

# **POLICY: 3.3.12.** (II. C. 12.)

## **Real Property Acquisitions and Leases**

**Revised:** June 1, 2018; and November 4, 2010.

**Last Reviewed:** September 8, 2022; and June 1, 2018.

**Adopted:** May 10, 2001.



### **POLICY:**

All real property acquisitions must be approved by the State Board and the State Properties Commission, whether purchased or donated.

Before approval by the State Board, the president of a technical college shall consult with the Commissioner about the need for the property for the college. If an acquisition is approved by the Commissioner, the Director of Facilities Management at the System Office shall request approval of the acquisition by the State Board.

At the time the property acquisition is presented to the State Board for Approval, the following documents shall be in the Office of Facilities Management:

- 1) Two written appraisals of the property were prepared by appraisers who are members of the Appraisal Institute (MAI).
- 2) A plat of survey of the property prepared by a Georgia Registered Land Surveyor; and
- 3) A Phase I Environmental Site Assessment of the property.

After approval of the acquisition by the State Board, the Office of Facilities Management shall forward a request for approval of the acquisition to the State Properties Commission. A request for the rental or lease of off-campus space shall be submitted to the Director of Facilities Management at System Office for approval. After approval, the Director of Facilities Management shall notify the State Board of the proposed rental or lease and request the State Properties Commission to formalize a rental agreement with the Owner/Landlord of the space to be rented as required by law. The State Board must approve leases of (1) spaces exceeding 5,000 sq. feet of interior space or (2) a space of any size when either a college's foundation or any governmental entity will be the landlord.

### **RELATED AUTHORITY:**

- O.C.G.A. § 20-4-11 – Powers of Board.
- O.C.G.A. § 20-4-14 – TCSG Established; Powers and Duties.
- O.C.G.A. § 50-5-30 – Administrative Space Management.
- O.C.G.A. § 50-16-30 – Short Title.
- O.C.G.A. § 50-16-31 – Definitions.

O.C.G.A. § 50-16-32 – Creation, Membership, and Organization of State Properties Commission; Transfer of Assets, Obligations, Responsibilities, Funds, Personnel, Equipment, and Facilities from the Department of Administrative Services.

O.C.G.A. § 50-16-33 – Assignment of State Properties Commission to Department of Administrative Services.

O.C.G.A. § 50-16-34 – Acquisition of Property within Railroad Lines Abandoned as Operating Rail Lines.

O.C.G.A. § 50-16-35 – State Property Officer; Employment of Personnel by the Commission; Merit System; Rights Under Employees’ Retirement System of Georgia.

O.C.G.A. § 50-16-36 – Maintenance of Records by State Properties Commission; Open to Public Inspection.

O.C.G.A. § 50-16-37 – Adoption of the Rules and Regulations by State Properties Commission; Penalty for Violation.

O.C.G.A. § 50-16-38 – All State Entities to Acquire Real Property Through Commission; Exceptions; Procedure for Handling Acquisition Requests; Funds for Acquisitions; Donations; Conveyance of Title.

O.C.G.A. § 50-16-39 – Public Competitive Bidding Procedure for Sales and Leases; Acceptance or Rejection of Bids by Commission, General Assembly, or Governor; Execution of Leases and Deeds.

O.C.G.A. § 50-16-40 – Consideration of Conveyances by the General Assembly.

O.C.G.A. § 50-16-41 – Rental Agreements Without Competitive Bidding Authorized; Limitations; Commission Charged with Managing Administrative Space of all State Entities; Standards Governing the Utilization and Reassignment of Administrative Space; Rules and Regulations.

O.C.G.A. § 50-16-42 – Revocable License Agreements Without Competitive Bidding Authorized; Terms and Conditions; Telephone Lines Construction Provisions Unaffected; Exception.

O.C.G.A. § 50-16-43 – Leasing of State-Owned Lands for Exploration and Extraction of Mineral Resources.

O.C.G.A. § 50-16-44 – Power of Eminent Domain; Provisions Cumulative and not to Supersede Other Powers; Form of Proceedings; Acquisition of Public Property or Interest.

O.C.G.A. § 50-16-45 – Department of Natural Resources Authorized to Convey Certain Property Without Commission Approval.

O.C.G.A. § 50-16-46 – State Agencies Directed to Provide State Properties Commission with Technical Assistance.

O.C.G.A. § 50-16-47 – Article to be Construed Liberally.