

# FTA

FEDERAL TRANSIT ADMINISTRATION

## **FTA Real Estate Workshop**

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Real Estate Manager  
November 1-2, 2012**



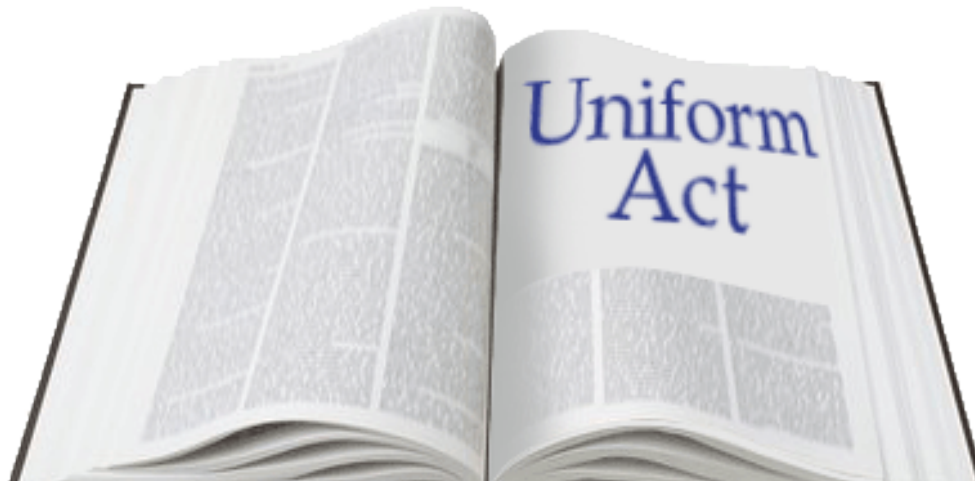
U.S. Department of Transportation  
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# Frequent and Reoccurring Compliance Issues

- Weaknesses in Grantees Real Estate Program
- How to fix the Weaknesses
- Training Opportunities and Guidance

# Uniform Act (Statutory Requirements-Amplify Amendments)

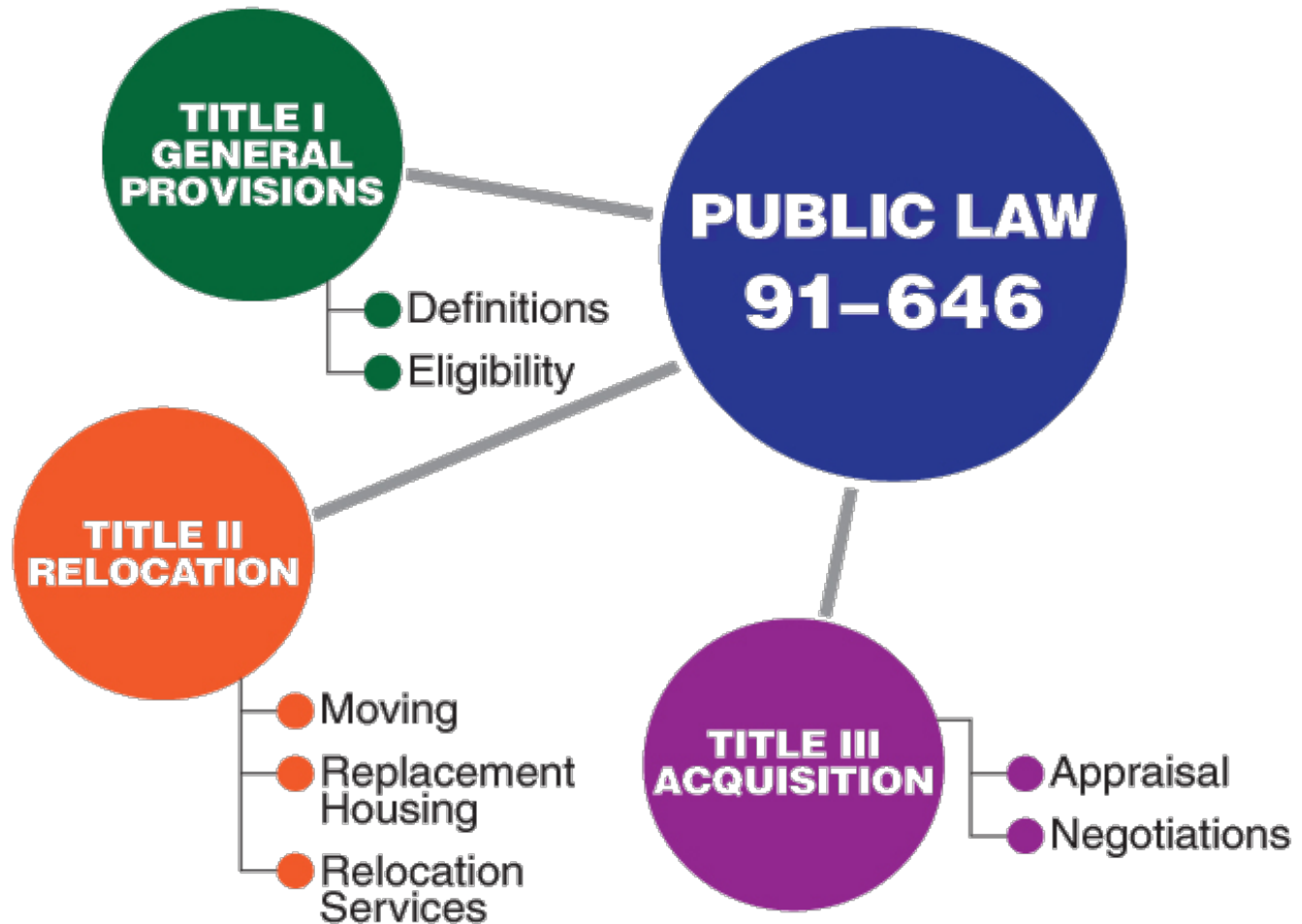
Uniform Relocation Assistance and Real  
Property Acquisition Policies Act of 1970, as  
amended (Public Law 91-646)



