

ATTACHMENT 1

**GUIDELINES FOR
WAIVER VALUATIONS**

Pursuant to the regulation found at 49 CFR 24.102, the following provisions will apply:

1. Training for realty specialists/BLM staff and approving officials

The regulation requires the individual performing the waiver valuation must be qualified and have sufficient understanding of the local real estate market to make the waiver valuation.

The Office of Valuation Services (OVS) will provide waiver valuation training to the Bureau of Land Management (BLM) realty specialists/BLM staff with knowledge of the lands and realty program to achieve the qualifications necessary to complete a waiver valuation. The OVS will provide 1 or 2 day training through an online course or hold classes, when requested, at individual BLM offices. The OVS will notify the BLM, Washington Office, Division of Lands, Realty and Cadastral Survey (WO-350) and the BLM field staff when the course is available. In the interim, the OVS will offer assistance to any realty specialist/BLM staff previously trained to perform waiver valuations.

The approving officials are encouraged to attend the training and facilitate the qualification of at least one or two realty specialists/ BLM staff with knowledge of the lands and realty program.

2. List of qualified realty specialists/BLM staff

The OVS will develop and maintain a list of realty specialists/BLM staff that successfully complete the required training and provide the list to WO-350 for distribution. The OVS, with BLM's approval, retains the discretion to remove any name from the list if the BLM realty specialist/BLM staff member does not perform to the standards or meet the qualifications to prepare waiver valuations.

3. Property owner's rights

The realty specialist/BLM staff will explain this policy to property owners interested in conveying non-Federal lands to the United States. They will explain the landowner's option to have a formal appraisal and provide them with an opportunity to accompany the realty specialist/BLM staff to the property. The realty specialist/BLM staff will document the property owner's decision. The BLM will obtain an appraisal through the OVS if the property owner requests an appraisal.

The realty specialist/BLM staff will accept and consider material that the owner believes is relevant to determine the value of the property.

4. Coordination with the Office of Valuation Services

The OVS prepares appraisals, conducts appraisal reviews, and provides consulting services for the Department of the Interior bureaus and offices. The OVS will examine all waiver valuations prepared by the BLM. The OVS will only review waiver valuations of \$25,000, or less. The realty specialist/BLM staff will request an appraisal for all property valued over \$25,000.

The realty specialist/BLM staff will initiate the waiver valuation examination by entering and uploading the information for the acquisition and the comparable properties into the Interior Valuation Information System (IVIS). The package will include, at a minimum, the information meeting the standards listed in Attachment 3, "Reporting Standards for Waiver Valuations."

To complete "General Information" screen in IVIS for a waiver valuation examination, the realty specialist/BLM staff will:

1. Select "Other" in the drop-down menu for the "Product Type."
2. Enter "Waiver Valuation Examination" under "Project Name"
3. Type a statement to include "Waiver Valuation Examination" under "Purpose/Intended Use of the Appraisal Product" tab.
4. Select "Acquisition" in the drop down tab under "Case Type."
5. Save and continue to the next screens to complete the property, funding information, upload attachments and submit to OVS.

The OVS will review the package and provide constructive feedback. The OVS anticipates a one-week review period, but no more than 30 days. Upon notification of completion of the OVS examination, the realty specialist/BLM staff will prepare, sign, and forward a Waiver Valuation Memorandum (Attachment 2) to the individual with delegated authority for approval. The realty specialist/BLM staff will retain the signed memorandum; waiver valuation report and supporting documents in the official case file and provide a written offer to the property owner. For any questions concerning IVIS, contact the helpdesk at ivis_helpdesk@ios.doi.gov.

5. Waiver valuation preparation

The BLM must determine if an appraisal is unnecessary. If the property is valued at \$25,000 or less and uncomplicated, the realty specialist/BLM staff will collect the property information and prepare the documentation for the waiver valuation.

The realty specialist/BLM staff will request an appraisal through the OVS for complex acquisitions, if the acquisition's market value estimate exceeds the statutory authority, or if the property owner requests an appraisal.

6. Waiver valuation documentation

The documentation will include photos of three or four comparable sales supporting an estimated value for the subject property or interest in property. Attachment 3 provides the minimum standards for preparing waiver valuations.

The realty specialist/BLM staff must gather comparable sales information. The comparable sales information may come from county records, the county assessor's office, the property owner, and other Government land management agencies, i.e. U.S. Forest Service, Bureau of Reclamation, and National Park Service. If available, OVS will provide sales data from previous appraisals completed by their department. If no comparable sales are available, the realty specialist/BLM staff must request a formal appraisal.

7. Inspection of subject property and comparable sales properties

The realty specialist/BLM staff will complete an inspection of the acquisition property and document findings as shown in Attachment 3. When the acquisition property does not have physical access, the realty specialist/BLM staff will provide written justification of why an inspection was not performed, i.e. within wilderness, no physical or legal access.

8. Waiver valuation examination

The OVS will assist in providing data and guidance in the preparation of the waiver valuation and examine the final product. The OVS is not responsible for preparing or providing written concurrence for waiver valuations.

9. Waiver valuation memorandum

The realty specialist/BLM staff will prepare and sign the waiver valuation memorandum (Attachment 2) and forward to the individual with delegated of authority for approval.

10. Potential conflict of interest

In accordance with 49 CFR 24.102(n), the realty specialist/BLM staff is authorized to act as the negotiator and preparer of the waiver valuation if the offer to acquire the property is \$10,000 or less. To avoid any conflict of interest, any waiver valuations estimated to be more than \$10,000 but less than \$25,000 will involve at least two individuals (realty specialist and/or BLM staff); one individual to prepare the waiver valuation and the other to negotiate with the landowner. The separation of the tasks will give the property owner confidence that the waiver valuation is objective and unbiased.

To avoid conflicts with requirements for professional appraisal standards and some state certification laws, the OVS will not prepare a waiver valuation or provide written concurrence.

11. Approval of waiver valuation determination

The individual with delegated authority will approve a waiver valuation by signing the memorandum (Attachment 2).

12. Offer of just compensation

Upon approval by the individual with delegated authority, the realty specialist/BLM staff will promptly make a written offer to the owner to acquire the property for the full amount of just compensation. The amount will not be less than the approved waiver valuation.

13. Update BLM Records

The BLM staff will update the Legacy Rehost (LR) 2000 system and use action code (AC) 133-APPR/REAPPR RQSTD. Under the “Comment” column, the BLM staff will type WAIVER. The BLM staff will use the waiver valuation determination date with AC 132 APPRAISAL/REAPPR APPV. Under the “Comment” column, show the dollar amount with the semicolon and the word “WAIVER” –e.g., “\$1,200; WAIVER.” Upon issuance of this IM, the Division of Lands, Realty, and Cadastral Survey (WO-350) will update the LR2000 Case Recordation Data Standards for the Lands and Realty program.

Date	Code	Action Text	Comment
Enter date requested	133	APPR-REAPPR RQSTD	;WAIVER
Enter date approved	132	APPRAISAL/REAPPR APPV	Enter \$ amount in action remarks. If no appraisal is required or no value is indicated, enter AC 132 with a \$0; value – for example, \$1,200; WAIVER

14. Waiver Valuation audits

The OVS will provide administrative review of waiver valuations and ensure the waivers are not excessive and are completed accurately. These reviews may take place every 2 years or less if warranted.

The OVS will coordinate with the State Office lands staff to complete bi-annual audits on any case files involving waiver valuations and report their findings to WO-350. The audit is part of the OVS administrative oversight responsibilities.