



RELOCATING A MOBILE HOME PARK

BY DARRYL ROOT, JD, R/W-RAC

This article is the first in a series that addresses the planning for and actual relocation of mobile home parks that are impacted by federally funded projects. Different agencies, as well as state and local jurisdictions may have their own set of rules concerning the closure of mobile home parks. We advise each reader to carefully examine his or her agency's established procedures, along with state, local and federal regulations concerning the relocation of mobile home park residents. This examination should take place before beginning to plan or implement relocation activities.

LOOK TO THE LAW

Planning the relocation of a mobile home park for a federally-funded project is not an easy task, even for a skilled relocation professional. It takes a great deal of time and research, as well as compliance with both state and federal rules. However, careful planning can save an agency a significant amount of time, money and goodwill within the community impacted by the project. But how do you begin planning to relocate a mobile home park? As always, start with looking at the law.

What does the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) say about relocation planning?

42 USC CHAPTER 61

Sec. 4625 Relocation Planning, Assistance Coordination, and Advisory Services

- (a) Planning of programs or projects undertaken by Federal agencies or with Federal financial assistance Programs or projects undertaken by a Federal agency or with federal financial assistance **shall be planned in a manner that:**
- (1) recognizes, at an **early stage** in the planning of such programs or projects and before the commencement of any actions which will cause displacements, the problems associated with the displacement of individuals, families, businesses, and farm operations, and
 - (2) provides for the resolution of such problems in order to **minimize adverse impacts** on displaced persons and to expedite program or project advancement and completion.

These relocation planning requirements are implemented in the regulations at 49 CFR 24.205(a). (Bold type has been added for emphasis.)

GETTING STARTED

Planning the movement of mobile home residents is not just the responsibility of the relocation agent. All of the following groups should be involved early in the process:

MOBILE HOME PARK RESIDENCY GROUPS

The residents themselves could be the best source of information about the specific challenges they face. Listening to residents respectfully allows them to feel that they have a voice in decisions being made during a very stressful point in their lives.

AGENCY GROUPS

- Utilities - Are or will the utilities at the park be up to code at the time the agency takes possession?
- Design - Is there any way to lessen the impact of the project on the park or avoid it entirely?
- Appraisal - Are the agency's appraisers experienced enough with the valuation of mobile homes or does the agency need to hire appraisal consultants?
- Acquisition - Will residents have proper title in order to sell the mobile homes that cannot be moved due to their physical condition or local regulations?
- Property Demolition - What happens if residents cannot transfer clear title to their mobile homes that cannot be moved? How can they be demolished?
- Construction - Is the construction schedule realistic given these concerns for possible delays?

IMPORTANT CONSIDERATIONS

Communication among all of these groups is vitally important to discover any particular issue that could delay the project or be detrimental to residents. Each agency discipline should share roles, responsibilities and time requirements in order for the agency to prepare a comprehensive plan to make the relocation go smoothly. Leaving enough time in the construction schedule for a successful move of the park is critical. There are many challenges that can postpone movement. For instance, some residents may have credit issues that could delay the financing they need for replacement mobile homes or

conventional housing. Even if financing is available, the supply of replacement parks may be limited.

There could also be major resistance in the form of advocacy groups or legal actions from mobile home residents or other affected persons that could delay the project. In addition, many of the mobile homes may be too old or in such a state of disrepair that they cannot be legally moved across local streets or highways to replacement parks. Additionally, some parks may not accept older mobile homes.

Selecting appraisers with specific experience valuing mobile homes is a must. Careful consideration should be given to hiring local appraisers who have recently appraised other mobile homes in area parks. The selected appraisers should be thoroughly familiar with any state and local regulations and/or appraisal practices that specifically govern the valuation of mobile homes as either personal or real property.

MINIMIZE ADVERSE IMPACTS

Giving mobile home park residents proper advisory services is one of the best ways to minimize potential adverse impacts from the project. Many residents may need to be alerted to first-time homebuyer programs and other financial counseling resources. Many may not have had to manage the sums of money that could be provided to them through relocation benefits. Predatory lenders may also target residents when they learn of the park's closing. Residents may require assistance to choose a replacement park and the relocation agent may have to act as a "middle man" between the replacement park owner and the resident should the resident not initially qualify to move into the new park.

In the next article, to be published in the March/April 2013 issue of Right of Way, these issues will be discussed in more detail, along with practical advice on how to deal with them.

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