# Uniform Act Has A Threefold Purpose

- Provide for uniform and equitable treatment of persons displaced from their homes, businesses or farms by Federal and federally-assisted programs; and
- Establish uniform and equitable land acquisition policies for Federal and federally-assisted programs
- To ensure that Agencies implement these regulations in a manner that is efficient and cost effective.

# Components of the Uniform Act



# Affected Federal Agencies

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- Dept. of Agriculture
- Dept. of Commerce
- Dept. of Defense
- Dept. of Education
- Dept. of Energy
- EPA
- FEMA
- GSA
- HHS
- HUD
- Dept. of Interior
- Dept. of Justice
- Dept. of Labor
- NASA
- Homeland Security
- TVA
- Dept of Transportation
- VA

# Frequent and Recurring Compliance Issues, and Program Weaknesses

- Appraisal and Appraisal Review
- File Maintenance and Documentation
- Sequence of Events in Acquisition
- Failure to Identify Non-participating Costs
- Rent Schedules and Global Settlements
- Unqualified Consultants
- Staff Training
- Real Estate Management Plan

# Appraisal and Appraisal Review

- Uniform Relocation Assistance and Real Property Acquisition Policies Act, as Amended
  - 49 CFR Part 24
    - 24.103 (Criteria for Appraisals)
    - 24.104 (Appraisal Review)
  - FTA Circular 5010.ID, Chapters 1 and 4
- Uniform Standard of Professional Appraisal Practice (USPAP)



# Appraisal and Appraisal Review

- Scope of Work to the appraiser does not address the difference between Uniform Standard of Professional Appraisal Practices (USPAP) and 49 CFR Part 24

# Reoccurring Problems in the Appraisal and Review

- Lack of sales verification with a party to the transaction
- Lack of proper scope of work to the appraiser
- Lack of 5 year sales history
- Failure to offer the owner the opportunity to accompany the appraiser on inspection
- Grantee not properly addressing the cost of cure in the appraisal

# File Maintenance and Documentation

- Inspection General (IG) Hot Button
- 49 CFR 24.9 (Recordkeeping)
  - No documentation
  - Poor documentation
  - Proper documentation
- Should tell a Story from A-Z - It's Your Story-Tell It

# Sequence of Events in Acquisition

1. Appraisal ➡ 2. Acquisition ➡ 3. Settlement  
Relocation      Condemnation

Sequence is Mandated by :

Uniform Act

49 CFR Part 24

Grant Agreement

FTA Circular 5010.ID

# Frequent and Reoccurring Compliance Issues

- Failure to Identify Non-participating Costs
- Rent Schedules
- Global Settlements
- No documentation for administrative settlements
- Outdated Real Estate Manuals
- Lack of documentation on property disposition

# Unqualified Consultants

- Selecting a Consultant – (FTA Website)
- Know the knowledge Level of your Consultants
  - Experience in:
    - Developing schedules and budget estimates
    - FTA Circulars and Guidance
    - Uniform Act and Implementing Regulations

# What is FTA Doing to help?

- Developed an FTA Real Estate Requirements Course (Revising based on Map-21)
- Goal is to set up a real state website page with guidance information
- Developed a Brochure to be used for Public Hearings and Interviews
- Developed and Published a Uniform Act Guide
- Develop future Real Estate Webinar
- Continue to provide Real Estate Workshops

# FTA Real Estate Requirements Course 2012 and 2013

- Orlando ( Complete) February. 2012
- Atlanta (Complete) October 2012
- Seattle – March 2013
- Kansas, Mo. April- 2013
  
- Request made for 2013-2014
  - Utah
  - Miami



# Real Estate Acquisition Management Plan (RAMP)

- Poorly Documented
- Out of date
  - Design Changes
  - Regulations or Guidance Change
- It is a working document

# Thank you

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