

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
Washington, D.C., February 6, 1968.

LOCAL PUBLIC AGENCY LETTER NO. 449

Subject: Negotiations for acquisition of real property.

The attached statement of policy and requirements governing negotiations or the acquisition of real property is applicable uniformly to all Renewal and Housing Assistance programs, including urban renewal projects.

Effective date of policy

The attached prescribed policy and requirements are mandatory with respect to each negotiation started after 30 days following receipt of this letter. If an LPA began its negotiations with an owner before the end of such 30-day period and its initial offer to the owner was less than the HUD concurred-in acquisition price, the LPA shall, before the expiration of 90 days after receiving this Letter, either:

(1) Acquire, contract with the owner to acquire, or institute condemnation proceedings against, the property in accordance with the HUD requirements in effect immediately before the issuance of this policy, or

(2) Make a final written offer to the owner of the full amount of the HUD concurred-in acquisition price.

Implementation of policy

The introduction of the attached prescribed policy will require little or no change in the present negotiating practices of many LPA's. For others, modifications will be needed. If any LPA encounters legal or difficult practical impediments to achieving full conformance to the policy within the times specified in this Letter, the LPA should promptly notify the HUD Regional Office of the nature of its problem, any relief needed, and its proposed solution of the problem.

Modification of program policy and requirements

The attached policy and requirements cancel the provisions of the Urban Renewal Manual, Section 13-4-2, second, third, and fourth paragraphs under the heading, "Payment of Fair Prices." All remaining provisions of the Urban Renewal Manual and outstanding LPA Letters, pertaining to real estate acquisition, continue applicable to all acquisitions of property, including properties of the kind exempted by the attached statement from its specific requirements.

DON HUMMEL,
Assistant Secretary.

Attachment.

Attachment to:

HAA circular dated February 6, 1968 (Low-rent public housing program).

Local Public Agency Letter No. 449 (Urban renewal program).

Letter No. NF-7 (Neighborhood facilities program).

Code Enforcement Letter No. 11 (Code enforcement program).

To: Local agencies acquiring real property for RHA-assisted programs.

Subject: Negotiations for acquisition of real property.

PURPOSE

This statement establishes the policy to be followed uniformly by all local agencies in their negotiations with property owners for the purchase of real property for projects assisted by the Housing Assistance Administration or the Renewal Assistance Administration.

The principal purposes of the policy are (1) to provide additional protection or the interests of property owners, especially the unsophisticated or poorly informed who have limited ability to negotiate with representatives of local agencies, and (2) to put all negotiations for the acquisition of real property or RHA-assisted programs on a basis that acknowledges and accepts the obligation of public entities to treat all owners fairly, impartially, and consistently in negotiating the acquisition of their properties.