

Real Estate Acquisition Process

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1. At 30% design, the Project through the Assistant General Manager for Design and Construction, makes a formal request to the Assistant General Manager for Development that acquisitions are needed for a particular project. Acquisition staff under the direction of the Assistant General Manager for Development begins the process of acquiring real property on behalf of the MBTA.
2. The Acquisition Staff meets with the Project Manager and Design Firm to obtain preliminary information on a particular project and evaluates all real estate needs which would allow the project to proceed to completion.
3. Acquisition Staff receives an Acquisition Package on the real property to be acquired. This package includes but is not limited to: reason for acquisition, owners name, current title reference, type of property interest, size of parcel to be acquired and a metes and bounds acquisition plan.
4. The Acquisition Staff meets with impacted owner to introduce the Project, explain the acquisition process and their rights under MGL, c.79. If the relocation of tenants on a subject property is necessary, explains relocation process and benefits. If a project requires more than five relocations a relocation plan must be submitted to the Commonwealth of Massachusetts Department of Community and Development's Bureau of Relocation. A Relocation consultant may be necessary in this situation to assist MBTA acquisition staff to provide the needed relocation assistants to the impacted tenants and preparation of a Relocation Plan. In accordance with Massachusetts general Laws, Chapter 79A, no acquisitions can be made until the Bureau of Relocation qualifies the MBTA to give relocation assistance to the occupants to be displaced. Also, during this period 21E environmental documentation should be obtained
5. Acquisition Staff solicits and contracts with an appraisal company to value property to be acquired.
6. Acquisition Staff solicits and contracts with a Law Firm to complete a Title Opinion of the Property to be acquired.
7. When the Appraisal report is received, acquisition staff reviews report in house to assure it meets MBTA contract requirements.
8. Acquisition Staff Solicits and contracts with Review Appraisal Company to review appraisal reports for compliance with USPAP, state and federal regulations.
9. Acquisition Staff prepares and sends an offer, based on the established value, to the impacted property owner via certified mail. If Federal money is involved and an acquisition cost exceeds \$500,000.00, FTA approval is required prior to sending out an offer letter.
10. Acquisition staff begins settlement negotiations with property owner.

11. In the event that the MBTA and the impacted owner cannot agree to a settlement on the land damages Acquisition Staff prepares a Staff Summary to obtain MBTA Board of Directors approval to acquire the subject property.
12. Acquisition Staff orders a Municipal Lien Certificate.
13. Order of Taking and Acquisition Plan are recorded in the appropriate Registry of Deeds within 30 days of MBTA Board of Directors vote of Eminent Domain Taking.
14. Notice of Taking letter sent to owner via certified mail. Copies are sent to the mortgagees of record, all other interested parties and the collector of Taxes and the assessor's office in appropriate municipality via certified mail.
15. Acquisition Staff prepares and makes Pro Tanto payment to owner.
16. If there are any tenants on the property acquired, a four (4) month notice to vacate letter is sent to the tenants by certified mail. All tenants will be provided relocation assistance and relocation benefits in accordance with the Uniform Relocation Act.