direct payment can be made to the professional moving carrier under this option and will allow reimbursement to the displaced household for any one-time utility reconnection fees, such as phone, gas, electric, and cable.

7.2.2 Fixed Move Payment

An eligible displaced person may choose to move their own personal property to the replacement site and to submit a claim based on the following schedule effective August 26, 2021.²²

**Table 7.3
 Fixed Move Payment Schedule**

Number of Rooms of Furniture								Additional room
1 room	2 rooms	3 rooms	4 rooms	5 rooms	6 rooms	7 rooms	8 rooms	
\$780	\$1,000	\$1,250	\$1,475	\$1,790	\$2,065	\$2,380	\$2,690	\$285

7.2.3 Actual Cost Move Based on Receipts

Payment is based upon 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. This option allows the household to be reimbursed for any one-time utility reconnection fees, such as phone, gas, electric, and cable. The Applicant will participate in costs related to moving the occupant up to 50 miles.

7.2.4 Storage Costs

An eligible displaced person may be reimbursed for certain costs to store personal property in a professional storage facility for a period not to exceed 12 months. The need for such storage must be pre-approved by the Applicant and determined to be reasonable and necessary. Only property that is currently located at the affected site would be eligible for storage cost reimbursement. This option is available to persons who do not choose to be reimbursed under the Fixed Moving Payment.

7.3 Replacement Housing Payments for Residential Tenants²³

An eligible displaced tenant household may request a payment of up to \$5,250 to assist in renting or purchasing a comparable replacement dwelling. This payment is designed to enable the household to rent a comparable decent, safe, and sanitary replacement dwelling for a 42-month period.

²² https://www.fhwa.dot.gov/real_estate/uniform_act/relocation/moving_cost_schedule.cfm

²³ Cal. Code Regs. Tit. 25, § 6038(b)(6) and Article 3

Table 7.4
Computation for Replacement Housing Payments

Lesser of:

Cost to Rent Comparable Replacement Housing + Estimated Utility Costs, **or**
The Actual Cost to Rent Comparable Replacement Housing + Estimated Utility Costs

Minus:

Base Monthly Rent + Average Monthly Utilities at Current Property

Not to Exceed:

\$5,250

If a household cannot afford the cost of replacement rent and utilities for comparable housing, additional assistance may be available. Households may qualify for Housing of Last Resort which may require the Applicant to make Replacement Housing Payments in excess of \$5,250 to ensure that comparable replacement housing is within the displaced household's financial means.

Table 7.5
Computation for Replacement Housing Payments
Housing of Last Resort

Lesser of:

Cost to Rent Comparable Replacement Housing + Estimated Utility Costs, **or**
The Actual Cost to Rent Comparable Replacement Housing + Estimated Utility Costs

Minus:

30% of the Household's Gross Monthly Income

Not to Exceed:

No monetary limit.

Eligible tenant-occupants may choose to purchase (rather than rent) a replacement dwelling. The Replacement Housing Payment can be converted into a down payment to purchase a decent, safe, and sanitary replacement home within one year of the date the household moves from the acquired property. The amount of the down payment shall not exceed the amount of a reasonable down payment for a comparable dwelling plus expenses incident to the purchase.

7.4 Replacement Housing of Last Resort²⁴

Replacement Housing of Last Resort is a program that allows for the implementation of certain regulations to ensure that comparable, decent, safe, and sanitary replacement housing is within the financial means of the displaced person. Last Resort Housing is a procedure wherein the Replacement Housing Payment may exceed the indicated monetary limits above to enable a displaced person to relocate to comparable, decent, safe, and sanitary replacement housing within their financial means. The Applicant has considered several methods to provide Replacement Housing of Last Resort to qualified displaced persons:

1. Provide supplemental funds in excess of the standard limit to allow occupants to replace their current home with a comparable, affordable dwelling. All payments are based on the most comparable replacement property as approved in the Housing Valuation Study. As with all other replacement housing payments, displaced occupants must meet requirements in order to claim payments.
2. New replacement housing could be constructed, existing housing could be rehabilitated, or funds could be provided for private parties to rehabilitate existing units for occupancy by displaced households.
3. Provision of a Housing Voucher or other subsidized housing option.

All households who are eligible to receive assistance under Replacement Housing of Last Resort will be notified in writing. Typically, this information is included in the Conditional Entitlement Letter. Last Resort Housing Payments will be made in a series of at least two payments (advance as need is demonstrated and balance payment).

7.5 Relocation Payments²⁵

All payments will be reimbursed to each household once the need for Replacement Housing Payments has been incurred and documented to be actual, reasonable, and necessary. All claims must be filed by the household within 18 months of the date the household vacates the project property. (Note that the household must occupy decent, safe, and sanitary replacement housing and incur all expenses within 12 months of the date the household vacates the project property.) The Applicant will pay approved claims within 30 days of the date it receives a fully documented claim. Any claim that is not approved in full or in part will result in a written denial of the claim with direction to the household on how to provide additional documentation and/or proceed with the Applicant's appeal process.

When a household requests an advance payment for Moving Costs or a Replacement Housing Payment, they will be asked to document how a reimbursed payment would create a hardship for them. The Applicant will consider the request and will respond in writing and will provide the advance payment it determines to be necessary to facilitate the relocation and to avoid hardship to the household.

²⁴ Cal. Code Regs. Tit. 25, § 6038(b)(8), § 6054, and Article 4

²⁵ Cal. Code Regs. Tit. 25, § 6038(b)(6), § 6082, and § 6090(c)

7.6 Relocation Appeals Process²⁶

Displaced persons have the right to ask for administrative review when they believe themselves aggrieved by a determination as to eligibility, payment amounts, or the failure to provide comparable replacement housing referrals from the Housing Authority. If a displaced person chooses to file a grievance, they should contact their Relocation Advisor for additional information to appeal to the Applicant.

Appellants are not required to exhaust administrative remedies prior to appealing directly to the California Department of Housing and Community Development or seeking judicial review and remedies.

Any person and/or organization directly affected by the relocation plan may petition the Department of Housing and Community Development (HCD), located at 2020 West El Camino Ave., Sacramento, CA 95833 to review the Relocation Plan.

8.0 Relocation Cost Estimate²⁷

A preliminary relocation cost analysis was developed from information gathered from occupant interviews, a survey of the area housing market, and California relocation laws and regulations. The estimated budget for potentially eligible moving costs and replacement housing payments with consideration for payments under Housing of Last Resort is **\$23,250 to \$175,350**.

Once the Project has commenced, the Applicant's Relocation consultant will certify each household's occupancy, income, and eligibility for Relocation Assistance. Information gathered at that time will impact the Relocation Costs actually paid to households and may be significantly higher than estimated in this Plan.

The Applicant shall not proceed with displacement activities until it has secured the funds to pay relocation assistance payments to eligible occupants. Funds will be sufficient to provide full relocation assistance in accordance with the Relocation Assistance Program described in this Plan.

²⁶ Cal. Code Regs. Tit. 25, Article 5

²⁷ Cal. Code Regs. Tit. 25, § 6038(b)(7)

9.0 Appendix

- A. Relocation Planning Checklist, Ca Code Regs § 6038(b)
- B. Replacement Unit Determination
- C. Relocation Assistance Program Standard Information Statement
- D. Sample General Information Notice
- E. Sample Tenant Income Statement
- F. Diagrammatic Sketch of Project Area

Appendix A

Relocation Planning Checklist, Ca Code Regs §6038(b)

- A diagrammatic sketch of the project area
- Projected dates of displacement
- A written analysis of the aggregate relocation needs of all persons to be displaced (as required by section 6048) and a detailed explanation as to how these needs are to be met
- A written analysis of relocation housing resources (as required in section 6052)
- A detailed description of the relocation advisory services program, including specific procedures to locating and referring eligible persons to comparable replacement housing
- A description of the relocation payments to be made (pursuant to Article 3) and a plan for disbursement
- A cost estimate for carrying out the plan and identification of the source of the necessary funds
- A detailed plan by which any last resort housing (as described in section 6054 and Article 4) is to be built and financed
- A standard information statement to be sent to all renters who will be permanently displaced (as required by section 6046)
- Temporary relocation plans, if any (**Not Applicable**)
- A description of relocation office operation procedures
- Plans for citizen participation
- An enumeration of the coordination activities undertaken (pursuant to section 6052)
- The comments of the relocation committee, if any (pursuant to section 6012) (**Pending**)
- A written determination by the public entity that the necessary resources will be available as required
- A Plan prepared by a local public entity shall be consistent with the local housing element

Appendix B

Replacement Unit Determination



1/12/2024

Tianxing Wang
Page II Estate LLC
1885 Lundy Ave. Ste 200
San Jose CA, 95131

Re: RUD Application for 426,428,430 Page St. / H23-025

Dear **Developer**:

Based on the Application for a Replacement Unit Determination (RUD) submitted by Tianxing Wang (**Owner**) **Page II Estate LLC**, a (**Owner**) for the above referenced property located at **426, 428 & 430 Page St. (271-21-049) (Property)**, the City of San José Housing Department (CSJ) – Ordinance & Fees has determined that the **4** units to be demolished must be replaced by the new housing development project, and **3** units are protected affordable units that must be replaced by units affordable to very low income households pursuant to the requirements of the Housing Crisis Act of 2019 (SB 330, Govt. Code 66300 as amended). Of the **3** protected units, **3** units must be available to very low-income households at affordable housing cost or affordable sales price consistent with Health and Safety code Section 50052.5.

