



AI2508 Compulsory Purchase and Compensation 7.5 credits

Markåtkomst och ersättning

This is a translation of the Swedish, legally binding, course syllabus.

Establishment

Course syllabus for AI2508 valid from Autumn 2017

Grading scale

A, B, C, D, E, FX, F

Education cycle

Second cycle

Main field of study

The Built Environment

Specific prerequisites

Eligibility to the master programme in Real Estate and Construction Management.

Language of instruction

The language of instruction is specified in the course offering information in the course catalogue.

Intended learning outcomes

When the land use is changed - through the creation of new settlement and expansion of roads, railways, power lines etc - the original real estate and owner structure must be adapted to new conditions. To ensure that important projects within the built environment should be possible to be carried out, there is legislation about compulsory acquisition/expropriation that contains rules about partly permission to compulsory purchase (land acquisition), partly which compensation the one that must give up land has the right to. The overall aim of the course is to give deeper understanding of rules for the permission process as well as which compensation that should be paid when compulsory purchase or other limitation of dispositions of land and real property is realised. At the end of the course the students are expected to be able to:

- explain and expound why compulsory purchase can be legitimised
- describe the contents of and in what situations different types of law shall be used
- explain different value concepts for real property and the relation between them
- describe and compare the legislation's different compensation principles
- apply different compensation rules and principles and calculate the compensation in practical cases

Course contents

The course deals with legal frameworks that give public institutions, and sometimes also private people, the right to acquire land through compulsory purchase in different situations. The following main aspects will be dealt with in the course.

- Fundamental motives to permit compulsory purchase. Different situations where compulsory purchase can be realised. Effects if compulsory purchase should not be possible. Compensation rules from economic and legal points of view. Value concepts and their relevance in cases of compensation. Benefit apportionment versus compensation for damage.
- Principles for the permission process; judicial or administrative handling of the permission process, material conditions for compulsory purchase, taking possession. Applicable legislation in different situations. Permission process in different systems of regulation.
- Compensation rules in the Expropriation Act, Planning and Building Act, cadastral legislation, environmental and nature conservation legislation. Analysis of legal cases, practice, negotiation solutions and voluntary standards.
- Valuation problems in different compensation situations. Methods for estimation of compensation for encroachment and compulsory purchase.

Course literature

Sjödin, E., Ekbäck, P., Kalbro, T. & Norell, L. **Markåtkomst och ersättning** (Norstedts juridik, latest edition).

Additional course literature to be announced when the course starts.

Examination

- ÖVN1 - Exercises, 3.0 credits, grading scale: P, F
- TENA - Examination, 4.5 credits, grading scale: A, B, C, D, E, FX, F

Based on recommendation from KTH's coordinator for disabilities, the examiner will decide how to adapt an examination for students with documented disability.

The examiner may apply another examination format when re-examining individual students.

If the course is discontinued, students may request to be examined during the following two academic years.

Other requirements for final grade

Written examination and exercises.

Final grade is based on the examination result.

Ethical approach

- All members of a group are responsible for the group's work.
- In any assessment, every student shall honestly disclose any help received and sources used.
- In an oral assessment, every student shall be able to present and answer questions about the entire assignment and solution.