**INVOLUNTARY ACQUISITION REVIEW CHECKLIST**

Involuntary Acquisitions may only be done so under use of threat or eminent domain, and only for the benefit of the public. When acquiring Real Property (Real Property includes fee simple title, permanent & temporary easements needed for a CDBG project, Long Term Leases of 50 years or more, rights of way), UGLG’s must make sure to comply with the Uniform Relocation Assistance and Real Property Acquisition Polices Act of 1970, as amended (Uniform Act). Real Property to be acquired for a CDBG project will require some type of paperwork, regardless of who purchases the Real Property and who pays for the Real Property. The type of paperwork differs depending on whether the acquisition is involuntary or voluntary. Involuntary acquisition occurs when the purchasers have and will use the power of eminent domain if an amicable agreement cannot be reached. Separate files and checklists must be maintained for each acquisition. At a minimum, the UGLG’s Involuntary Acquisition records should document the following:

|  |  |
| --- | --- |
| Grantee |  |
| Grant # |  |
| Project Name |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **PROPERTY OWNERS (list all for this parcel)** | | | |
| Name |  | Phone # |  |
| Address |  | Email |  |
| Name |  | Phone # |  |
| Address |  | Email |  |
| Name |  | Phone # |  |
| Address |  | Email |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | Property Use: |  |
| Owner Occupied?  Tenant Occupied? | Yes  No  Yes  No | Single Family Residential  Multi-Family Residential  Mixed Use | Commercial  Industrial  Other:  **list** |

|  |  |  |
| --- | --- | --- |
| Yes  No  NA | 1. | Title search was conducted to determine owners of record. |
| Yes  No  NA | 2. | Property owner was personally served or sent by certified mail, return receipt requested, the Involuntary Preliminary Acquisition Notice (Form 6-F), which includes:   1. An explanation of the property owner’s rights, including: (1) the right to just compensation; and (2) the right to an appraisal; and (3) the right to accompany the appraiser. 2. The appropriate HUD booklet (Form 6-G or 6-H)   Date and type of delivery (attach documentation): |
| Yes  No  NA | 3. | If applicable, property owner was personally served or sent by certified mail, return receipt requested, an invitation to accompany each appraiser on the inspection of the property (Form 6-M):  Date and type of delivery (attach documentation): |
| Yes  No  NA | 4. | An appraisal and review appraisal were conducted, if applicable (required if valuation is greater than $10,000 or other certain conditions) or Waiver Valuation was completed by knowledgeable person (Form 6-D or similar). Waiver Valuation must include:   1. The property and a brief description of the property; and 2. An estimate of the value of the property and the basis for the estimate; and 3. The signature, name, and qualifications of the person conducting the valuation.   $ Market Value (attach Appraisals or Waiver Valuation) |
| Yes  No  NA | 5. | Fair market value was offered to property owner, along with a summary statement for the basis of the determination of just compensation (Form 6-I and 6-J or similar):  Date of Offer (attach documentation): |
| Yes  No  NA | 6. | Sales Contract (Purchase or easement agreement) was executed.  Date executed (attach documentation): |
| Yes  No  NA | 7. | If acquisition is terminated, Notice of Intent Not to Acquire was personally served or sent by certified mail, return receipt requested (Form 6-K).  Date and type of delivery (attach documentation): |
| Yes  No  NA | 8. | If condemnation is required:  a. Negotiations have been formally terminated in writing;  b. Condemnation suit has been filed;  c. Just compensation, as directed by the court, has been deposited in an escrow account  d. Payment has been made according to court instructions.  Date Resolved (Attach documentation): |
| Yes  No  NA | 9. | Buyer paid all incidental expenses incurred with transferring the property (except costs to perfect title ownership) and seller received all net proceeds from the sale (HUD-Form1; Form 6-L or similar).  Date of Closing (attach documentation): |
| Yes  No  NA | 10. | Document was recorded at the County.  Date Recorded (attach recorded document): |
| Yes  No  NA | 11. | Appeals were handled according to 49 CFR Part 24.10.  Attach documentation: |
| CORRECTIVE ACTION, IF REQUIRED |  |  |

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| **Reviewer Name and Title** | Date: |