A. SB 330 REQUIREMENTS GENERALLY:

The Housing Crisis Act of 2019, also known as SB 330 / Govt. Code 66300, as amended, prohibits the approval of any proposed housing development project on a site that will require the demolition of existing residential dwelling units or occupied or vacant “Protected Units” unless the proposed housing development project replaces those units as specified below. The replacement requirements below are applicable only to those proposed housing development projects that submit a complete application pursuant to California Government Code Section 65943 to the Department of City Planning on or after January 1, 2020.

Replacement of Existing Residential Dwelling Units

The proposed housing development project shall provide at least as many residential dwelling units as the greatest number of residential dwelling units that existed on the project site within the past 5 years.

Replacement of Existing or Demolished Protected Units

The proposed housing development project must also replace all existing or demolished “Protected Units.” Protected Units are those residential dwelling units that are or were within the 5 years prior to the owner’s application for a Replacement Unit Determination: **(1)** subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and

families of lower or very low income, **(2)** subject to any form of rent or price control through a public entity’s valid exercise of its police power within the **5** past years, **(3) occupied by lower or very low income households (an affordable Protected Unit)**, or **(4)** that were withdrawn from rent or lease per the Ellis Act, within the past **10** years.

Whether a unit qualifies as an affordable Protected Unit, is primarily measured by the income level of the occupants (established based on household size and documentation e.g. W-2 forms, tax return, pay stubs etc.). However, in the absence of sufficient last occupant income documentation, the affordability of the units will be based on the percentage of extremely low, very low, and low-income renters in the jurisdiction as shown in the latest HUD Comprehensive Housing Affordability Strategy (CHAS) database. As of November 2021, CHAS provides that renter households in the City of San Jose have the following household income levels: **38%** very low and **15%** low income. The remaining **47%** of the existing units are presumed above low-income. Pursuant to the Housing Crisis Act, all replacement calculations resulting in fractional units shall be rounded up to the next whole number.

If the units are subject to the Rent Stabilization Ordinance, San José Municipal Code Chapter 17.23 (“RSO”), during the five-year preceding the determination application any above-low-income units must be replaced in accordance with either: at the City option **(a)** Part 11 with the RSO, City Ellis Act Ordinance, or **(b)** by units restricted as Low-Income.

Relocation, Right of Return, Right to Remain for Occupants of Protected Units.

SB 330 also provides occupants with the right of first refusal for comparable units (i.e. same number of bedrooms) in the owner’s proposed new housing development to occupants of Protected Units. Therefore, for occupied units, the replacement units must be of the same number of bedrooms of the units demolished. The comparable replacement units must be provided at a rent or sales price affordable to the same or lower income category. Occupants of Protected Units also are entitled to receive relocation benefits under state or local law, whichever provides greater assistance and the right to remain in their unit until 6 months before the start of construction activities.

B. Summary of Proposed Housing Development:

Based on the RUD Form received by the Planning Department on **8/18/2023**, the Owner intends to demolish two residence buildings and one accessory dwelling unit to build a 4-story above grade building with 20 units.

As detailed in the attached RUD Report the City has determined that the proposed project must replace 3 units and have them be available to very low-income households at affordable housing cost or affordable sales price. Tenants from two units provided statements showing them to be very low-income. However, no income documents were provided for the other two units. Therefore, Pursuant to (SB 330), where incomes of existing or former tenants are unknown and no



tenants remain onsite, the required percentage of affordability is determined by the percentage of extremely low, very low, and low-income rents in the jurisdiction as shown in the HUD Comprehensive Housing Affordability Strategy (CHAS) database. As of November 2021, the income distribution for renter households for San Jose CA, per the latest CHAS- (CHAS 2013-17) shows **53%** of renters are lower income renters. Very low-income renters (including extremely low-income renters) are **38%** and **15%** are low income. The balance of these unit(s) (i.e. 47%) are presumed to have been occupied by persons and families above-lower income. As result, the following Units have been determined as Protected Units:

Replacement of Existing or Demolished Protected Units

	Very Low-Income	Low-Income	Total Protected Units
Studio			
1BR	1	0	1
2BR	2	0	2
3BR	0	0	0
Any Size	0	0	0
Total	3	0	3

Total Protected Units

	Covenant	RSO	Ellis Act	Final Requirement
Very Low Income	3	0	0	3
Low Income	0	0	0	0
Total	0	0	0	3

Next Steps:

Your conditions of approval will reflect the requirements of SB 330 including any requirement for a recorded covenant. We anticipate that if there are tenants in your building, you will be working with a qualified relocation consultant to ensure that the tenants are given proper notice, paid proper relocation benefits and a relocation plan is submitted to the City and approved by the Local Governing Body at the time of first entitlement. Prior to the issuance of building permit evidence of the required noticing and the payment of benefits will be required.



CITY OF SAN JOSÉ HOUSING

200 E. Santa Clara Street, Tower, 12th Floor | San Jose, CA 95113
www.sjhousing.org (408) 535-3500

If you have any questions about this Replacement Unit Determination, please contact Pedro Leal, City of San José Housing Department, pedro.leal@sanjoseca.gov

cc: Darius Brown, Senior Development Officer, darius.brown@sanjoseca.gov

Appendix C

Relocation Assistance Program Standard Information Statement

This standard information statement summarizes the City of San Jose's (City) Relocation Assistance Program, that will be implemented by Developers/Applicants of projects within the City of San Jose. This summary of benefits has been provided for general information purposes only and should not be interpreted as law. Please speak with a Relocation Advisor who can address questions about the Relocation Assistance Program.

Relocation Assistance Program Summary

Assurances

- ✓ Uniform Treatment
- ✓ Fair Program Implementation
- ✓ Equitable Assistance
- ✓ Relocation Assistance Program Information and Assistance
- ✓ No Displaced Person will Suffer Disproportionate Injury as a Result of a Project Designed to Benefit the Public as a Whole
- ✓ Allow households to remain until 120 days prior to construction start date
- ✓ Right to Appeal

Relocation Assistance Program

Relocation Advisory Assistance

Relocation Advisors will work closely with each eligible household to help them locate and secure comparable replacement housing.

Each eligible household will receive written notification about their eligibility to receive assistance under the City's Relocation Assistance Program.

Moving Cost Payment

Each household will receive assistance with the cost to move their personal property from their current residence to their replacement housing.

Replacement Housing Payment

Eligible households can receive 42 months of rental assistance to help with the cost to rent (or purchase) comparable replacement housing within their financial means.

Additional laws, regulations, and City policies may apply if other sources of funding are used to acquire, rehabilitate, or develop the property.

1.0 Relocation Advisory Assistance

The City contracts with experienced Relocation Advisors who will work with each displaced person to provide assistance throughout the planning and moving process. A Relocation Advisor will meet with each eligible displaced person to explain the Relocation Assistance Program and to learn more about the occupant's current housing and replacement site needs. The Relocation Advisor will deliver written information regarding eligible benefits and available replacement sites as sites become available.

The City's goal is for each occupant to successfully relocate back into the community. It is important that an occupant actively participate in the relocation process, searching for viable replacement sites, and working closely with a Relocation Advisor to plan for the relocation.

Who is an eligible displaced person?

*A person who is required to move themselves or their personal property for a public or publicly funded project **MAY** qualify as an eligible displaced person. Many conditions apply. A Relocation Advisor can provide additional information.*

All displaced persons shall receive appropriate noticing that helps them understand the available benefits and the project schedule. A Relocation Advisor will assist in the search for comparable, decent, safe, and sanitary replacement housing that is available to the occupant and is within the household's financial means. Transportation will be offered to inspect housing referrals, if needed. An eligible displaced person cannot be required to move unless at least one comparable replacement dwelling has been made available and the occupant has been given at least 90 days' advance written notice of the date by which they would be required to move. A Relocation Advisor will also help to file claims for reimbursement of moving and replacement housing expenses under the Relocation Assistance Program.

