

# Memorandum

**To:** ALL REGIONS/DISTRICTS  
**Attention:** Region/District Division Chiefs,  
RAP Senior Right of Way Agents

**Date:** April 8, 2011  
**File:** RELOCATION  
ASSISTANCE  
Reference File 2011-01

**From:** DEPARTMENT OF TRANSPORTATION  
DIVISION OF RIGHT OF WAY & LAND SURVEYS

**Subject:** Extension and Implementation of Temporary Programmatic Waiver: Waiver of  
49 CFR 24.401(b)(1) – Calculation of Replacement Housing Payment for Negative Equity

On April 7, 2009, the Federal Highway Administration issued a Memorandum entitled, "Temporary Programmatic Waiver: Waiver of 49 CFR 24.401(b)(1) – Calculation of Replacement Housing Payment for Negative Equity". The California Department of Transportation requested and received a programmatic waiver for calculating maximum replacement housing payments based upon the initial written offer of just compensation rather than the administrative settlement amount. Refer to Relocation Assistance Reference File 2009-01 for additional information on particulars of the waiver. The original waiver expired on January 1, 2011. It has now been extended through December 31, 2012.

Sincerely,



DONALD E. GREBE  
Chief  
Office of Right of Way Project Delivery

c: BGreen,BSchimpf, RMacpherson,SKarimbakas, ANierenburg, SShellooe, RRodrigues,  
JSchaffer, SLofton, DGebbers, MZgombic, BDauffenbach