



Georgia<sup>®</sup> Department of 

# Community Affairs



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Glenn Misner

# 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

# 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 < \$10,000.00
- Qualifications for appraisers may be found in the URA regulation

## Step 3. “Just Compensation” (cont.)

### **For simple acquisitions < \$10,000: “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 <\$10,000
- ❑ 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.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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