Eligible displaced persons will be provided advisory assistance which may include assistance in the referral of complaints of discrimination to the appropriate federal, state, or local fair housing enforcement agency. Relocation Advisors can also act as a resource to possible sources of funding and assistance from other local, state, and federal agencies and will make every effort to help secure the services of those agencies with trained personnel who have the expertise to help.

2.0 Moving Cost Payment

Eligible displaced persons are entitled to receive a moving payment to cover the cost to move personal property to a replacement home. Each household may elect one or a combination of the following three options for cost reimbursement:

One or a combination of the following

Commercial Move Payment Limit <i>Actual/Reasonable/Necessary</i>	Fixed Moving Payment Payment Limit FHWA Move Schedule	Actual Cost Move Payment Limit Invoices and Receipts
--	---	--

2.1 Commercial Move. Payment is made to reimburse actual moving expenses based on the lower of at least two acceptable moving bids from qualified professional moving carriers. Compensable costs include all reasonable costs to pack, move, and unpack all personal property for a distance up to 50 miles. A direct payment can be made to the professional moving carrier under this option and will allow reimbursement to the displaced household for any one-time utility reconnection fees, such as phone, gas, electric, and cable.

2.2 Fixed Move Payment. A household may choose to move their own personal property to the replacement site and to submit a claim based on the following schedule from the Federal Highway Administration (FHWA). There is no reimbursement for one-time utility reconnection fees under the Fixed Move Payment option.

Fixed Moving Payment If Occupant Owns the Furniture in the Unit								
1 room	2 rooms	3 rooms	4 rooms	5 rooms	6 rooms	7 rooms	8 rooms	Each additional room
\$780	\$1,000	\$1,250	\$1,475	\$1,790	\$2,065	\$2,380	\$2,690	\$285

Fixed Moving Payment If Occupant Does Not Own the Furniture in the Unit	
1 room	2 rooms
\$780	\$1,000

2.3 Actual Cost Move. Payment is based upon 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. This option allows the household to be reimbursed for any one-time utility reconnection fees, such as phone, gas, electric, and cable. The City will participate in costs related to moving the household up to 50 miles.

2.4 Storage Costs. A displaced person may be reimbursed for certain costs to store personal property in a professional storage facility for a period not to exceed 12 months. Only property that is currently located at the affected site would be eligible for storage cost reimbursement.

3.0 Replacement Housing Payments for Residential Tenants

Eligible displaced persons may receive Replacement Housing Payments under either federal or State of California laws and regulations, depending on the funding to be secured. The assistance available under each is summarized below. A Relocation Advisor is available to help displaced persons understand the assistance that is available under each program.

State Replacement Housing Payment Regulations: (Gov Code 7264)

- ✓ Only available for eligible displaced persons
- ✓ Replacement Housing Payments can help with increased rent and utilities for 42 months
- ✓ Additional Replacement Housing Payments may be available to ensure that replacement housing costs are within the household's financial means
- ✓ Certain income adjustments may apply when determining household income
- ✓ Household can choose to use the maximum Replacement Housing Payment to purchase replacement housing rather than rent replacement housing
- ✓ Maximum Replacement Housing Payment is \$5,250 unless household qualifies for Housing of Last Resort under Gov Code 7264.5

Replacement Housing Payments are intended to assist displaced persons with securing comparable, decent, safe, and sanitary replacement housing within their financial means.

4.0 Replacement Housing of Last Resort

Replacement Housing of Last Resort is a program that allows for the implementation of certain regulations to ensure that comparable, decent, safe, and sanitary replacement housing is within the financial means of the displaced person – even if the Replacement Housing Payment exceeds the statutory monetary limits of \$5,250. The City has considered several methods to provide Replacement Housing of Last Resort to qualified displaced persons:

- ✓ Provide supplemental funds in excess of the statutory monetary limit to allow occupants to relocate into comparable replacement housing within their financial means. All payments are based on the City's approved Housing Valuation Study and the actual replacement dwelling the displaced person moves to. As with all other replacement housing payments, displaced occupants must meet requirements in order to claim payments.

- ✓ New replacement housing could be constructed, existing housing could be rehabilitated, or funds could be provided for private parties to rehabilitate existing units for occupancy by displaced households.
- ✓ Provision of a Housing Voucher or other subsidized housing option.

The City will consider each household's eligibility for additional assistance under Replacement Housing of Last Resort. Households who are eligible to receive assistance under Replacement Housing of Last Resort, will be notified in writing. Typically, this information is included in the Conditional Entitlement Letter.

5.0 Relocation Payments

Payments will be reimbursed to eligible displaced persons once the need for payments has been incurred and documented to show the costs are **actual, reasonable, and necessary**. All claims must be filed by the household within 18 months of the date the household vacates the project property. (Note that the household must occupy decent, safe, and sanitary replacement housing and incur all expenses within 12 months of the date the household vacates the project property.) The City typically pays approved claims within 30 days of the date it receives a fully documented claim. Any claim that is not approved in full or in part will result in a written denial of the claim with direction to the household on how to provide additional documentation and/or proceed with the City's appeal process.

When a household requests an advance payment, the household will be asked to document how a reimbursed payment would create a hardship for them. The City will consider the request and will respond in writing and will provide the advance payment it determines to be necessary to facilitate the relocation and to avoid hardship to the household.

6.0 Relocation Appeals Process

Displaced persons have the right to ask for administrative review when they believe themselves aggrieved by a determination as to eligibility, payment amounts, or the failure to provide comparable replacement housing referrals from the City. If a displaced person chooses to file a grievance, they should contact their Relocation Advisor for additional information.

7.0 Applicable Laws and Regulations may include:

Housing Accountability Act (HAA) Gov Code § 65589.5

Established the state's overarching policy that a local government may not deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farm working housing that are consistent with objective local development standards.

Permit Streamlining Act (PSA) Gov Code § 65920-64

Applies to housing development projects, decreases required timeframe to approve or disapprove a housing development project with an EIR.

Housing Crisis Act of 2019 (HCA), Chapter 654, Statutes of 2019 (SB 330, SB 8, and AB1218)

Amended the Housing Accountability Act and Permit Streamlining Act. Added new provisions to the Government Code limiting local authority to downzone property or adopt new, subjective design standards. Effective January 1, 2020, and sunsets in January 1, 2030 (per SB 8).

California Assembly Bill 1218

Removed the date the Housing Crisis Act requirements sunset.

Ellis Act Gov Code § 7060-7060.7

State law concerning property owners' right to evict tenants, obligations to provide assistance to eligible households, and replace units

California Relocation Assistance Law CA Government Code § 7260

Establishes Relocation Planning and Relocation Assistance Program requirements for eligible displaced persons.

California Code of Regulations Title 25, § 6000

Provides regulatory guidance for implementing California Relocation Assistance Law.

Appendix D

Sample General Information Notice

DATE

*Sent Via First Class and Certified Mail
Return Receipt Requested*

TENANT NAME(S)
ADDRESS
ADDRESS

Re: **Notice: Development Application for Property at _____**
Relocation Assistance Program
General Information Notice – Tenant Occupant
APN: _____

Dear _____,

The owner of the apartment community at [Address] has authorized the filing of a development application with the City of San José (City) related to the [Apartment Complex Name] community located at [Address] in San José, California. If the development application is approved by the City, it would result in the demolition and removal of [Number of units] of the existing rental units on the property. The Housing Crisis Act of 2019, SB 330 (Government Code §66300) requires the owner to replace any units that are or recently were occupied by Lower Income tenants with restricted affordable units in their new building. The law also requires owners to provide certain rights and benefits to existing Lower Income tenants. Furthermore, a Notice of Intent must be provided to all tenants on the property within 30 days of filing a development application with the City.

Property Owner: [Name]
[Address]

Project Developer: [Name]
[Address]

Proposed Project: [Sentence or two about what is being constructed]

This is not a notice to move. It is important that you continue to honor your existing lease agreement. If you move prior to receiving a Notice of Eligibility, you will not be eligible for relocation assistance. You will be receiving a Notice of Eligibility within 30 days from the date of this letter.

