



# Caltrans Local Assistance

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## Local Assistance Office Bulletin [#24-05](#) Real Property Acquisition Waiver Valuation

[Office of Local Right of Way](#)

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# Agenda

**FHWA Uniform Act Final Rule Effective June 3, 2024**

**Waiver Valuation In Lieu Of An Appraisal**

**Criteria To Considered For A Waiver Valuation**

**Documents To Support The Waiver Valuation**



# FHWA Uniform Act Final Rule

- On June 3, 2024, The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 amended the regulations to increase the thresholds for Property Acquisitions per Code Of Federal Regulations [49 Cfr Part 24.102\(c\)\(2\)\(li\)\(c\), Subpart B-real Property Acquisition](#)
- The Waiver Valuation threshold was increased with an estimated fair market value from \$10,000 to \$15,000
- Caltrans [Office Bulletin #24-05](#) can be accessed on the Division of Local Assistance Bulletin webpage for further information



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# Waiver Valuation in Lieu of an Appraisal

- When the local public agency (LPA) determines that an Appraisal is Uncomplicated and Low Fair Market Value, the appraisal can be waived - the LPA may proceed to prepare a waiver valuation
- The anticipated value of the proposed acquisition is \$15,000 or less, based on a review of available data
- The LPA representative making the determination to use the waiver valuation must understand valuation principles, techniques, and use of appraisals in order to determine whether the valuation of the proposed acquisition is uncomplicated and has a low fair market value
- Waiver valuation cannot be used as a basis for deposit when obtaining an order for possession and/or to be used in eminent domain proceedings



# Criteria to Considered for Waiver Valuation

- There is no serious questions as to highest and best use
- Adequate market data is available
- Substantial damages and benefits are not involved
- There is no substantial decrease in market value due to the presence of hazardous material/hazardous waste

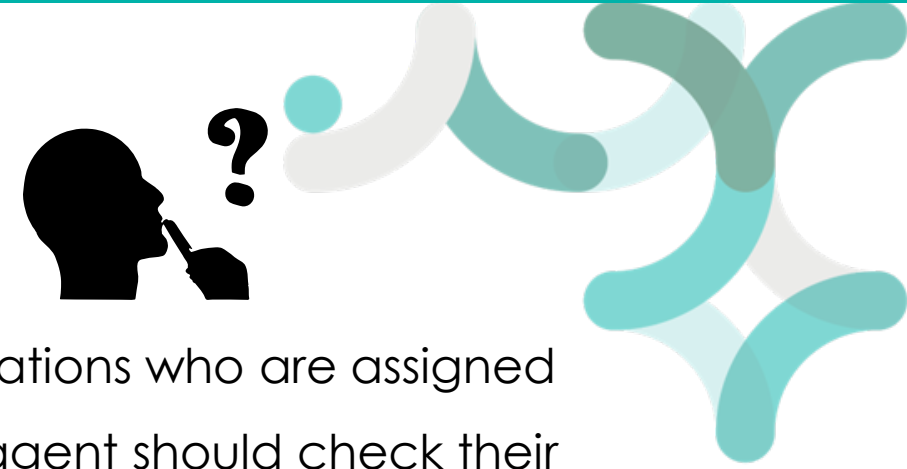


# Documents to Support the Waiver Valuation

- As guidance for documentation to support the waiver valuation, LPAs should reference:
  - [Caltrans Right of Way Manual - Chapter 7](#)
  - [Local Assistance Procedures Manual - Chapter 13](#)
- A narrative paragraph shall be included in the report
- Property owners shall be sent the “Notice of Decision to Inspect” letter with the appropriate Title VI information and booklet.



## Tips to Licensed/Certified Appraiser








- Members or candidates of professional appraisal organizations who are assigned to act in the dual capacity of appraisal and acquisition agent should check their organization's code of ethics for specific prohibitions and disclosure requirements
- Licensed/certified appraiser should check with their state licensing Board for clarification on Conflict Between Federal Law, State Law, and regulations
- Review USPAP Advisory Opinion 21 (ao-21) "Valuation Services and Appraisal practice" for services performed while not acting as an appraiser
- Discuss with your agency assigning the task to assess your concerns and expectations

# Information



 [Office of Local Right of Way | Division of Local Assistance](#) 

-  Training Videos
-  Local Assistance Procedures Manual
-  Caltrans Right of Way Manual
-  Right of Way Forms/Exhibits
-  Resources



# Contacts

California Department of Transportation  
Division of Local Assistance  
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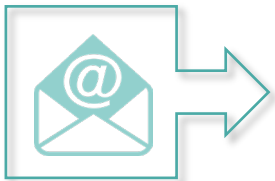
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General Questions:

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