

POLICY: 3.4.3

Real Property Acquisitions, Dispositions, and Leases

Revised: March 11, 2026

Last Reviewed: March 11, 2026

Adopted: May 10, 2001



POLICY:

- 1.1 The State Properties Commission ("SPC") is authorized under Georgia law to enter into real property acquisitions, dispositions, and leases on behalf of the Technical College System of Georgia ("TCSG") and its subordinate entities, unless otherwise exempted by statute.
- 1.2 All acquisitions, dispositions, and leases of real property, as defined herein, must be submitted to and approved by the State Board of the Technical College System of Georgia before any binding commitment, request, or transaction is executed by SPC.
- 1.3 All real property acquired for the use of the Technical College System of Georgia is titled in the name of the State of Georgia. TCSG serves as the custodian agency responsible for the operation, maintenance, and stewardship of such property in accordance with state law, SPC rules, and State Board policy.
- 1.4 No college, unit, or sub-entity of TCSG is permitted to independently acquire, convey, lease, encumber, or otherwise transact in real property rights without State Board approval and compliance with the procedures established in this policy, applicable SPC policies, and state law.

ROLES AND RESPONSIBILITIES

1.5 Colleges and Sub-Entities

Colleges and sub-entities are responsible for:

- 1.5.1 Initiating requests for real property acquisitions, dispositions, or leases;
- 1.5.2 Obtaining internal Agency approvals where required prior to submission to the Office of Capital Planning and Facilities ("OCPF");
- 1.5.3 Completing all due diligence requirements, including surveys, appraisals, environmental assessments, and feasibility analyses as applicable;
- 1.5.4 Ensuring alignment with instructional, workforce, and operational needs;
- 1.5.5 Providing all documentation necessary for State Board and SPC review.

1.6 TCSG Commissioner

The Commissioner shall:

- 1.6.1 Approve or deny proposed real property acquisitions prior to submission to the State Board.
- 1.6.2 Authorize the Assistant Commissioner of the Office of Capital Planning and Facilities (OCPF), or their authorized delegate, to proceed with real property acquisitions, dispositions, or leases requested by colleges or sub-entities in accordance with this policy and related procedures.

1.7 Office of Capital Planning and Facilities (OCPF)

The Assistant Commissioner, Office of Capital Planning and Facilities, or their authorized delegate, shall be responsible for the following:

- 1.7.1 Serving as the official liaison between TCSG and the State Properties Commission ("SPC") for all real property transactions;
- 1.7.2 Reviewing submissions from colleges and sub-entities for compliance with state law, SPC policy, and State Board requirements;
- 1.7.3 Coordinating preparation, review, and compilation of all required due diligence documentation;
- 1.7.4 Facilitating transaction routing, negotiation, and communication with SPC through all phases of the transaction;
- 1.7.5 Promptly transmitting approved requests to the State Board and, after Board approval, to SPC.
- 1.7.6 Retaining Agency records of all TCSG real property transactions in accordance with TCSG record retention policy;
- 1.7.7 Developing internal procedures governing real property transactions, subject to review and approval by the Office of Legal Affairs.

1.8 TCSG State Board

The State Board shall:

- 1.8.1 Authorize TCSG staff to prepare appropriate requests to the State Properties Commission seeking its approval of, and assistance with the execution of real property acquisition, disposition, and lease transactions for TCSG and all sub-entities.

PROCEDURES

The Office of Capital Planning and Facilities shall develop internal procedures governing real property acquisitions, dispositions, and leases. Such procedures shall be reviewed and approved by the Office of Legal Services and shall ensure compliance with state law, applicable SPC policies, and this State Board Policy.

DEFINITIONS

Acquisition – Purchase, donation, transfer, or any transaction resulting in The State of Georgia obtaining an interest in real property.

Disposition – Sale, transfer, easement, release, encumbrance, or other conveyance of real property or associated rights.

Lease – Any agreement granting temporary possession or use of real property in exchange for consideration, whether TCSG is the tenant or landlord.

Real Property – Land, buildings, improvements, and any interest or rights therein, as defined by O.C.G.A. § 50-16-31.

Due Diligence – Appraisal, survey, environmental review, feasibility analysis, and other evaluations required by law, SPC policy, or this policy before action is taken on a transaction.

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 through 50-16-47 – State Properties Code

O.C.G.A. § 50-5-50 – State Purchasing System

Applicable State Properties Commission Policies including:

SPC 7.0 – Acquisitions

SPC 8.0 – Dispositions

SPC 9.0 – Leases

SPC 10.0 – Due Diligence Requirements

SPC 11.0 – Transaction Processing Requirements