

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Real Estate Policy	PAGE <u>1</u> OF <u>3</u> NUMBER: 21-CAM-04
RULE/CODE REFERENCE:	SUPERSEDES: 21-CAM-04 dated 01/03/01
RELATED ACA STANDARDS: 4-APPFS-3D-10	EFFECTIVE DATE: January 2, 2012
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to provide guidelines and procedures for easement, purchase, lease, transfer, and right-of-way requests that include appropriate information to facilitate the decision making process for approval or disapproval.

III. APPLICABILITY

This policy applies to all Ohio Department of Rehabilitation and Correction employees who could be involved in processing requests for easement, lease, transfer, and right-of-way from other governmental and private agencies, such as utilities etc.

IV. DEFINITIONS

Easement - The right acquired by someone to use the land of another for a specific purpose.

Lease - A written contract between the owner/lessor of property, and a tenant/ lessee, where the possession of land and/or building(s) is granted by the owner to the tenant for a specified period of time for a specified amount of rent.

License - permission, either express or implied, which can be revoked at any time and cannot be assigned, e.g., permission to hunt.

Plat Map - A map recorded at the county recorder's office showing how a parcel of land is divided into lots.

Real Estate - Land and anything permanently affixed to the land. Synonymous to "Real Property".

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction that all staff who become involved in a real estate activity shall follow all procedures and guidelines established by the Department which deal with real estate transactions.

VI. PROCEDURES

A. To Initiate a Real Estate Request

1. Departmental Request
 - a. When an outside agency (private or public) makes a real estate request to an institution, the institution shall forward the request to the Chief of the Bureau of Construction, Activation and Maintenance (CAM) on the requestor's behalf.
 - b. Appropriate department staff shall complete a Real Estate Request form, (DRC1719), attach it with the request and send it to the Chief of CAM. This form shall include the following information:
 - i. Intent of request;
 - ii. Type of request: Transfer, Easement, Lease, License, Right-of-Way, and Purchase;
 - iii. Local county boundary map, property plat map and aerial picture indicating the boundaries(exact location) of the requested property, and soil type;
 - iv. Exact acreage of the requested property;
 - v. Aerial pictures, surveys and/or topographical information, if available.
2. Non-Departmental Request
 - a. Any outside agency (private or public) shall make a real estate request directly to the Chief of CAM.
 - b. The requesting agency shall complete the Real Estate Request Form (DRC1719) and submit it to Chief of CAM as described in section 1b.

B. Information Gathering

1. The Real Estate Coordinator shall forward the request with the Real Estate Evaluation Form (DRC1720) to the internal stakeholders involved in this transaction.
2. Those stakeholders shall evaluate the request and provide the following information:
 - a. Impact on the institution/Department;
 - b. Benefits to institution/Department;
 - c. Drawbacks to institution/Department;
 - d. Recommendations.

3. The evaluations shall be completed and returned to the Chief of CAM within five (5) working days of receiving the request for evaluation.

C. Request and Evaluation

1. The Real Estate Coordinator shall evaluate the completed evaluation and make recommendations on Real Estate Request Recommendation and Approval form (DRC1721) to the Chief of CAM.
2. The Chief of CAM shall evaluate the information and Real Estate Coordinator's recommendations and select one of the following options:
 - a. Further information - The Real Estate Coordinator shall provide the requested information.
 - b. Approve Recommendation - The Real Estate Coordinator shall forward the Real Estate Request Recommendation and Approval form (DRC1721) to the Deputy Director of Administration for final action.
 - c. Disapprove Recommendation – The Real Estate Coordinator shall send a written letter to the requestor and copies to the stakeholders.
 - d. Stakeholders' Meeting - The Real Estate Coordinator shall schedule and facilitate the meeting.
3. The Deputy Director of Administration shall evaluate the requests and select one of the options set forth in C.2.

D. Approval Proceeding

Following the approval of the Deputy Director of Administration, the Real Estate Coordinator shall send the request with the following documentation to the Department of Administrative Services Real Estate Department.

1. The request;
2. The plat map;
3. Property appraisal.

Related Department Forms:

Real Estate Request	DRC1719
Real Estate Evaluation	DRC1720
Real Estate Request Recommendation and Approval	DRC1721