

*It's not what you say...but how you say it*

BY MICHAEL S. WOLFE, SR/WA

IRWA's Communication/Acquisition Courses emphasize that successful right of way agents, when conducting an acquisition, listen far more than they talk and typically demonstrate exceptional listening skills. Scholars researching the field of human behavior and communication have concluded that the best negotiators, which would include the best right of way acquisition agents, not only have outstanding listening skills but are also proficient in verbal and nonverbal communication.

### Verbal Skills

During an acquisition interview, a seasoned right of way agent possesses the ability to speak clearly in a positive, friendly and businesslike manner. They choose words, phrases and language that fully explain the scope and limits of the proposed project, identify the parcels of real property that must be acquired by the agency and provide the reasons why the completion of the project is in the best interest of the community.

### Nonverbal Skills

When conducting an acquisition interview, a successful right of way agent should have the intuitive perception or trained eye to see and interpret nonverbal cues and signals being communicated by the property owner. The agent should also be acutely aware of the nonverbal messages they send to the property owner. These nonverbal cues and signals have been coined by professionals in the field of human behavior and communication as nonverbal behavior, more commonly known as *body language*.

Most of what has been researched and studied regarding body language of humans began in the 1950s. However, one of the earliest studies, *"The Emotions of Man and Animals"*, was written and published in 1872 by famed British naturalist and author Charles Darwin. Many of Darwin's ideas and observations of facial expressions and body language have been validated by professionals in the various disciplines of psychology, sociology,

# “...an initial positive image made on a property owner can lead to a successful acquisition...”

anthropology and linguistics. One of these pioneers of research in the 1950s was Albert Mehrabian, Ph.D., Professor Emeritus of Psychology at the University of California. Professor Mehrabian's research and studies concluded that the total impact of a message is about 7 percent verbal (words and sentences), 28 percent vocal (tone of voice), and 65 percent nonverbal (facial expressions, posture and other gestures).

American anthropologist and former professor of communications at the University of Pennsylvania, Ray Birdwhistell, Ph.D., pioneered the original research of the interpretation of body language in the study of facial expressions and gestures. Dr. Birdwhistell wrote two books. His first book, titled *“Introduction to Kinesics,”* was published in 1952. He was the first to use this term *kinesics*, which means the interpretation of body language such as facial expressions and gestures, or more formally, nonverbal behaviors related to movement of one's body or any part of the body. He argued that all movements of the body, when conversing with another person, have meaning, and therefore are not accidental, and that these forms of nonverbal language, or paralanguage, can be analyzed in similar terms to spoken language.

Dr. Birdwhistell's second book, published in the late 1950s, titled *“Kinesics and Context,”* was based on his research of body motion and movement (kinesics) and all other forms of nonverbal communication (context). In this study of communication and behavior, he considered the construction of words and sentences (verbal) as content and everything else experienced by the receiver—including the five senses of sight, sound, smell, taste, and touch—as context (nonverbal).

Like Professor Mehrabian, Dr. Birdwhistell found that the verbal message received from a face-to-face conversation is less than 35% (6-8% from words; 20-27% from the tone of voice), and that over 65% of communication is received nonverbally. Since the 1950s, studies conducted by numerous scholars in the field of human behavior and communication have arrived at similar conclusions.

## It Wasn't What He Said...But How He Said It!

Scholars in the field of human behavior have concluded that we humans begin to form impressions, either negative or positive, within seconds of meeting someone and well before a word is uttered. As previously discussed, these initial impressions are formed as a result of one's appearance, dress, grooming habits, facial expressions, body position, posture and many other visual observations, as well as scents such as breath, body odor, perfume and cologne. The findings by these behavioral scholars, based on numerous studies, show that during this brief period that averages two minutes (but no more than four), judgments are made about many things including one's character, honesty, trustworthiness, personality, level of education, degree of intelligence and temperament. Research has also shown that once arriving at a judgment of the other person, the conclusion is very resistant to change. Rather than alter our opinion, we distort incoming information in such a way that makes it support our initial assumption.

As the saying goes, “One never has a second chance to make a first impression.” Skilled right of way agents are well aware of impression management and the importance, especially during the first interview, of being personally viewed in a positive manner by the property owner. They know that an initial positive image made on a property owner can lead to a successful acquisition, even if the offer is not accepted during the first interview. The property owner will remember your initial greeting, your body posture and movements and your facial expressions far longer than what is contained in the appraisal report.

## Your Mere Presence Communicates - Even When You are Silent and Standing Still

Although it may seem obvious, let's begin by focusing on your manner of dress and grooming habits, as this is most often the first nonverbal communication received by the property owner.

# “The tone of voice and vocal inflections initially used by the property owner may be deceptive...”

You should wear clothes and accessories that reinforce the impression you want to make in order to gain the acceptance, trust and credibility of the property owner and/or their representative. An acquisition agent with knowledge of “impression management” will dress differently when scheduled to meet with a rancher on a large parcel of land proposing to acquire a pipeline easement, than when meeting with an attorney on the 43rd floor of the Bank of America building in downtown San Francisco, who is representing a commercial property owner regarding a part-take required in fee.

In both scenarios, not only is clean, pressed, properly fitted and appropriate clothing essential in creating a favorable impression, but equally important is the appearance of good grooming habits, especially the face, hair and hands. Do not overlook the appearance of your hands. During the acquisition interview, when reviewing the appraisal report and explaining the acquisition package to the property owner, your hands will be exposed and viewed at length. Dirty hands, dirt or grease under the fingernails, chipped nail polish, or chewed fingernails can communicate a negative message about you. Conversely, clean and groomed hands and fingernails tend to create a positive impression.

