



Uniform Relocation Assistance and Real Property Acquisition Act (URA)

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Georgia[®] Department of
Community Affairs
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

Acquisition

“The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970”

- ❑ To provide uniform, fair and equitable treatment of persons whose real property is acquired or who are displaced in connection with federally funded projects
- ❑ To ensure relocation assistance is provided to displaced persons to lessen the emotional and financial impact of displacement

Acquisition

- ❑ To ensure that no individual or family is displaced unless decent, safe, and sanitary (DSS) housing is available within the displaced person's financial means
- ❑ To help improve the housing conditions of displaced persons living in substandard housing
- ❑ To encourage and expedite acquisition by agreement and without coercion

Acquisition

- ❑ The following process DOES NOT include acquisition that will result in DISPLACEMENT of “bona fide” residents of the property
- ❑ RELOCATION of displaced persons is required in those circumstances



URA the HUD Way Real Property Acquisition Process



Appraisal
 The URA specifies a process to accomplish the standard of paying just compensation as set out in the Fifth Amendment to the U.S. Constitution. The URA requires that a qualified appraiser estimate the fair market value of the property through the appraisal process.

Review Appraisal
 The appraisal must be reviewed by a qualified review appraiser for consistency and reasonableness, and to ensure it meets all standards.

Just Compensation
 Agencies must establish the amount of just compensation to offer the property owner, which cannot be less than the approved appraisal. An authorized agency employee must set the amount to be offered.

Written Offer
 Agencies must make a written offer to the property owner for the just compensation amount. A verbal offer does not meet the URA requirements.

Negotiations
 After the agency makes the offer, a reasonable period of negotiations should occur where the property owner can review the offer, ask questions, accept or reject the offer, or make a counteroffer.
 Agencies can pay more than the amount of the established just compensation offer by using an administrative settlement, if it is reasonable, prudent, and in the public interest.

Yes
 → **Closing**
 If you are successful in reaching a settlement, you will go to a closing with the property owner and obtain title to the property.

No
 → **Condemnation or Walk Away**
 If negotiations are unsuccessful, agencies with eminent domain authority may choose to pursue condemnation through the eminent domain process. Agencies without eminent domain authority must walk away.

Acquisition

“The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970” – URA

- 49 CFR Part 24 is the government-wide regulation that implements the URA.
- HUD Handbook 1378 provides HUD policy and guidance on implementing the URA and 49 CFR Part 24 for HUD funded programs and projects.
 - Section 104(d) of the Housing and Community Development Act

**Required regardless of source of funds used to
Acquire real property**

5 BASIC STEPS TO ACQUISITION

1. NOTIFY property owner of intent to acquire property
2. NOTIFY property owner & tenants of their “URA Protections”
3. DETERMINE “Just Compensation” (FMV)
4. OFFER Just Compensation
5. COMPLETE sale as expeditiously as possible

Step 1. Notify Property Owner of Intent to Acquire Property

- ❑ This is a PRELIMINARY acquisition notice
 - ❑ General Information Notice (GIN)
- ❑ “Notice of Interest” or “Notice of Intent to Acquire”
- ❑ Sample letter available upon request

Step 2. Notify Property Owner & Tenants of their URA Protections

- ❑ Essential: Send/deliver the HUD Brochure with the Notice of Intent (see Step 1)

Document Delivery of Notice

- ❑ “When a Public Agency Acquires your Property”

- ❑ Brochure can be found at the following site:
<https://www.hudexchange.info/programs/relocation/publications/>

Step 3. Determine “Just Compensation”

- Just Compensation = Fair Market Value (FMV)
- Requires Appraisal and a Review Appraisal
 - Unless...simple acquisition \leq \$15,000.00
- Qualifications for appraisers may be found in the URA regulation

Step 3. “Just Compensation” (cont.)

For simple acquisitions \leq \$15,000: “Waiver Valuation”

- Appropriate valuation methodology must be used (tax records, for example)
- Valuation must be conducted by a person that has sufficient understanding of appraisal principles and the local real estate market to be qualified to prepare it.
- Owner still has right to appraisal

Step 3. “Just Compensation” (cont.)

For Property Donations:

- ❑ Owner must be informed of appraisal & just compensation rights (\$)
- ❑ Waiver must be provided by owner in writing (use HUD Form)

Step 4: Offer Just Compensation

- “Notice of Just Compensation and Summary Statement”
- This is a written purchase offer
- Must summarize basis for the offer, including...
 - i. Property Description
 - ii. ID of any building, equipment & fixtures included

Step 5: Complete Sale ASAP

- ❑ Consider community meeting if large # of easements or ROW's are needed
- ❑ Consider “Face-to-Face” contact
- ❑ Local Government must consider owner's viewpoints & may update appraisal as a result
- ❑ All property transfer costs must be paid by the program
- ❑ Deed must be filed at courthouse

DCA will monitor your files for...

- ❑ List of acquired properties
- ❑ Evidence that all notices were provided
- ❑ Copies of any waivers
- ❑ Copy of appraisal & review appraisal
 - ❑ Or method of valuation for \leq \$15,000
- ❑ Property Description
- ❑ Closing or settlement statement
- ❑ Evidence of payment
- ❑ Evidence of property transfer & copy of recorded deed

Web Resources

- https://www.fhwa.dot.gov/real_estate/uniform_act/index.cfm
- <https://www.hudexchange.info/programs/relocation/publications/> (“When a Public Agency Acquires Your Property” Brochure)

Questions??

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Thank You!

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