



5.8 MOBILE HOME RELOCATIONS

Mobile homes present one of the most complex situations that WisDOT encounters in the relocation program. This section describes the provisions and procedures governing the different types of relocation assistance payments available. Owner and/or tenant occupants of mobile homes who are displaced by a highway construction project may be eligible for different types of relocation payments depending on varying situations relating to ownership and occupancy of the mobile home and the site on which it is located. These varying situations present WisDOT with additional decisions, complexities and determinations, such as the need for additional time preparing both market study and computations for various situations; increased complexity in determining relocation payments for displaced person; and, whether to acquire or move mobile home from site. In addition, mobile home occupants may have a disproportionate number of low income, elderly and other occupants who will need additional services under last resort housing to move successfully, and in obtaining financing.

5.8.1 General Provisions

Unless modified by the procedures in this section, a person displaced from a mobile home and/or mobile home site would be entitled to moving expense payments according to REPM/Section 5.4; and, would be entitled to a replacement housing payment (RHP) according to REPM/Section 5.5. Eligibility and payments would be essentially the same as to a person displaced from a conventional dwelling, except that additional procedures as described in this section apply.

5.8.1.1 Occupancy Status

The length of occupancy on the site will determine the occupant's status as either a 90-day occupant, or less than 90-day occupant. The ownership or tenancy of the mobile home determines the occupant's status as owner or tenant. The ownership or tenancy of the site determines the status as an owner or tenant. There are four different combinations of ownership/tenancy mobile homes:

1. Owner of mobile home/owner of land
2. Owner of mobile home/tenant of land
3. Tenant of mobile home/owner of land
4. Tenant of mobile home/tenant of land

5.8.1.2 Park Entrance and Exit Fees

[Wisconsin Adm Code ATCP 125.04\(1\)](#) - Rental agreement; limitations, prohibits either an entrance or an exit fee charge for mobile home parks.

5.8.1.3 Partial Acquisitions

The acquisition of a portion of a mobile home park may leave a remainder that is not adequate to continue operation as a viable mobile home park. If WisDOT determines that a mobile

home located in the remainder portion of the property must be moved as a direct result of the project, the occupant of the mobile home is considered a displaced person who is entitled to relocation payments and other assistance under this section. If the mobile home can be relocated, the owner is eligible for reimbursement for the cost of moving the mobile home. If the owner of the mobile home moves the mobile home and is reimbursed for that move, they will not be eligible for a replacement housing payment for the mobile home. The owner occupant may be eligible for a replacement housing payment site if they also own the land or site the mobile home is located on under the procedure in REPM/Section 5.5.

5.8.2 Purchases Affected by Highway Projects

If the mobile home cannot be relocated, WisDOT will make an offer to purchase it. Acceptable reasons why a mobile home cannot be relocated are:

- Home is not and cannot economically be made decent, safe and sanitary.
- No available comparable site.
- Regional supervisor/agent may determine on a case-by-case basis other conditions prohibiting relocation of home.
- Structural condition is such that it cannot be moved without substantial damage or unreasonable costs.
- Substantial damage or unreasonable costs apply if cost to relocate and re-establish home on a new site would equal or exceed entitlement calculated in replacement housing payment computation.
- Where relocation to another park is only option available, current home does not meet comparable mobile home park eligibility requirements.

The acquisition is based on the fair market value of the mobile home and will be made regardless of the owner or tenant occupant's length of occupancy. A person qualified to appraise mobile homes or determine the values of a mobile home in the subject area will establish the fair market value. The value is used as a basis for determining a replacement housing payment for a mobile home owner occupant. If the mobile home owner does not agree to sell for the offer amount, WisDOT may negotiate to either pay a higher amount, and document the reason for any increase in the purchase price, or decline to purchase. If the mobile home is not purchased, and the displaced person is an owner occupant of the mobile home, the replacement housing payment is calculated as described in REPM/5.8.5.1.

5.8.2.1 Evidence of Purchase/Required Documentation

WisDOT's purchase of a mobile home is evidenced by a bill of sale and title for the mobile home. The regional relocation agent must forward the bill of sale and title to BTS-RE/Property Management as soon as possible or within ten(10) working days from the date of execution by the mobile home owner. Note: The title may show financing and/or other liens and the relocation agent should carefully review such documents prior to purchase.

5.8.2.2 Purchases/Moves Under Certain Conditions (Non-DSS)

If a mobile home owner occupant retains and reoccupies a mobile home that WisDOT determines cannot be relocated because it does not meet decent, safe and sanitary (DSS) standards, and the owner is in agreement with this procedure, the costs necessary to move it

and bring it up to these standards may be claimed from the available the replacement housing payment. The total amount claimed for moving and bringing the home to DSS standards may not exceed the amount computed in the replacement housing payment computation. This procedure can be utilized only in circumstances where DSS standards and moving can be met within the replacement housing payment. Regional RE management must pre-approve and concur in using this procedure.

Example - WisDOT's fair market value offer to purchase the displacee's non-DSS mobile home is \$5,000. The cost of a comparable DSS mobile home is determined to be \$12,000; therefore, the displacee is eligible for a maximum \$7,000 supplement. The displacee elects instead to keep his mobile home for personal and financial reasons and relocates it to a replacement site. The actual cost of the move is \$2,000 and the costs to make the necessary DSS repairs are \$2,500. The displacee may be reimbursed for the total of \$4,500 since it does not exceed the calculated \$7,000 RHP. The mobile home owner occupant may also be eligible for a rental assistance payment or a down payment supplement for the replacement site.

