

Effective Date: May 18, 2003
Modified: December 14, 2003
Modified: April 15, 2007
Modified: November 20, 2011

**STATE OF WISCONSIN
CLASSIFICATION SPECIFICATION**

**REAL ESTATE SPECIALIST
CLASSIFICATION SERIES**

I. INTRODUCTION

A. Purpose of this classification specification

This classification specification is the basic authority under ER 2.04, Wis. Adm. Code, for making classification decisions relative to present and future professional positions performing real estate work in connection with Eminent Domain and other State land, buildings or personal property acquisitions and management. This classification will not specifically identify every eventuality or combination of duties and responsibilities of positions that currently exist, or those that result from changing program emphasis in the future. Rather, it is designed to serve as a framework for classification decision-making in this professional occupational area.

Classification decisions must be based on the “best fit” of the duties within the existing classification structure. The “best fit” is determined by the majority (i.e., more than 50%) of the work assigned to and performed by the position when compared to the class concepts and definition of this specification or through other methods of position analysis. Position analysis defines the nature and character of the work through the use of any or all of the following: definition statements; listing of areas of specialization; representative examples of work performed; allocation patterns of representative positions; job evaluation guide charts, standards or factors; statements of inclusion and exclusion; licensure or certification requirements; and other such information necessary to facilitate the assignment of positions to the appropriate classification.

B. Inclusions

Positions allocated to this series are professional real estate positions that work within: (1) the Department of Transportation, (a) Division of Transportation System Development (DTSD) performing professional level real estate work in any one or more of the identified functional areas within a regional office or providing functional expertise and implementing and administering real estate policy on a statewide basis; or (b) Division of Transportation Investment Management (DTIM), implementing and administering the acquisition and management of airport lands or performing property management for the Railroad Program; (2) The Department of Natural Resources, planning and directing the activities of the assigned real estate program; (3) The Department of Veterans Affairs, administering the primary mortgage loan program and the state veteran loan programs; (4) University of Wisconsin – Madison, Division of Facilities Planning and Management managing real estate activities which produce appraisals, environmental assessments, title searches, and all real estate transactions for UW-Madison contracts and agreements; and (5) The Department of Military Affairs, Wisconsin National Guard Air Bases, developing and managing all real estate activities.

C. Exclusions

Excluded from this series are the following types of positions:

1. Positions performing property assessment duties for a majority of the time within the Department of Revenue which are more appropriately classified as Property Assessment Specialist or Property Assessment Practices Specialist.
2. Positions which spend a majority of time performing paraprofessional real estate work and are more appropriately classified as Real Estate Program Associates.
3. All other positions which are more appropriately identified by other classification specifications.

D. Entrance and Progression Through This Series

Employees enter positions within this classification series by competition. Progression through this series is by reclassification to the Real Estate Specialist Senior level based on logical and gradual changes to a position's duties and responsibilities. The objective level is the Real Estate Specialist – Senior level. Movement to the Real Estate Specialist Advanced level will occur through competition.

The Real Estate Specialist Advanced level is the objective level for positions located within the Statewide Bureaus of the Department of Transportation's Division of Transportation System Development and the Division of Transportation Investment Management; or statewide experts for the Department of Natural Resources. This advanced level is obtained from the Senior level through reclassification.

E. Terminology Used in this Classification Specification

Acquisition: The process used to acquire properties needed for governmental use such as a highway. Acquisition begins with the estimation of real estate costs and proceeds through the appraisal, appraisal review, negotiation, relocation and finally the certification that all needed real estate (which may include outdoor advertising signs) has been cleared and acquired. While litigation, property management and surplus land sales are components of real estate; they fall outside of the scope of the acquisition process.

Complexity: Considers the nature, number, and variety of task inputs (information and materials received); the degree to which actions to be taken are pre-established or standardized; the nature, number and variety of steps, methods, or processes needed to complete each task; and the number and variety of tasks needed to accomplish each goal.

Coordinator: An employee who is assigned duties which include planning, organizing, scheduling, tracking, evaluating and directing the flow of work, and completion of projects; as well as handling complex assignments within the area of coordination. Coordinators do not have supervisory authority as defined under s. 111.81(19), Wis. Stats.