We would like to schedule a time to meet and discuss the Project and its potential impacts. Our relocation consultant, _____ at _____, will contact you to schedule a meeting, you may also contact him/her at _____ or by email at _____.

Sincerely,

Name of Owner/Applicant
Address

Appendix E

Sample Tenant Income Statement

12/1/2023

Current Resident

RE: Request for Information for Replacement Unit Determination

**YOUR RESPONSE TO THIS LETTER MAY AFFECT YOUR HOUSING BENEFITS THIS
IS NOT AN EVICTION NOTICE OR TERMINATION OF TENANCY**

Dear Current Resident:

The owner of the property has filed an application with the City of San José to construct a new residential housing development on the Property. The Housing Crisis Act of 2019, SB 330 (Government Code §66300) requires the owner to replace any units that are or recently were occupied by Lower Income tenants with restricted affordable units in their new building. The law also requires owners to provide certain rights and benefits to existing Lower Income tenants.

In order to ensure that all Protected Units are replaced, and all eligible tenants are protected, the City must have accurate information about the units and tenant households at the Property. The City is asking each of the tenants of the Property to **complete and return the attached form**.

YOU MAY HAVE A RIGHT TO BENEFITS

Qualified Lower Income tenants currently living in the building may have the following rights:

1. A right of first refusal for a comparable unit (at the same rent and with the same bedroom type) in the new building once it is completed.
2. The right to remain in your unit until up to six (6) months before the start of construction.
3. Financial assistance with relocation costs in accordance with state or local law (whichever is greater).

YOUR RESPONSE WILL HELP PRESERVE AFFORDABLE HOUSING

Cooperating with this request is voluntary, but your participation will assist the City in preserving affordable housing for future generations. Even if you are not eligible for benefits or choose not to occupy a unit in the new property, the number of units created in the new building with long-term affordability requirements may depend on your response.

WHAT YOU SHOULD DO

Please complete and return the attached documents, signed and dated, to the address listed on the form within two (2) weeks of the date of this letter. If you need assistance with this form, please contact Ordinance and Fees at pedro.leal@sanjoseca.gov

After the City completes the Replacement Unit Determination and issues a permit for construction of the new building, you will receive notice of the owner/landlord's intent to demolish your unit, along with additional information about your rights and benefits, if applicable.

Sincerely,

Housing Department

TENANT INFORMATION STATEMENT

Government Code §66300(d)

(To Be Completed by Tenant)

Date: _____

UNIT INFORMATION:			
Property Address:			
Unit Number:		Number of Bedrooms:	
Number of people in Household:			
Name(s) of all person(s) on Lease Agreement:			

Please review the following income table, based on the number of people in your household, and indicate by checking the appropriate box below whether you believe your household qualifies as low- or very low-income, above low-income, or unknown:

Number of People in Household	1	2	3	4	5	6	7	8
Santa Clara County (6/6/23)								
Low-Income Limit	96,000	109,700	123,400	137,100	148,100	159,050	170,050	181,000
Very Low-Income Limit	62,450	71,400	80,300	89,200	96,350	103,500	110,650	117,750

<https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf>

- My annual household income is at or below the low-income limit in the table above.
- I understand that I will need to provide additional documentation to access relocation benefits.
- My annual household income is at or below the very low-income limit in the table above.
I understand that I will need to provide additional documentation to access relocation benefits.
- My annual household income is above the low-income limit in the table above.
I understand that I am not entitled to relocation benefits.
- I do not know whether my annual household income is low- or very low-income.

Tenant Signature: _____ Date: _____

Please Return this form to:

Ordinance and Fees
City of San José, Housing Department
200 E. Santa Clara St., San Jose, CA 95113
pedro.leal@sanjoseca.gov

12/1/2023

Residente actual

Asunto: Solicitud de información para la determinación de la unidad de sustitución

**SU RESPUESTA A ESTA CARTA PUEDE AFECTAR SUS BENEFICIOS DE VIVIENDA ESTO NO
ES UN AVISO DE DESALOJO O TERMINACIÓN DE LA TENENCIA**

Estimado residente actual:

El propietario de la propiedad ha presentado una solicitud a la Ciudad de San José para construir un nuevo desarrollo de viviendas residenciales en la Propiedad. La Ley de Crisis de la Vivienda de 2019, SB 330 (Código de Gobierno §66300) requiere que el propietario reemplace cualquier unidad que esté o haya estado recientemente ocupada por inquilinos de bajos ingresos con unidades asequibles restringidas en su nuevo edificio. La ley también exige a los propietarios que proporcionen ciertos derechos y beneficios a los inquilinos de bajos ingresos existentes.

Para garantizar que todas las unidades protegidas sean reemplazadas y que todos los inquilinos elegibles estén protegidos, la Ciudad debe tener información precisa sobre las unidades y los hogares de los inquilinos en la Propiedad. La Ciudad pide a cada uno de los inquilinos de la Propiedad que **complete y devuelva el formulario adjunto**.

USTED PUEDE TENER DERECHO A BENEFICIOS

Los inquilinos de bajos ingresos calificados que actualmente viven en el edificio pueden tener los siguientes derechos:

1. Un derecho de preferencia para una unidad comparable (al mismo alquiler y con el mismo tipo de habitación) en el nuevo edificio una vez que esté terminado.
2. El derecho a permanecer en su unidad hasta seis (6) meses antes del inicio de la construcción.
3. Ayuda financiera para los costos de reubicación de acuerdo con la ley estatal o local (la que sea mayor).

SU RESPUESTA AYUDARÁ A PRESERVAR LA VIVIENDA ASEQUIBLE

Cooperar con esta solicitud es voluntario, pero su participación ayudará a la Ciudad a preservar la vivienda asequible para las generaciones futuras. Incluso si no tiene derecho a los beneficios o decide no ocupar una unidad en la nueva propiedad, el número de unidades creadas en el nuevo edificio con requisitos de asequibilidad a largo plazo puede depender de su respuesta.

LO QUE DEBE HACER

Complete y devuelva los documentos adjuntos, firmados y fechados, a la dirección indicada en el formulario en un plazo de dos (2) semanas a partir de la fecha de esta carta. Si necesita ayuda con este formulario, póngase en contacto con Ordenanza y Tasas en pedro.leal@sanjoseca.gov

Después de que la Ciudad complete la determinación de la unidad de reemplazo y emita un permiso para la construcción del nuevo edificio, usted recibirá una notificación de la intención del propietario/arrendador de demoler su unidad, junto con información adicional sobre sus derechos y beneficios, si corresponde.

Atentamente,

Departamento de Vivienda

**DECLARACIÓN DE INFORMACIÓN DEL
INQUILINO**

Código de Gobierno §66300(d)
(A completar por el inquilino)

Fecha: _____

INFORMACIÓN DE LA UNIDAD:			
Dirección de la propiedad:			
Número de la unidad:		Número de dormitorios:	
Número de personas en el hogar:			
Nombre(s) de todas las personas que figuran en el contrato de alquiler:			

Revise la siguiente tabla de ingresos, basada en el número de personas en su hogar, e indique marcando la casilla correspondiente a continuación si cree que su hogar se clasifica como de ingresos bajos o muy bajos, por encima de los ingresos bajos o desconocido:

Número de personas en el hogar	1	2	3	4	5	6	7	8
Condado de Santa Clara (6/6/23)								
Límite de ingresos bajos	96,000	109,700	123,400	137,100	148,100	159,050	170,050	181,000
Límite de ingresos muy bajos	62,450	71,400	80,300	89,200	96,350	103,500	110,650	117,750

<https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf>

- Los ingresos anuales de mi hogar son iguales o inferiores al límite de ingresos bajos de la tabla anterior.
- Entiendo que tendré que aportar documentación adicional para acceder a los beneficios de reubicación.
- Los ingresos anuales de mi hogar son iguales o inferiores al límite de ingresos muy bajos de la tabla anterior. Entiendo que tendré que aportar documentación adicional para acceder a los beneficios de reubicación.
- Los ingresos anuales de mi hogar son superiores al límite de ingresos bajos de la tabla anterior. Entiendo que no tengo derecho a los beneficios por traslado.
- No sé si los ingresos anuales de mi hogar son bajos o muy bajos.

