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**From:** Ted.Matley@dot.gov  
**To:** Miyamoto, Faith  
**Sent:** 3/24/2009 8:09:53 AM  
**Subject:** FW: Honolulu High-Capacity Transit Corridor Project

Faith, Guidance from Renee Marler on the hardship issue (below)

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**From:** Marler, Renee <FTA>  
**Sent:** Tuesday, March 24, 2009 10:02 AM  
**To:** Matley, Ted <FTA>  
**Subject:** RE: Honolulu High-Capacity Transit Corridor Project

Ted, The grantee's request under d(12) should include independent documentation to support the particular facts of the hardship, in this case that might include a letter from the landowner with specific information as to the nature of the hardship caused by the Project not purchasing the property (until after the ROD) and copy of late or overdue payment notices or a foreclosure notice. Often we will accept just a letter from the property owner to the grantee if it contains enough specifics. (Other hardships might be a letter that an elderly person needs the sale proceeds to move into a retirement home, etc.) Once we get adequate documentation to support a finding, the process is a CE approval action.

Renee

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**From:** Matley, Ted <FTA>  
**Sent:** Tuesday, March 24, 2009 6:32 AM  
**To:** Marler, Renee <FTA>  
**Subject:** FW: Honolulu High-Capacity Transit Corridor Project

Renee,

What is the procedure for a hardship acquisition?

Ted

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**From:** Miyamoto, Faith [mailto:fmiyamoto@honolulu.gov]  
**Sent:** Mon 3/23/2009 5:32 PM  
**To:** Matley, Ted <FTA>; Sukys, Raymond <FTA>  
**Subject:** Honolulu High-Capacity Transit Corridor Project

Hi Ted and Ray –

We have been informed that one of the properties in the Banana Patch is in or soon to be in foreclosure. We are looking at doing a “hardship acquisition” and request guidance as to how to proceed.

Reviewing 23 CFR 771.117(d)(12), it appears that we would need a request from the property owner to do a “hardship acquisition.” This would then be followed by a letter to FTA requesting concurrence with the documented categorical exclusion that DTS/RTD has prepared. Is this the extent of what needs to be done? Anything other guidance you can provide us will be greatly appreciated.

Thanks.

Faith

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