Eminent Domain: The acquisition of private property by public agencies under authority of Wis. Stats. Chapter 32, which is unique and separate from private market based real estate activity.

Knowledge: (1) Some Knowledge - implies familiarity with the elementary principles and terminology of the subject(s) indicated to effectively communicate with subject matter specialists; (2) Working Knowledge - implies sufficient knowledge of the subject to enable the employe to work effectively in a limited range of work situations; (3) Considerable Knowledge - implies enough

knowledge of the subject to enable the employe to work effectively in a wide range of work situations and with little direct supervision; (4) Extensive Knowledge - implies an advanced knowledge of the subject matter so as to permit solution of unusually difficult work problems or issues, and advises on technical questions and planning methods for resolving these problems or issues.

Leadworker: An employee whose permanently assigned duties include training, assisting, guiding, instructing, assigning and reviewing the work of two or more permanent full-time equivalent classified employees in the employee's work unit as assigned and documented on the work unit's organization chart. Lead workers do not have supervisory authority as defined under s. 111.81(19), Wis. Stats.

Functional Areas: An assigned duty or activity requiring professional expertise in decision making involving property valuation, property law, and/or engineering principles. The following are examples of functional areas currently in use:

- (1) Appraisal: The process of developing an expert opinion of property valuation in written form for property and interests in property (such as access rights, limited use easements, or outdoor advertising off-premise signs) utilizing the appropriate approaches to the valuation of residential, commercial, industrial, agricultural and special purpose properties, subject to the eminent domain laws of the State of Wisconsin, the Federal Uniform Relocation and Real Property Assistance Act, as amended, and the Uniform Standards of Professional Appraisal Practice;
- (2) Appraisal Review: The process of reviewing and approving appraisals and sales studies, ensuring use of sound judgment and adherence to established standards. This will typically require complex and often involved discussions with appraisers, requesting revisions to appraisals as necessary, and approving offering prices for property and/or rights to be acquired;
- (3) Cost Estimation: The process of estimating all costs and the value of any resources needed to complete the right-of-way activities as well as costs and resources paid to others for work related to a right-of-way acquisition. Cost estimates are essential to establishing the basis for key project decisions, for establishing the base that project success will be measured against and for communicating the status of a project at any given time;
- (4) Litigation: The process of facilitating legal proceedings over Eminent Domain acquisition. This involves coordination and communication in a liaison role between the State Attorney General's Office, Regional Real Estate Offices, and the central office of the Department of Transportations' Bureau of Technical Services for selection and preparation of witnesses and exhibits; analyzing strengths and weaknesses of cases; and assisting legal counsel in case preparation and conduct of trials;
- (5) Local Public Agency (LPA) and Non-Governmental Organization (NGO) Coordination: The provision of oversight for LPA and NGO right-of-way and other public purpose land acquisition programs, including advising and monitoring the work of LPA and NGO staff and their consultants OR the DOT Local Program Oversight consultants, to ensure that acquisitions on all federally and state funded projects are administered in compliance with State and Federal Law, which establishes eligibility for State or Federal funding;
- (6) Negotiation: The process of representing the State of Wisconsin in acquiring property and property interests from owners including acquisition under the Eminent Domain law. Negotiation can require varying levels of contact with owners and their attorneys, ranging from

simple and routine to complicated and involved direct negotiations. The process requires explaining the project for which property and rights are being acquired, its effect on their property and detailed analyses contained in the appraisal, which establishes the basis for the offer. It further requires listening to and addressing owners' concerns. The goal is to achieve equitable settlements and voluntary transfers. When agreement cannot be reached, acquisition will usually continue under the condemnation process;