Firma del inquilino: _____ Fecha: _____

Devuelva este formulario a:

Ordinance and Fees
City of San José, Housing Department
200 E. Santa Clara St., San Jose, CA 95113
pedro.leal@sanjoseca.gov

12/1/2023

Cư dân Hiện tại

VỀ VIỆC: Yêu cầu Thông tin để Xác định Căn hộ Thay thế

PHẢN HỒI CỦA QUÝ VỊ CHO BỨC THƯ NÀY CÓ THỂ ẢNH HƯỞNG ĐẾN NHỮNG QUYỀN LỢI VỀ NHÀ Ở CỦA QUÝ VỊ. ĐÂY KHÔNG PHẢI LÀ MỘT THÔNG BÁO TRỰC XUẤT HOẶC CHẤM DỨT HỢP ĐỒNG THUÊ NHÀ

Kính gửi Cư dân Hiện tại:

Chủ sở hữu của bất động sản này đã nộp đơn cho Thành phố San José để xây dựng một dự án phát triển nhà ở mới trên Bất động sản này. Đạo luật về Khủng hoảng Nhà ở (Housing Crisis Act) năm 2019, SB 330 (Bộ luật Chính phủ §66300) yêu cầu chủ sở hữu phải thay thế bất kỳ căn hộ nào mà đang hoặc gần đây đã có người thuê nhà có Thu nhập Thấp hơn ở bằng những căn hộ giá cả phải chăng với số lượng hạn chế trong tòa nhà mới của họ. Luật pháp cũng yêu cầu các chủ sở hữu phải cung cấp các quyền và quyền lợi nhất định cho những người thuê nhà hiện tại có Thu nhập Thấp hơn.

Để đảm bảo rằng tất cả các Căn hộ được Bảo vệ được thay thế và tất cả những người thuê nhà đủ điều kiện đều được bảo vệ, Thành phố phải có thông tin chính xác về các căn hộ và hộ gia đình thuê nhà trong Bất động sản. Thành Phố đang yêu cầu từng người thuê nhà trong Bất động sản **hoàn thành và gửi lại biểu mẫu đính kèm.**

QUÝ VỊ CÓ THỂ CÓ QUYỀN HƯỞNG CÁC QUYỀN LỢI

Những người thuê nhà có Thu nhập Thấp hơn đủ điều kiện hiện đang sống trong tòa nhà có thể có các quyền sau:

1. Quyền từ chối lần đầu đối với một căn hộ tương đương (cùng giá thuê và cùng loại phòng ngủ) trong tòa nhà mới sau khi toàn nhà được hoàn thành.
2. Quyền được ở lại căn hộ của quý vị cho đến sáu (6) tháng trước khi bắt đầu xây dựng.
3. Sự hỗ trợ tài chính cho các chi phí chuyển nhà theo quy định của pháp luật tiểu bang hoặc địa phương (tùy theo mức nào lớn hơn).

PHẢN HỒI CỦA QUÝ VỊ SẼ GIÚP GIỮ LẠI NHÀ Ở GIÁ CẢ PHẢI CHĂNG

Việc hợp tác với yêu cầu này là tự nguyện, nhưng sự tham gia của quý vị sẽ hỗ trợ Thành phố trong việc giữ lại nhà ở giá cả phải chăng cho các thế hệ tương lai. Ngay cả khi quý vị không đủ điều kiện nhận các quyền lợi hoặc chọn không ở trong một căn hộ trong bất động sản mới, thì số lượng căn hộ được tạo ra trong tòa nhà mới với các yêu cầu đảm bảo giá cả phải chăng lâu dài có thể tùy thuộc vào phản hồi của quý vị.

QUÝ VỊ NÊN LÀM GÌ

Vui lòng hoàn thành và gửi lại các tài liệu đính kèm, có chữ ký và ghi ngày tháng, đến địa chỉ ghi trên biểu mẫu trong vòng hai (2) tuần kể từ ngày đề trên thư này. Nếu quý vị cần được hỗ trợ để điền biểu mẫu này, vui lòng liên hệ với bộ phận Pháp lệnh và Phí (Ordinance and Fees) tại pedro.leal@sanjoseca.gov

Sau khi Thành phố hoàn thành việc Xác định Căn hộ Thay thế và cấp giấy phép cho việc xây dựng tòa nhà mới, quý vị sẽ nhận được thông báo về ý định của chủ sở hữu/chủ nhà là sẽ phá dỡ căn hộ của quý vị, cùng với thông tin bổ sung về các quyền và quyền lợi của quý vị, nếu có.

Trân trọng,

Bộ phận Nhà ở

TỜ THÔNG TIN NGƯỜI THUÊ NHÀ
Bộ luật Chính phủ §66300(d)
(Do Người thuê nhà Điền)

Ngày: _____

THÔNG TIN CĂN HỘ:			
Địa chỉ Bất động sản:			
Số Căn hộ:		Số Phòng ngủ:	
Số Người trong Hộ gia đình:			
Tên của tất cả (những) người trong Hợp đồng Thuê nhà:			

Vui lòng xem bảng thu nhập sau, dựa trên số người trong hộ gia đình của quý vị và đánh dấu vào ô thích hợp bên dưới để cho biết quý vị nghĩ rằng hộ gia đình của mình đủ điều kiện là thu nhập thấp hoặc rất thấp, trên mức thu nhập thấp, hoặc không biết:

Số Người trong Hộ gia đình	1	2	3	4	5	6	7	8
Quận Santa Clara (6/6/2023)								
Giới hạn Thu nhập Thấp	96,000	109,700	123,400	137,100	148,100	159,050	170,050	181,000
Giới hạn Thu nhập Rất Thấp	62,450	71,400	80,300	89,200	96,350	103,500	110,650	117,750

<https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf>

- Thu nhập hộ gia đình hàng năm của tôi bằng hoặc thấp hơn giới hạn thu nhập thấp trong bảng trên.
- Tôi hiểu rằng tôi sẽ cần cung cấp thêm tài liệu để được hưởng các quyền lợi chuyển nhà.
- Thu nhập hộ gia đình hàng năm của tôi bằng hoặc thấp hơn giới hạn thu nhập rất thấp trong bảng trên.
Tôi hiểu rằng tôi sẽ cần cung cấp thêm tài liệu để được hưởng các quyền lợi chuyển nhà.
- Thu nhập hộ gia đình hàng năm của tôi cao hơn giới hạn thu nhập thấp trong bảng trên.
Tôi hiểu rằng tôi không được hưởng các quyền lợi chuyển nhà.
- Tôi không biết liệu thu nhập hộ gia đình hàng năm của tôi là thu nhập thấp hay rất thấp.

Chữ ký của Người thuê nhà: _____ Ngày: _____

Vui lòng Gửi lại biểu mẫu này cho:

Ordinance and Fees
City of San José, Housing Department
200 E. Santa Clara St., San Jose, CA 95113
pedro.leal@sanjoseca.gov

12/1/2023

現有住戶

事由： 替換單元決定的資訊要求

您對於此信的答覆可能會影響您的住房福利

這不是驅逐通知或終止租約

親愛的現有住戶：

房產的業主已向聖荷西市提出申請，在該房產上建造一個新的住宅開發案。《2019年住房危機法案》SB 330（政府法典§66300）要求業主在新建樓房中以限制性的可負擔單元替換目前或最近由低收入租戶居住的單元。該法案也要求業主向現有的低收入租戶提供某些權利和福利。

為了確保所有受保護的單元得到替換以及所有合格的租戶得到保護，市政府必須掌握關於該房產的住房單元和租戶家庭的準確資訊。市政府要求該房產的每個租戶填寫並交回所附表格。

您可能有權獲得福利

目前住在樓房的合格低收入租戶可能有以下權利：

1. 一旦新樓房建成，您有權優先選擇新樓房中的類似單元（租金相同，臥室類型相同）。
2. 在施工開始前的六（6）個月內，您有權繼續住在目前的單元。
3. 根據州或地方法律，獲得搬遷費用的財務協助（以金額較高者為準）。

您的回覆將有助於保存可負擔住房

配合這項要求是自願的，但是您的參與將有助於市政府為後代保留可負擔住房。即使您沒有資格享受福利，或是選擇不佔用新房產中的單元，但是新樓房中具有長期可負擔要求的單元數量可能取決於您的回覆。

您應該做什麼

請在本信發出後的兩（2）週內填好所附的文件，簽名和註明日期，然後寄給表格上的地址。如果您在填表時需要幫助，請與法令與收費部（Ordinance and Fees）聯繫：
pedro.leal@sanjoseca.gov

在市政府完成替換單元決定並頒發新建築的施工許可證後，您將收到業主/房東打算拆除您的單元的通知，以及關於您的權利和福利的其他資訊（如適用）。

此致，

住房部

租戶資訊聲明
《政府法典》第 66300(d)條
(由租戶填寫)

