

PROPERTY ACQUISITION DO'S AND DON'TS

***BRITISH COLUMBIA EXPROPRIATION ASSOCIATION'S
FALL SEMINAR***

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The following is a list of property acquisition do's and don'ts compiled by Jack Miller, Dave Wood, David Aberdeen and Judy Reynier and is the product of our combined total of over 100 years of property acquisition experience.

During that time between us we have probably made every mistake in the book, and as a result have learned skills that are not exactly "tricks of the trade" but are essential rules for any property acquisition agent.

The list is from the perspective of a property agent working for an expropriating authority and how he/she interacts with property owners.

Although the list is in no particular order, the most important item is listed first.

- (1) At all times be professional.**
- (2) Get involved in the planning process of the project. Provide property advice early.**
- (3) Educate project team on property acquisition matters.**
- (4) Identify and deal with the property owner first. Never start dealing with a tenant or lease holder.**
- (5) The property agent is the one point of contact with a property owner. The agent may elect to invite other members of the project team to a meeting with an owner (e.g. design / construction personnel) but all meetings are chaired by the agent.**
- (6) It also may be necessary for geotechnical engineers, surveyors, construction contractors, etc. to enter onto a property and each of**

these people must notify the property agent prior to entry. It is imperative that the property agent be informed of all project-related activity on the property so that the agent is able to inform the property owner of each activity.

- (7) Prepare well for all meetings with property owners and their advisors. Thorough research and preparation is a key to successful meetings.
- (8) Explain the net benefits of the project to the owner.
- (9) If you don't know the answer to a question, say so, and be sure to follow up with the answer as soon as possible.
- (10) LISTEN and validate.
- (11) Prove to the owner that you are serious about understanding their concerns and recognizing their problems.
- (12) Set aside your own agenda. Addressing the concerns of the property owner is an important step towards settlement.
- (13) Keep meticulous notes - and providing these notes to a property owner can be helpful. Write notes as soon after the meeting as possible.
- (14) Be available. Use e-mail, land lines, cell phones.
- (15) Once the acquisition process has started, keep the momentum going.
- (16) If there is an amendment to the design of a project resulting in a change in impact on a property, it is essential that the property agent has built a good relationship with the owner in order for these changes to be incorporated into the compensation package.
- (17) Hire good experts - do not hire advocates.
- (18) The property agent must be directly involved in the selection and briefing of the appraiser, planner, business valuator, subdivision engineer, etc. and must explain the details of the project to these experts. These experts provide the tools for negotiation and settlement and therefore they must have a clear understanding of the project.
- (19) Never make a commitment if you are not absolutely sure it can be met.
- (20) Never exaggerate or stretch the truth. And never bully.

- (21) If you encounter an obvious personality conflict, step aside.**
- (22) A meeting with ALL affected property owners in the area can be an effective tool in the settlement process.**
- (23) Check your ego at the front door.**
- (24) Be compassionate.**
- (25) Do not hurry the process. Owners need time to accept and adapt to changes to their property. The time required to accept and adapt varies from owner to owner and cannot be rushed without risking a breakdown.**
- (26) Approach each project with the view that your role is to provide sufficient, accurate information to the property owner so they are in a position to make a good, informed decision regarding the impact to their property and the appropriate, fair level of compensation. Selectively withholding information usually leads to disaster.**
- (27) Dress appropriately for the situation. Try not to wear a suit to meet a farmer or jeans to meet a lawyer, although sometime this does happen with memorable consequences.**
- (28) Maintain good contacts and communicate regularly with others in the industry. If you encounter a situation that you are unfamiliar with, chances are someone has dealt with it previously and can offer valuable insight.**
- (29) Never bluff. This is a sure way to get in trouble with both the property owner and the project manager.**
- (30) Keep abreast of possible changes to project scope, scheduling and design. This will allow you to adapt quickly and have contingency plans in place to avoid being "cornered" in your negotiations with property owners.**
- (31) Avoid putting the property owner or their representative in a "lose" situation. Try to leave the other party an avenue where they can also claim victory in the negotiations while ensuring you achieve the project's goals.**

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