

Real Estate Acquisition Process

1. The Project, through the Assistant General Manager for Design and Construction, informs 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 for the MBTA.
2. The Acquisition Staff meets with the Design and Construction Department Project Manager and Design Firm to obtain preliminary information on the particular project and evaluates all real estate needs which would allow the project to proceed to completion.
3. Acquisition Staff receives information on the real property to be acquired from the Project, including, but 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 property owner to introduce the Project, explain the acquisition process and the owner's rights under MGL, c.79. If the relocation of tenants on a subject property is necessary, Staff explains relocation process and benefits.
5. Acquisition Staff solicits and contracts with an appraisal company for an appraisal to determine market value of property to be acquired.
6. Acquisition Staff solicits and contracts with a law firm for a title opinion for the property to be acquired.
7. When the appraisal report is received, Acquisition Staff reviews the report to assure it meets MBTA contract requirements.
8. If necessary, Acquisition Staff solicits and contracts with a review appraisal company to review appraisal reports for compliance with USPAP, and state and federal regulations.
9. Acquisition Staff prepares and sends an offer of just compensation, based on the established value, and a notice of intent (MGL c. 79 s.5C) to the property owner via certified mail.
10. Acquisition Staff begins negotiations with property owner.
11. Acquisition Staff prepares the necessary documentation 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 acquire property by eminent domain.
14. Notice of Taking letter sent to owner via certified mail. Copies are sent to the mortgagees of record, the Collector of Taxes and the Assessor's office in the appropriate municipality via certified mail.

15. Acquisition Staff prepares and makes payment for the award of damages with interest to the 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 federal and/or state regulations.