日期：_____

單元資訊：	
物業地址：	
單元號碼：	臥房數目：
家庭人數：	
租賃協議上所有人的姓名：	

請根據您的家庭人數查看以下收入表，並勾選以下適當的方格說明您認為您的家庭是否符合低收入或極低收入、高於低收入，還是未知：

家庭人數	1	2	3	4	5	6	7	8
聖克拉拉縣 (2023年6月6日)								
低收入限額	96,000	109,700	123,400	137,100	148,100	159,050	170,050	181,000
極低收入限額	62,450	71,400	80,300	89,200	96,350	103,500	110,650	117,750

<https://www.hcd.ca.gov/sites/default/files/docs/grants-and-funding/income-limits-2023.pdf>

- 我的家庭年收入達到或低於上表中的低收入限額。
- 我明白，我需要提供額外的文件才能獲得搬遷福利。
- 我的家庭年收入達到或低於上表中的極低收入限額。
我明白，我需要提供額外的文件才能獲得搬遷福利。
- 我的家庭年收入高於上表中的低收入限額。
我明白，我無權獲得搬遷福利。
- 我不知道我的家庭年收入是低收入還是極低收入。

租戶簽名：_____ 日期：_____

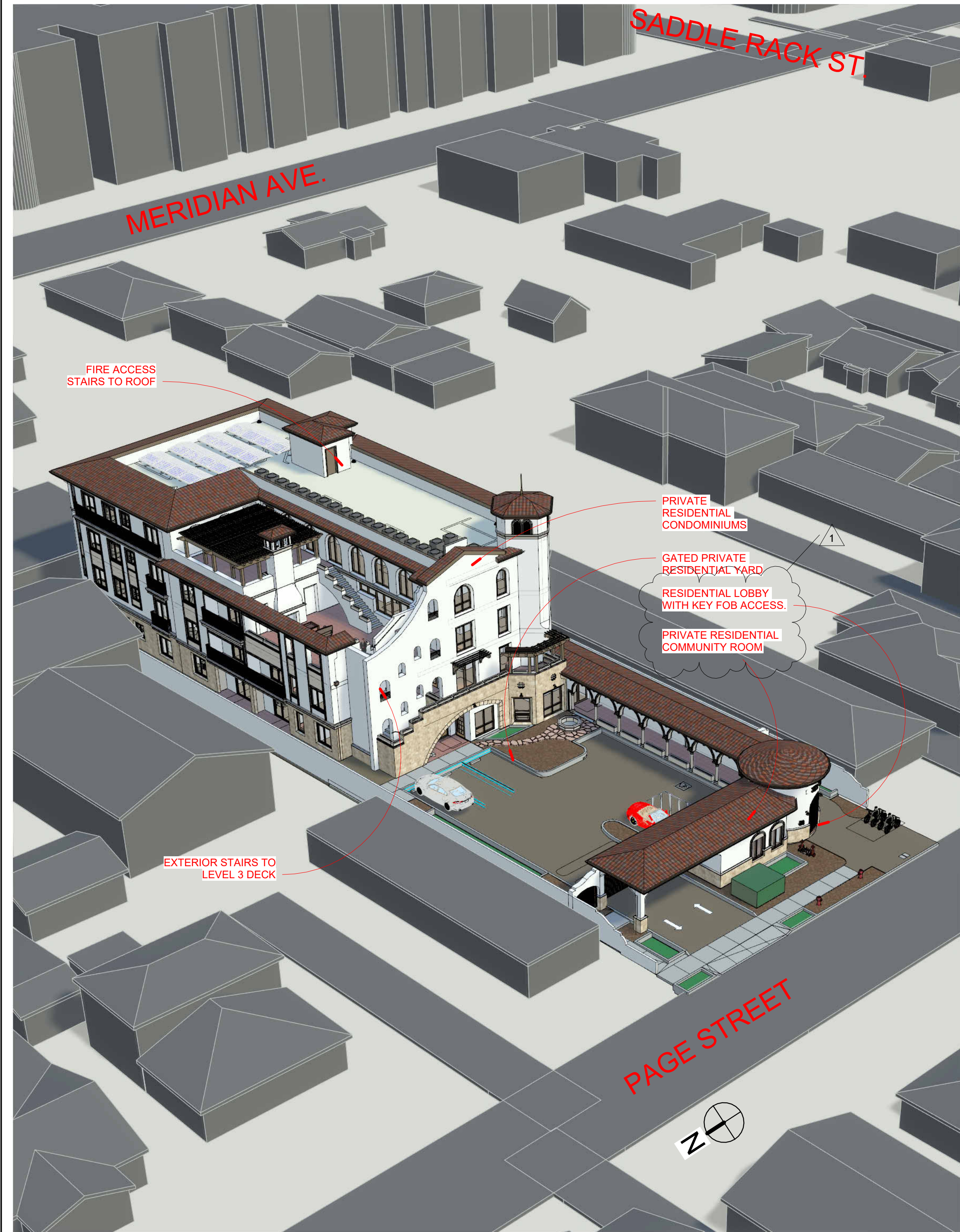
請將本表格交回：

Ordinance and Fees
City of San José, Housing Department
200 E. Santa Clara St., San Jose, CA 95113
pedro.leal@sanjoseca.gov

