Government of Newfoundland and Labrador

Department of Transportation and Infrastructure

Realty Services Real Property Sale Policy

August 2026

Effective Date: August 24, 2026

Policy Owner: Department of Transportation and Infrastructure

Legislative References: **Executive Council Act**, 1995
Expropriation Act, 1990
Intergovernmental Affairs Act, 1990
Labrador Inuit Land Claims Agreement Act, 2004
Works, Services and Transportation Act, 1995

Version number: 1.0

Version date: August, 2026

Table of Contents

1 Effective Date

The Department of Transportation and Infrastructure (the “Department”) issued Realty Services Real Property Sale Policy came into effect on August 24, 2026.

2 Purpose

This policy establishes guidelines for the sale of surplus land and buildings administered by the Department. Nothing in this policy limits or replaces the application of applicable legislation, which prevails in the event of any inconsistency. The policy is intended to ensure that surplus land and buildings are disposed of in a manner that is fair, open, and transparent, and that aims to achieve best value for taxpayers.

3 Scope

This policy excludes land and buildings administered by other municipal and provincial government bodies.

4 Authority

Section 15(2) of the **Executive Council Act** provides the Department with authority to sell surplus land and buildings which are administered by the Department. Pursuant to Section 55 and Section 56 of the **Expropriation Act**, approval of the Lieutenant Governor in Council shall be required for all sales of surplus land and buildings acquired through expropriation**.**

5 Sale of Surplus Land and Buildings

Surplus land and buildings shall be identified by the Department through consultation with applicable provincial government bodies to confirm that they are no longer required for operational or program purposes.

The Department shall dispose of surplus land and buildings through a public solicitation process.

Exemptions may be granted where a sale is intended for a public purpose and the purchaser is a municipal, provincial, or federal government body, or an established and registered charitable, not-for-profit organization or community organization.

An exemption shall only be considered once a Department or Agency with the relevant mandate has reviewed the proposal and determined that the organization’s need align with the objectives of the Government of Newfoundland and Labrador and that there is a demonstrated need for the project. In such cases, vacant land or public buildings may be sold below market value, provided the relevant Department can provide justification for the reduced price.

When the sale of land is being considered, the Department shall make reasonable efforts to notify any previous owners of the Department’s intention. Previous owners will not receive any preferential treatment with respect to first right of refusal, or advance notification of a public solicitation. Descendants or relatives of previous land owners will not be notified.

The Department also reserves the right to establish a minimum bid requirement for any public solicitation.

6 Interdepartmental Land Use Committee

The Department may, where appropriate, avail itself of the Interdepartmental Land Use Committee (ILUC) to solicit interdepartmental feedback on a proposed sale of surplus land and buildings.

7 Cost Recovery

The Department may recover costs incurred in connection with the sale of surplus land and buildings, including costs associated with legal surveys, title searches, appraisals, environmental site assessments, hazardous materials assessments, geotechnical assessments, structural assessments, or other similar due diligence activities. Such costs may be recovered by incorporating them into the sale price at the stage of Agreement of Purchase and Sale. Alternatively, the Department may permit the recipient to pay for such work at its own expense to avoid the cost recovery process. To support tangible capital asset reporting, the Department will maintain records of sale proceeds and, where applicable, the original purchase price of the asset as per the Tangible Capital Assets Guidelines and the Financial Management Policy Manual.

8 Labrador Inuit Rights Qualification

Any provision, term or condition of the **Labrador Inuit Land Claims Agreement Act** shall have precedence over the provision of the Act.

9 Review

To ensure this policy remains relevant, equitable, and responsive to both staff needs and the operational requirements of the Department, it shall be reviewed on a regular basis. The policy shall be formally reviewed every three years by the Department, in consultation with relevant internal and external stakeholders, and updated as necessary.

10 Enquiries

For additional information about this policy, please contact the Planning and Accommodations Division of the Department or ti@gov.nl.ca.