



City of Tucson Real Estate Program

Acquisitions
and
Relocations

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Real Estate Services for Public Projects

} Acquisition of Property Rights

- Appraisal
- Offer to Purchase
- Negotiations
- Close of Escrow/Payment of Compensation
- Right necessary for the Project obtained by the City

} Relocation of Occupants

- Relocation Planning
- Eligibility
- Bids for Move
- Determination
- Move of Personal Property/Vacancy
- Disbursement of Reimbursed expenses

Acquisition Services

} Acquisition of Property Rights

- Title Report
- Appraisal
- Appraisal Review
- Just Compensation
- Offer to Purchase
- Negotiations
- Close of Escrow/Payment of Compensation
- Transfer of rights to the City

Acquisition Regulations

- Public Purpose - Arizona Revised Statutes (ARS) § 28-7092.
 - Property acquired for transportation purposes includes land or any interest in the land necessary for:
 - Rights-of-way, water, or material needed in the construction, improvement or maintenance of roadways;
 - Rights-of-way to the place material required in the construction, improvement or maintenance of highways;
 - Rights-of-way for access to any location prescribed this subsection;
 - Relocation of existing utility or irrigation facilities to facilitate a transportation purpose;
 - Legal access to property acquired through adjacent property; and

Acquisition Regulations Continued:

- If part of a parcel of land is to be taken for transportation purposes and the remainder is to be left in such shape or condition as to be of little value to its owner or to give rise to claims or litigation concerning severance or other damage, the director may acquire the whole parcel by any means provided in subsection A, and the remainder may be sold, exchanged for other property needed for transportation purposes or used for rights-of-way for relocated utility or irrigation facilities.

Acquisition Services Continued

} Acquisition of Property Rights

- Inability to negotiate settlement may result in the Agency exercising their Right of Eminent Domain.
- Hearing to Show Cause
- Award of Immediate Possession
- Post Bond of Payment with the Courts
- Litigation Settlement
- Payment of Final Settlement value
- Recordation of Final Order of Condemnation

Acquisition Regulations

Continued:

- Acquisition - Arizona Revised Statutes (ARS) § 12-1116. Actions for condemnation; immediate possession; money deposit
 - Acquisition requirements:
 - at least twenty (20) days prior to filing an action for **condemnation** of property or any interest in property, the Agency shall deliver to the property owner of record and as a courtesy to the sole lessee of record:
 - A written offer to purchase the property or interest in the property and to pay just compensation for the property rights; and
 - Provide an appraisal that supports the amount of the proposed compensation.

Acquisition Regulations Continued:

Federal Highway Administration 49 CFR Part 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally- Assisted Programs; Final Rule

Subpart B—Real Property Acquisition

- Prior to the initiation of negotiations, the Agency shall establish the amount which it believes is just compensation for the real property.
- The amount shall not be less than the approved appraisal of the market value.
- The Agency shall make a written offer to the owner to acquire the property for the full amount determined to be just compensation.

Relocation Services

} Relocation of displacee

- Eligibility
- Bids for Move
- Determination of Entitlements
- Selection of Replacement site
- Coordination of Move
- Disconnect, Move of Personal Property/Vacancy
- Reconnect of Personal Property
- Claim of Entitlements
- Disbursement of Reimbursed expenses

Relocation Regulations

Relocation Service – Arizona Revised Statutes (ARS) § 28-7142.

Relocation assistance advisory services

- A. Projects undertaken by an Agency shall be planned in a manner that both:
 - 1. Recognizes, at an early stage in the planning of the projects and before the commencement of any actions that will cause displacements, the problems associated with the displacement of individuals, families, businesses and farm operations.
 - 2. Provides for the resolution of the problems in order to minimize adverse impacts on parties.

Relocation Regulations Continued:

- B. The displacing agency shall ensure that the relocation assistance advisory services are made available to all persons displaced by the Project.
- C. Each relocation assistance advisory program required shall include:
 - 1. Determine and make timely recommendations on the needs and preferences, if any, of displaced persons for relocation assistance.
 - 2. Provide current and continuing information on the availability, sales prices and rental charges of comparable replacement dwellings for displaced homeowners and tenants and suitable locations for businesses and farm operations.
 - 3. Assist a person who is displaced from a business or farm operation in obtaining and becoming established in a suitable replacement location.

Relocation Regulations Continued:

- 4. Supply:
 - (a) Information concerning federal, state and local programs that may be of assistance to displaced persons.
 - (b) Technical assistance to those persons in applying for assistance under the programs.
- 5. Provide other advisory services to displaced persons in order to minimize hardships to those persons in adjusting to relocation.
- o D. The Agency shall coordinate relocation activities performed by other governmental agencies in the community that could affect the efficient and effective delivery of relocation assistance and related services.
- o E. If a displacing agency acquires property for a Project, a person who occupies the property on a rental basis for a short term or a period subject to termination when the property is needed for the Project is eligible for advisory services to the extent determined by the Agency.

Relocation Regulations Continued:

Federal Highway Administration 49 CFR Part 24 Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs; Final Rule

Uniform Policies Act of 1970, as amended (Uniform Act) has been developed to:

- } (a) To ensure that owners of real property to be acquired for Federal and federally-assisted projects are treated fairly and consistently, to encourage and expedite acquisition by agreements with such owners, to minimize litigation and relieve congestion in the courts, and to promote public confidence in land acquisition programs;
 - } (b) To ensure that persons displaced as a direct result of Projects are treated fairly, consistently, and equitably so that such displaced persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole; and
 - } (c) To ensure that Agencies implement these regulations in a manner that is efficient and cost effective.
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Relocation Benefits

- Relocation Advisory Services
 - Residential Assistance
 - Business, Farm, and Nonprofit Organization Assistance
- Individuals, and Families
 - Moving Costs
 - Replacement Housing – Purchase Supplement
 - Replacement Housing – Rental Assistance
 - Replacement Housing – Downpayment Assistance
- Business, Farm, and Nonprofit Organization Assistance
 - Moving Costs Reimbursement
 - Related Eligible Expenses
 - Reestablishment Expenses
 - Fixed Payment for move and related expenses