


SUBJECT: <b>Real Estate Policy</b>	PAGE <u>  1  </u> OF <u>  3  </u> .
	NUMBER: <b>21-CAM-04</b>
RULE/CODE REFERENCE:	SUPERSEDES: 21-CAM-04 dated 05/11/17
RELATED ACA STANDARDS: 4-APPFS-3D-10	EFFECTIVE DATE: <b>December 18, 2017</b>
	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 (DRC) 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 temporarily enter land to test soils).

**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 (DRC) that all staff who become involved in a Real Estate activity shall follow all procedures and guidelines established by the DRC which deal with Real Estate transactions.

**VI. PROCEDURES****A. To Initiate a Real Estate Request**

1. Department 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 Office of Acquisitions and Contract Compliance (OACC) on the requestor's behalf.
  - b. Appropriate DRC staff shall complete a Real Estate Request form (DRC1719) with the following information, attach it with the request, and send it to the chief of OACC:
    - i. Intent of request;
    - ii. Type of request: Transfer, Easement, Lease, License, Right-of-Way, or 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. Surveys and/or topographical information, if available.

2. Non-Departmental Request

Any outside agency (e.g., private or public) shall make a Real Estate request directly to the chief of OACC by completing the Real Estate Request Form (DRC1719) and submitting it to chief of OACC.

**B. Information Gathering**

1. The Real Estate administrator 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/DRC;
  - b. Benefits to institution/ DRC;
  - c. Drawbacks to institution/DRC;
  - d. Recommendations.
3. The evaluations shall be completed and returned to the chief of OACC within five (5) working days of receiving the request for evaluation.

**C. Request and Evaluation**

1. The Real Estate administrator shall evaluate the completed evaluation and make recommendations on the Real Estate Request Recommendation and Approval form (DRC1721) to the chief of OACC.
2. The chief of OACC shall evaluate the completed evaluation and real estate administrator’s recommendations and select one (1) of the following options:
  - a. Further information - The Real Estate administrator shall provide the requested information.
  - b. Approve Recommendation - The chief of OACC shall forward the Real Estate Request Recommendation and Approval form (DRC1721) to the deputy director of Office of Administration (OOA) for final action.
  - c. Disapprove Recommendation – The Real Estate administrator shall send a written letter to the requestor and copies to the stakeholders.
  - d. Stakeholders’ Meeting - The Real Estate administrator shall schedule and facilitate the meeting.
3. The deputy director of OOA shall evaluate the requests and select one (1) of the options set forth in section VI.C.2 of this policy.

**D. Approval Proceeding**

Following the approval of the deputy director of OOA, the Real Estate administrator shall send the request with the following documentation to the Department of Administrative Services - Real Estate Services.

1. The request;
2. The Plat Map; and
3. Property appraisal.

**Related Department Forms:**

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