

## **Reimbursement of Landowner Costs and Expenses**

Landowners are at a disadvantage from the very beginning when a taking begins. The law generally entitles a landowner to receive the “market price” of the property taken, but who pays for the appraisal or attorney to review the paperwork. That is left entirely to the landowner. Landowners who challenge in courts for just compensation are never made whole when their property is taken to benefit the public.

Condemnors should be required to pay the costs and fees incurred by property owners in eminent domain proceedings if final damages are a certain percentage greater than the initial offer. Other states like Florida employ a similar approach, which not only creates a fairer outcome for landowners, but also reduces expensive and time consuming litigation. Condemnors would have an incentive to provide a fair and reasonable initial offers and their projects would most likely be built faster.

This document will be updated with a more comprehensive analysis soon.