Appendix F

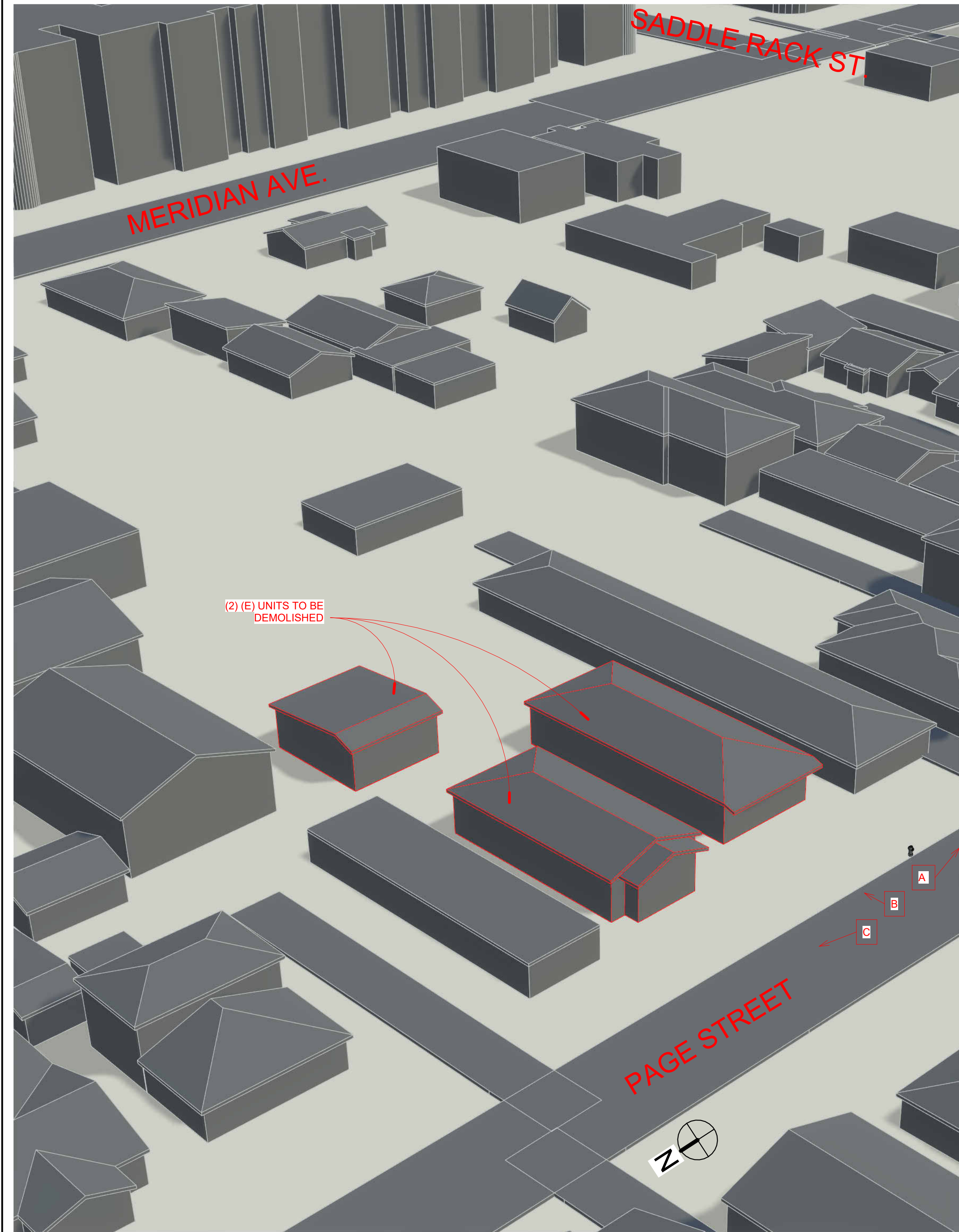
Diagrammatic Sketch of Project Area

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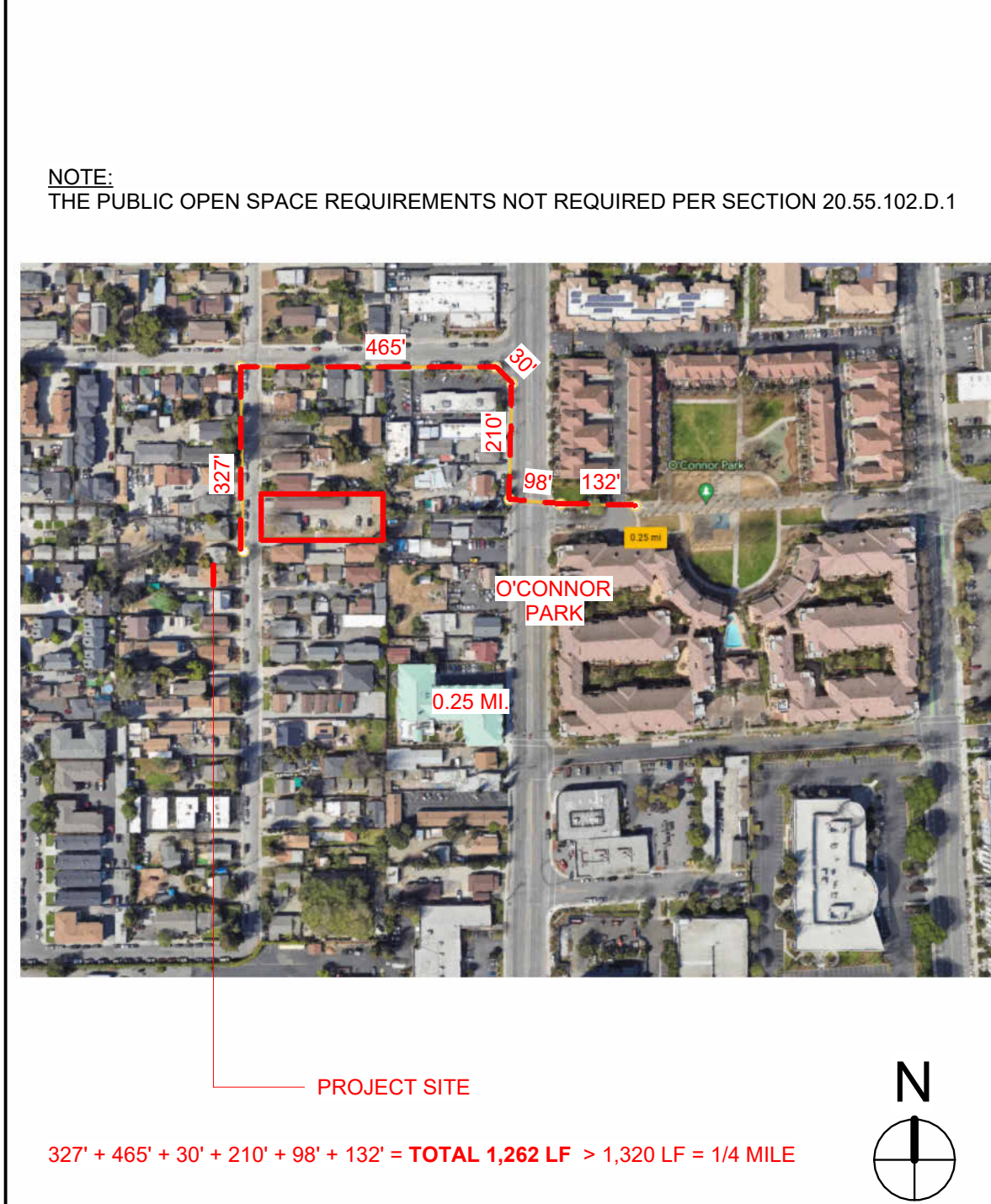
PROPOSED NEIGHBORHOOD CONTEXT