- (7) Primary Mortgage Loan Program: To monitor delinquent loans and foreclose on defaulted loans;
- (8) Project Development: The process of coordinating real estate improvement project funding, arranging for all project services prior to acquisition phase of a project which may include plat development, master planning, review and finalization, and contracting for external services to provide for appraisals or other technical services; and other activities prior to a relocation order;
- (9) Project Management: The overall process of coordinating and implementing all tasks necessary for property acquisition from project scoping through final project certification, including consultant oversight/management. May develop budgets and resource estimates, if applicable. Typically involves responsibility for management of multiple projects. May include major projects such as for aeronautics, railroad or natural resources purposes;
- (10) Property Management: The process of effectively managing the agency's real estate property assets involving such activities as establishing leases and collecting rents, bidding, inspection and coordinating site demolition contracts and site clearances, effectively managing and properly maintaining properties under State ownership, and identification and effective removal or permitting of private encroachments on state properties;
- (11) Quality Assurance Review: The process of determining whether agency practices and activities, as they relate to specific real estate functions, are in conformance with Federal and State laws, rules, regulations and procedures. If found in non-conformance, recommending corrective actions. Ensuring that the established Real Estate procedures are adequately assisting agency staff in meeting project goals yet ensuring that the quality of those products and services are not compromised in the process;
- (12) Relocation: The process of gathering and analyzing information to determine eligibility and compensation available to displaced property owners, occupants and businesses under Federal Rule, State Statute and Department of Commerce Code, and providing all services to assist in their relocation to comparable replacement properties. This may also include establishment of payments for off-premise advertising signs under the Sign Relocation Agreement;
- (13) (14) Site reclamation: To restore property to its original or most useful form within the scope of Department of Natural Resources activities;
- (14) Statewide DOT Right of Way Certification Oversight: The provision of oversight for ensuring that all right of way on state and local projects has been acquired and cleared in time for the monthly advertising and letting of statewide highway projects. This function represents all regional offices on the Department's Letting Team and serves as the liaison with the Federal Highway Administration and the DOT Bureau of Project Development;
- (15) Surplus Land Sales: The process of coordinating all arrangements for sale of surplus lands. This includes maintaining surplus land inventory database, determining marketability of the parcels,

clearing sales with regional staff and management, arranging for parcel appraisal and reviews, securing all necessary approvals, marketing parcels, coordinating and managing the sealed bids, auctions, or private sale processes, conducting negotiations with potential buyers, and coordinating parcel closing.

II. DEFINITIONS

REAL ESTATE SPECIALIST

This classification is used as an entry level for positions that perform professional Real Estate Specialist work. Work is performed under close progressing to general supervision.

Positions allocated to this level require a working knowledge of fundamental concepts, practices and procedures of the real estate field and perform assigned tasks using established procedures. Work starts out routine with increasing complexity over time. Positions resolve many questions and problems but refer complex issues to higher levels. Positions perform duties in one or more of the identified functional areas.

Positions are assigned elements of the acquisition process for non-complex properties/projects and perform duties including but not limited to: assisting higher level agents in phases of the acquisition process including preparing property appraisals of varying degrees of difficulty; preparing necessary documentation for the lease, or sale of property, its rights or improvements; conducting non-complex negotiation proceedings with property owners to finalize the acquisition of real estate parcels; gathering preliminary data for field appraisal work and assisting in the preparation of field reports, relocation orders and estimates of acquisition costs; maintaining leases of public land and rentals of buildings as well as records of property acquired; assisting in the development of relocation assistance plans, including preparing relocation assistance cost estimates of housing needs and making public relations calls; investigating claims of encroachment on state owned properties; ensuring environmental compliance for demolition and facility abandonment; attending public hearings for the purpose of informing the public and property owners of the nature of proposed projects, the necessity of acquisition, or the purpose of rezoning property; and researching, evaluating, and recommending the disposal of surplus state property.

REAL ESTATE SPECIALIST-SENIOR

This is the objective level for professional real estate work applying considerable knowledge of principles, practices, and procedures to the completion of difficult and complex assignments. Duties and tasks reflect variety and complexity. Positions assigned to the Senior level are differentiated from lower level positions in that positions spend *the majority of time (more than 50%)*: consistently performing semi-routine to complex duties in one or more of any of the functional areas. Work is performed in accordance with program or project guidelines and is reviewed through program reports and progress conferences. Work is performed under general supervision.

Representative Positions

1. Department of Transportation - DTSD

Senior Real Estate Specialist: These positions are located within the Regional Offices. The majority of time is spent performing semi-routine to complex real estate duties *within one or more of any of the functional areas*. Assignments require specialized knowledge in dealing with political, legal, technical and policy issues and may be of a controversial and sensitive nature. Positions at this level

provide real estate training and guidance to others within the agency and may participate in the development and presentation of statewide training.

