

Bond Case Briefs

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EMINENT DOMAIN - ILLINOIS

Alan Josephsen Co. Inc. v. Village of Mundelein

Appellate Court of Illinois, First District - March 8, 2024 - N.E.3d - 2024 IL App (1st) 230641 - 2024 WL 1005468

Recycling company sought judicial review of village's administrative decision, denying certain relocation expenses under federal Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (URA) claimed by recycling company whose property was taken by village through eminent domain.

The Appellate Court held that:

- Village did not violate URA by basing its relocation payments to recycling company on multiple estimates from different moving companies;
- Recycling company failed to demonstrate that village's designee for administrative official adjudged the facts or the law prior to hearing the case, as required for recycling company to show that administrative official was biased;
- Administrative proceedings comported with due process and did not require an evidentiary hearing or additional discovery;
- Village's estimates of self-move relocation costs under URA for recycling company satisfied language of regulations; and
Sufficient evidence supported village's relocation payments to recycling company under URA, such that administrative official's factual findings were not against manifest weight of the evidence.