If the mobile home is not purchased, but the occupant is considered displaced under these procedures, the initiation of negotiations is:

- Date that negotiations to acquire land began; or
- If the land is not acquired, date that occupant receives written notification from WisDOT that they are a displaced person.

5.8.3 Comparable Replacement Dwelling(s)

Conventional dwelling - A comparable conventional dwelling should be similar to the subject mobile home in size and utility, unless a larger dwelling is necessary to meet decent, safe and sanitary housing standards.

Mobile home - If a used replacement mobile home comparable is not available, the replacement housing payment calculation will be based on a comparable new replacement mobile home. If no mobile homes are available, the replacement housing payment will be based on the reasonable cost of a conventional comparable replacement dwelling.

Recreational vehicle - A recreational vehicle that is capable of providing living accommodations may be considered a replacement dwelling if this criteria is met: as sited, the unit meets all local, state and federal requirements for a decent, safe and sanitary dwelling; on the date of WisDOT inspection, it is located on a purchased or leased site and is connected to or has available all necessary utilities for functioning as a housing unit; and, was purchased and occupied as the primary place of residence.

5.8.4 Moving and Eligibility for Expenses

A tenant, owner occupant, or seasonal residential occupant displaced from a mobile home or mobile home site is entitled to reimbursement for the cost of moving personal property from the acquisition area on an actual cost or fixed cost basis in accordance with the procedure outlined in REPM/Section 5.4. If the mobile home is not acquired or purchased by WisDOT, it is treated as personal property and the owner is eligible for reimbursement of the actual reasonable cost to

move the mobile home. If an owner obtains a replacement housing payment due to circumstances described in REPM/5.8.5, they are not eligible for payment for moving the mobile home. The owner occupant of a displaced mobile home classified as personal property and not acquired or purchased by WisDOT may be reimbursed for moving expenses in accordance with REPM/Section 5.4. These expenses may also be eligible for reimbursement:

- A displaced mobile home owner who moves mobile home to a replacement site is eligible for reasonable cost of disassembling, moving and reassembling any attached appurtenances that were not acquired (e.g., awnings, decks, porches, and skirting), anchoring of unit, and utility hook up charges.

5.8.5 Replacement Housing Payments

5.8.5.1 90-Day Occupant

A displaced owner occupant of a mobile home is entitled to a replacement housing payment not to exceed \$31,000 as described under REPM/Section 5.5, provided they meet the following:

- Owned displaced mobile home and occupied it on displacement site for at least 90 days immediately prior to initiation of negotiations;
- Meets other basic eligibility requirements of REPM/Section 5.5;

And, WisDOT either:

- Acquires home site and/or acquires or purchases mobile home or home is not acquired or purchased, but owner is displaced from home because of one of the reasons cited in this section.

If the mobile home is not acquired or purchased, but the regional RE supervisor/agent determines that it is not practical to relocate it, the purchase supplement described in REPM/Section 5.5 will be:

- The lesser of (<) purchase price of DSS replacement mobile home actually purchased and occupied by the displaced person or reasonable cost of a comparable replacement mobile home;
- Minus higher of (-) salvage value or trade-in value;
- Equals (=) replacement housing payment.

This procedure is most effective where mobile homes have little or no salvage or trade in value.

5.8.5.2 Less than 90-Day Occupant

A displaced tenant or owner occupant of a mobile home, when the length of occupancy of the mobile home on the site is less than 90 days prior to the initiation of negotiations, may be eligible to receive a replacement housing payment in accordance with housing of last resort provisions discussed in REPM/Section 5.5 when all criteria are met.

Payment computation for the eligible less than 90-day mobile home occupant will be made in accordance with REPM/Section 5.5. All displaced persons who are less than 90-day mobile home occupants are eligible to receive advisory assistance and move cost reimbursement in accordance with REPM/Sections 5.2 and 5.4.

5.8.6 Computing Replacement Housing Payments

The replacement housing payment is computed in accordance with the applicable provisions of REPM/Section 5.5. Status and length of occupancy for both the mobile home and mobile home site must be considered when computing a payment. If the status of the mobile home and the mobile home site differs (for example, one is owned or will be purchased and the other is or will be rented), the total replacement housing payment will consist of a payment for a replacement mobile home and a payment for a site, or a combined payment. If the total amount of the replacement housing payment claimed for the mobile home, plus the replacement housing payment claimed for the mobile home site exceeds the amount in the original replacement housing payment eligibility computation (using comparables), reimbursement is limited to the amount in the original replacement housing payment computation. If the rent supplement portion of a combined payment to a 90-day owner who is a tenant on the site exceeds \$8,000, the payment will not be considered last resort housing unless the combined total of the replacement housing payments for the mobile home and the site exceeds \$31,000.

Example - A mobile home owner who has been a tenant on the site for over 90 days is offered a replacement housing payment package consisting of: \$6,000 for a replacement mobile home; \$9,500 as a rent supplement for a replacement site; and, incidentals are estimated to be \$600 (there was no mortgage). Even though the rent supplement portion exceeds \$8,000, since the total package is less than \$31,000, this is not a last resort housing situation. The displacee purchases a decent, safe and sanitary mobile home and site, the displacee claims a \$5,000 RHP (spent \$1,000 less than the price of the first comparable) and a \$10,500 rent supplement (they rented a more expensive site than the comparable site used in the RHP computation). The displacee's payment entitlement, based on the above data, would be \$15,500 plus incidentals.