2. Department of Natural Resources

Land Agent: These positions are located in a DNR Service Center or Regional Office. The majority of time is spent planning and directing all real estate activities for the assigned geographic area which requires expertise in appraisal and negotiations as well as knowledge of real estate laws, legal documents, public land records and real estate descriptions. Complete appraisals of real property for state acquisition. Negotiate purchases, leases, easements, agreements, sales, rentals, and prepare all documentation. Provide and explain relocation benefits as required by federal laws. Maintain official real estate records. Coordinate and assist all program managers in real estate functions.

3. Department of Veterans Affairs

Property Manager: These positions are located within the Division of Veterans Benefits, Bureau of State Veterans Benefits. The majority of time is spent coordinating the property management of acquired real property and performing routine to complex duties in negotiation and the primary mortgage loan program. Manage the Wisconsin Department of Veterans Affairs home loan portfolio and property management within an assigned work territory. Monitor and direct the performance of contractual agents of the department to ensure compliance with the lenders servicing guide and the servicing agreement with the department. Monitor delinquent primary mortgage loans and administratively direct the actions of the authorized private lenders. Administratively protect the department's financial interests through the valuation, acquisition, management, and marketing of secured real estate. Manage acquired real properties and coordinate the disposal of such properties.

4. University of Wisconsin – Madison

Senior Real Estate Specialist: This position is located within the Division of Facilities Planning and Management, University of Wisconsin – Madison. This position has the responsibility to ensure that all real property transactions are completed in an effective and timely manner for the benefit of the university including: overall responsibility for directing acquisition and disposition of real property for the university to support the requirements and objectives of the schools and colleges across the university; development and management of an inventory system to classify and track real property transactions; and maintaining on-campus land records and databases to include: deeds, easements, leases, international leases, market data and records of all real estate transactions with university offices.

REAL ESTATE SPECIALIST-ADVANCED

This is advanced level professional real estate work applying extensive knowledge of the real estate field. Positions have the responsibility to interpret policy and exercise discretion in applying procedures. Duties and tasks reflect substantial variety and complexity, requiring the highest level of knowledge and skill on a consistent basis.

Advanced level specialists are responsible for a broad variety of facts, objectives, views and concepts that require analysis, interpretation and accurate technical written representation of complex statutory and federally regulated policies and have signatory authority to approve transactions with a significant monetary impact on the Agency. Advanced level specialists have the authority to make difficult decisions amid conflicting viewpoints of multiple Agencies or Divisions with distinct, unique goals. Positions are called upon when questions arise that are unique with no past precedence or policy guidance available.

Complex acquisition at the advanced level includes such issues as proximity, change in access, severance, determination of highest and best use of property, change in grade, cost-to-cure, relocation of properties, special benefits, partial acquisitions of complex, high-value properties, properties with political sensitivity, and when the nature of the property taking results in significant controversy with the property owner.

Positions serve as a technical resource to others, take a lead role in presenting information at public meetings where sensitive issues are involved, and play a significant role in the presentation of formal training in their area of expertise. Work is performed independently, with minimal supervision of a Real Estate Supervisor or Section Level Program Manager/Director. Positions assigned to the advanced level are differentiated from senior level positions in that positions consistently spend the *majority of time (more than 50%)*: (1) as an expert region specialist in the appraisal *or* relocation function *OR* (2) a multi-regional coordinator in the litigation or LPA *OR* (3) functioning as a leadworker *and* performing the most complex duties in their primary function *OR* (4) coordinating/facilitating one or more functional areas on a statewide basis *and* developing policy and training and providing guidance to staff statewide within their functional area of expertise.

Representative Positions

1. Department of Transportation - DTSD

Statewide Facilitator: This position is located within the Bureau of Technical Services. The majority of time is spent developing policy and procedure, implementing, coordinating and administering one or more statewide functional programs serving as the Department's primary technical resource for resolution of problems within their functional area including providing guidance to regional staff, attorneys, and consultants. Regularly performs duties and tasks that reflect substantial accountability and consequence of error and has approval authority for statewide real estate transactions.

Advanced Real Estate Specialist: These positions are organizationally assigned to the Regional Offices, and perform on a regional or multi-regional basis the most complex work in any one of the first three allocations identified above for the advanced level.