2



EXISTING NEIGHBORHOOD CONTEXT

1



NEAREST PUBLIC OPEN SPACE



PROJECT SITE

NOTE:
THE PUBLIC OPEN SPACE REQUIREMENTS NOT REQUIRED PER SECTION 20.55.102.D.1

327' + 465' + 30' + 210' + 98' + 132' = TOTAL 1,262 LF > 1,320 LF = 1/4 MILE

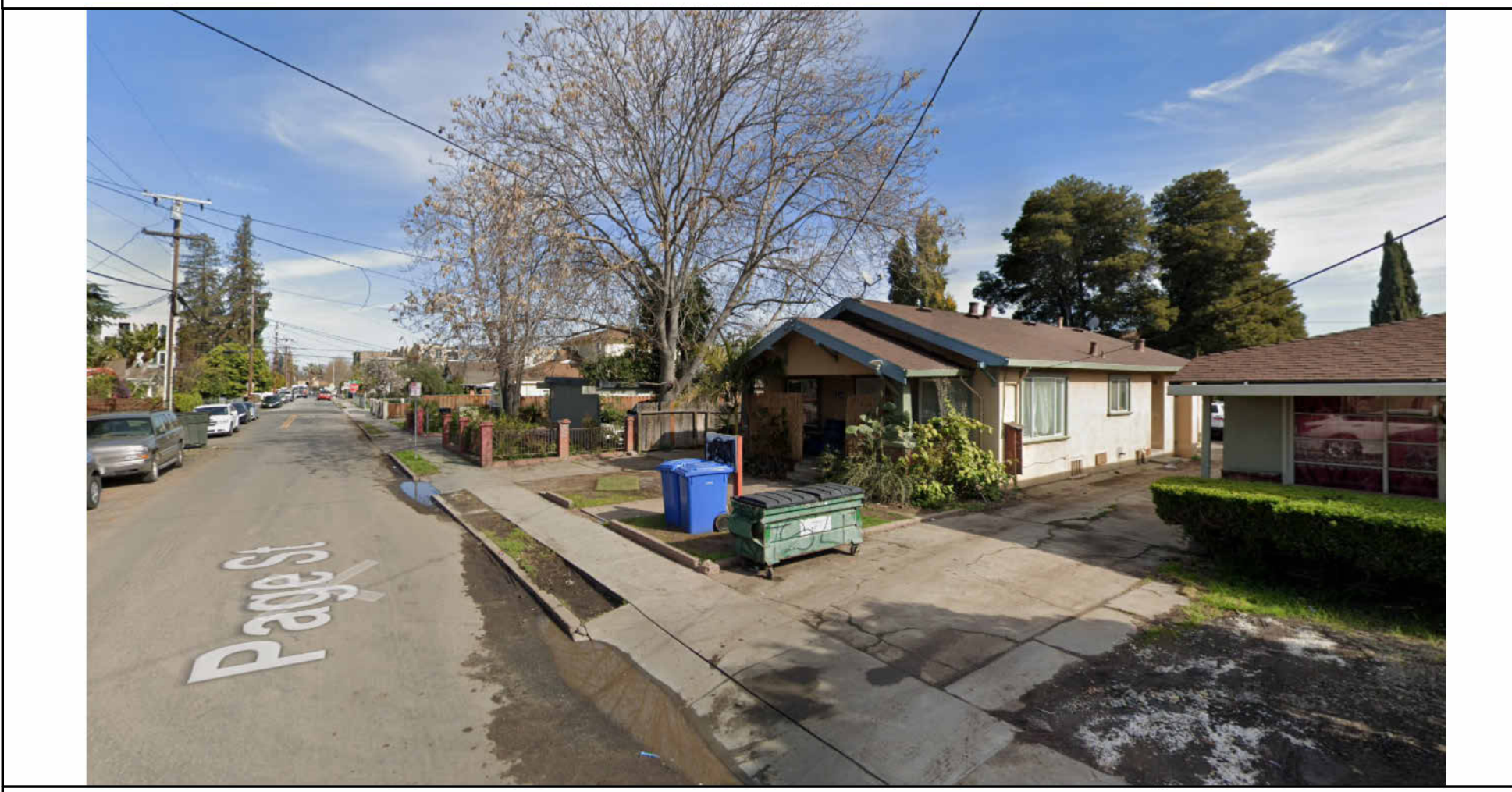


EXHIBIT A - FACING NORTH EAST

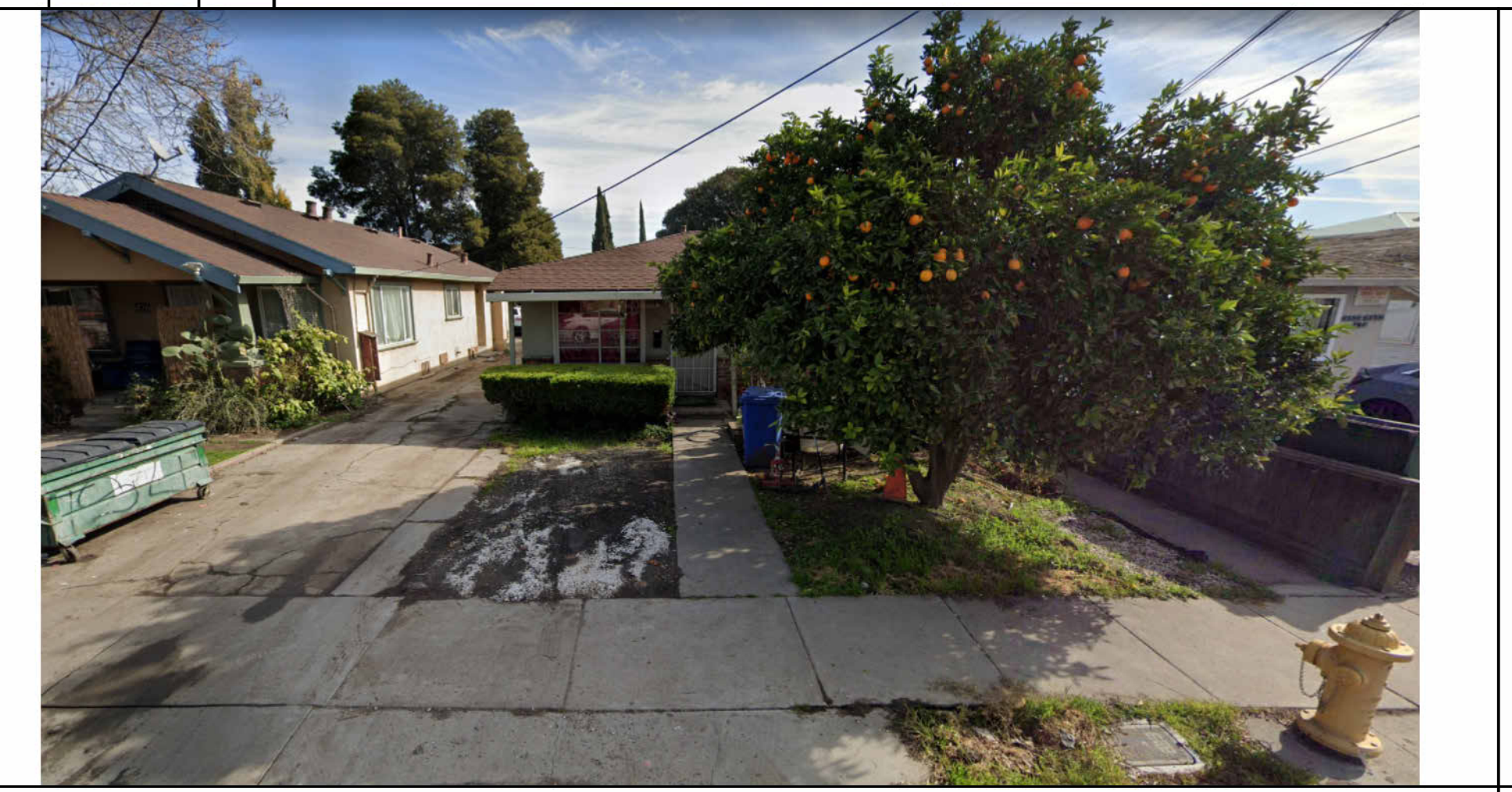


EXHIBIT B - FACING EAST

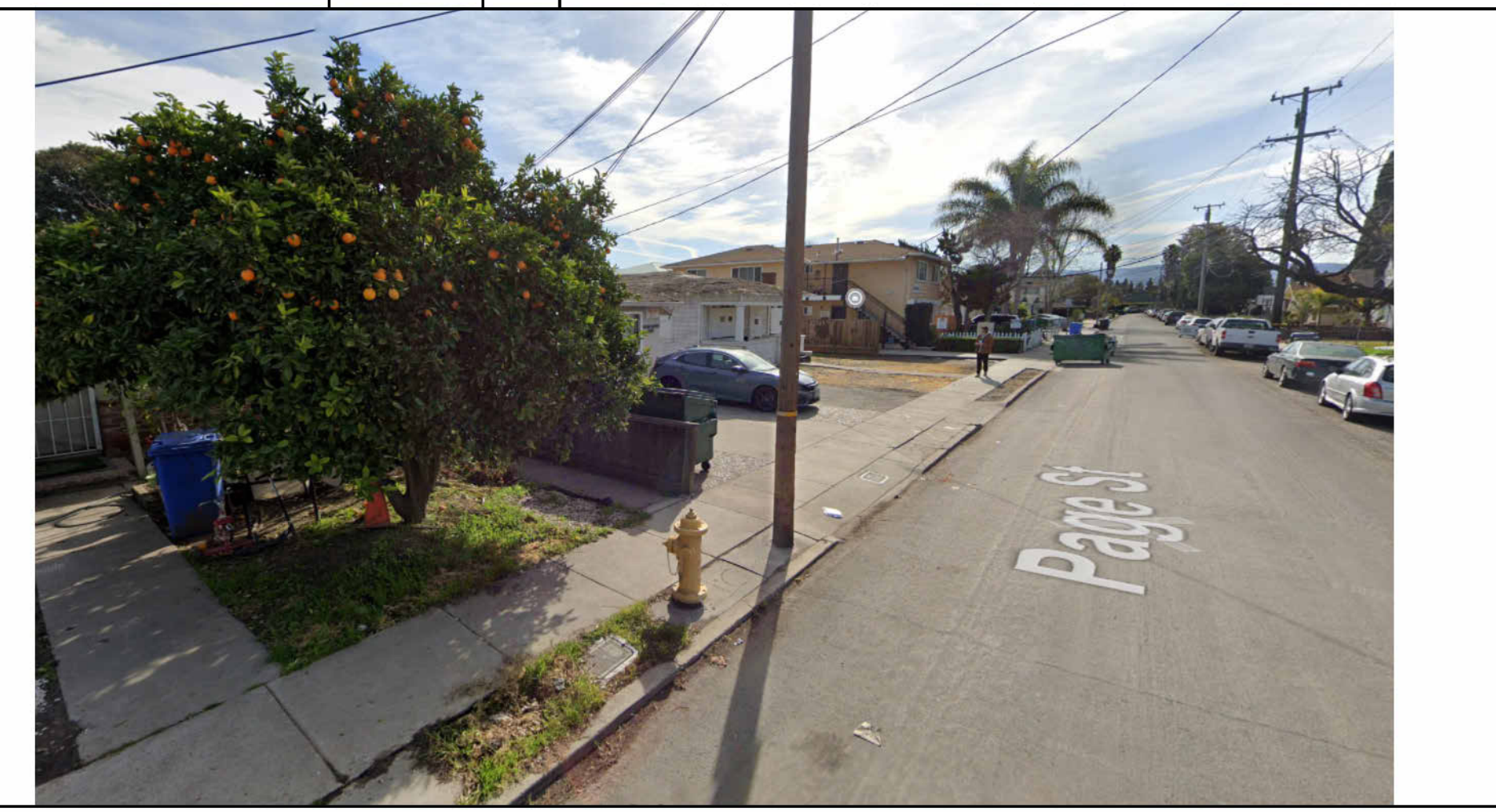


EXHIBIT A - FACING SOUTH EAST



PAGE II
426 & 428 PAGE STREET
SAN JOSE, CA 95126

REVISION		
No.	Descrip.	Date
1	PLANNING	11/21/23

PLAN REVIEW #: No. H23-025
DATE: 06/19/2023
JOB NO.: 230005

**NEIGHBORHOOD
CONTEXT**

SCALE: 12" = 1'-0"

G1.01

1/24/2023 12:37:58 PM