2. Department of Transportation - DTIM

Advanced Real Estate Specialist: These positions are located within the Bureau of Aeronautics and the Bureau of Transit, Local Roads, Railroads, and Harbors. The majority of time is spent implementing statewide land acquisition and project management. Lead negotiations and administer contracts with consultants involved in appraisals, negotiations, relocation assistance, and land

management for railroads and airports. Provide expertise and guidance on a statewide basis to central office and regional staff and local public agencies regarding railroad or airport property rights acquisitions related to highway improvements. Coordinate and process eminent domain litigation cases with legal counsel. Develop and recommend for approval operating procedures for all elements of land acquisition for railroads and airports. Ensure compliance with federal grant assurances as well as policies and procedures. Evaluate program effectiveness and recommend improvements.

3. Department of Natural Resources

Review Appraiser: These positions are located within the Bureau of Facilities and Lands. The majority of time is spent providing statewide program direction and quality control of the department's appraisal and appraisal review functions. Review and approve administrative settlements when multiple appraisals are prepared on a single property. Design and conduct management studies. Develop and monitor department appraisal and appraisal review policies and procedures. Coordinate valuations for new projects. Prepare and present training programs to department real estate staff and consultants. Monitor and audit the work of other DNR staff in appraisal matters with federal agencies, state agencies, professional appraisal organizations and the public.

Regional Real Estate Expert: These positions are located within the Regional Offices. The majority of time is spent coordinating the Region's Real Estate Program. Provide real estate expertise to region personnel in the areas of appraisal, site reclamation, negotiation and relocation. Approve the sale/demolition of excess buildings and budget requests for the Regional Site Reclamation Program. Direct the issuance or acquisition of realty-related agreements, permits, leases, rentals and easements as well as the tracking and collection of fees and resolution of conflicts associated with those contracts. Responsible for training, assisting, guiding, instructing, and reviewing the work of the region's Real Estate Specialists, as assigned.

Central Office Real Estate Section: These positions are located in the Central Office and provide high level specialized real estate skills including closing real estate transactions, developing statewide training and mentoring programs for other Department staff, managing budgets, developing information technology systems to assist with and improve statewide management of the Department's real estate program, developing statewide policy, providing guidance to field staff on the most complex and sensitive real estate transactions, preparing presentation materials for the Natural Resources Board and the Governor, ensuring consistency and quality of work performed at the field level, and performing other duties of statewide significance at the request of the Real Estate Director and/or other Department managers.

IV. QUALIFICATIONS

The qualifications required for these positions will be determined at the time of recruitment. Such determinations will be made based on an analysis of the goals and worker activities performed and by an identification of the education, training, work, or other life experience which would provide reasonable assurance that the knowledge and skills required upon appointment have been acquired.

V. ADMINISTRATIVE INFORMATION

This classification series was created effective June 26, 1994 (Bulletin CC/SC-20) as part of the Real Estate Personnel Management Survey. It was modified effective August 2, 1998 (Bulletin CC/SC-90) to reflect

organization changes in the Department of Transportation and Department of Natural Resources. In addition, specification language was modified to clarify definitions and allocation patterns. No changes in allocation patterns for other agencies were intended. This classification specification was modified effective January 13, 2002 and announced in Bulletin CLR/SC-136, to add an allocation for the Department of Transportation litigation specialists at the Advanced level. This classification series was collapsed and created effective May 18, 2003 and announced in Bulletin MRS-SC-158 as a result of the WPEC Broadbanding and Class Collapsing Study. This classification specification was modified effective December 14, 2003 and announced in Bulletin OSER-0006-MRS-SC to state that the Real Estate Specialist – Advanced level is the objective level for positions located within the Department of Transportation’s Division of Transportation Infrastructure Development and positions at the Senior level will progress to the Advanced level through reclassification. This classification specification was modified effective April 15, 2007 and announced in Bulletin OSER 0161-MRS/SC to represent the use of the class by University of Wisconsin-Madison and to modify language for the Department of Transportation to reflect a new regional organizational structure. This classification was modified effective November 20, 2011, and announced in Bulletin OSER-0290-MRS/SC to update functional areas and definitions within the classification series.

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