Also, it is advisable to never wear black. Perhaps because of all the good guy/bad guy movies, black clothing arouses negative emotions. You are likely to be seen by the property owner as untrustworthy, sinister and perhaps even potentially violent. Research also shows that ones shoes can deliver a strong positive or negative message. Be sure your shoes are clean and, if appropriate, polished. This includes the backs of an agent’s shoes, as they are often observed as the agent leaves a room. If the backs of the shoes are dirty and the heels are well worn, the last impression the property owner will have of that acquisition agent is negative. Be very careful of perfume or cologne. You are there to acquire property, not to seek romance. An overly perfumed acquisition agent is never well received.

## One Cannot Judge a Book by Its Cover (But People Do)

On the flip side of the coin, an acquisition agent must be careful to never form an opinion based on an owner’s appearance, dress or grooming habits. Remember, one should not judge a book by its cover. The agent should remain aware of the property owner’s tone of voice and vocal inflections, along with the property owner’s facial expressions, posture and body movements. The tone of voice and vocal inflections initially used by the property owner may be deceptive in revealing their true feelings of friendliness or hostility towards the agent and the agency. However, words and vocal intonation, coupled with facial expressions, open or closed body position, and gestures (body language), can be very real indicators of the true attitude and feelings a property owner has toward the agent and the agency.

The nonverbal messages sent by the property owner can convey whether or not the property owner will be amenable to the agent’s acquisition presentation. Prior to the property owner saying yes or no to the agency’s proposal, these nonverbal signals also indicate whether or not the presentation is moving in the right direction from the property owner’s perspective. If the property owner’s body language reveals that the presentation is taking the wrong course, the agent can back up, change direction, or stop and ask the property owner to express their concern or opinion on that particular subject.



## Negative Body-Language Cluster

If you are wearing sunglasses, whether prescription or not, take them off prior to meeting with the property owner. If the property owner cannot clearly see your eyes, complete trust in you and what you are presenting will not develop. Even worse would be for an agent to display the deceitful-appearing and negative body-language cluster illustrated here.

One can only imagine the nonverbal message being received by the property owner during the agent’s attempt to conduct an acquisition interview wearing dark glasses, which prevents eye contact, while displaying the defensive posture of having legs crossed, arms crossed, in addition to hugging an appraisal report to protect their chest. It is doubtful that an agent appearing in this fashion will convince any property owner, no matter how attractive the agency’s offer.

## Gaining Favorable Acceptance

Let us next discuss the nonverbal behavior, including facial expressions, body movement, and gestures an acquisition agent can use to elicit a positive response from a property owner. Keep in mind that I am referring to standard American/Western culture. This may vary in some communities because of cultural differences. When meeting the property owner, use honest, open gestures. Outward and upward movement of arms and hands, with the palms of your hands up and showing, are positive actions. Put on a facial expression that shows the property owner that you are happy to see them. Smile, showing teeth and have wide-open eyes that the property owner can look into and that convey a message that you are truthful, honest and have nothing to hide.

When invited, walk into the property owner's home or office with confidence. Walk in without hesitation, as this conveys respect and authority. People who lack confidence will often change gears and perform a small shuffle as they enter another person's home or office.

Always be ready to shake hands. Indicate your willingness through gesturing. The property owner will let you know the exact timing through his or her gestures. When shaking hands, keep your palm straight and return with the same pressure you receive. Let the property owner decide when to end the handshake. It is not advisable to shake hands directly across a desk but rather to step to the left of the desk to avoid being given a palms-down handshake. A palms-down handshake (Figure A) has the effect of pushing down the other person's hand, making them feel inferior and powerless. Make sure your hand is parallel to the other person's hand (Figure B), and shake in an up-and-down motion with equal pressure being applied; this provides both parties with the feeling of equality.

Touching can be very powerful in establishing a relationship, and shaking hands, while making eye contact, facilitates bonding, even with strangers. Do not put your other hand on the property owner's shoulder or grab their forearm. This could be interpreted as being overly friendly or even aggressive, which is always negative.

Be sure to respect the property owner's personal space, which will be largest during the opening minutes of the acquisition interview. If you move too close, the property owner will respond by stepping back, sitting back or leaning away (a strong indication that the property owner is uncomfortable with your closeness). You should immediately move back. Later, during the interview and after you and the property owner have developed sufficient rapport, it may be acceptable for you to move closer.

If you and the property owner are seated at a desk or table directly facing one another, turn your chair at a 45-degree angle to avoid positioning yourself in what is viewed as the reprimand position. If you cannot angle the chair, then angle your body. The desk or table sets up a barrier between you and the property owner with an invisible line drawn across the middle, your side and their side. If you have established sufficient rapport with the property owner, and they begin to review the acquisition package on their side of the table, you might take the opportunity to move closer to better explain the appraisal and acquisition. Being on the same side of the desk or table allows the presentation to be viewed as informational rather than confrontational. If you are not able to join the property owner on their side of the table, spread your arms and open your hands with palms up, make time-appropriate eye contact, and lean slightly forward to put energy and meaning into the conversation.

As you discuss the appraisal report and the acquisition package with the property owner, pay very close attention to their body posture and movements. If they cross their arms, it is important to use positive signals and statements or hand them something that will cause them to unfold their arms and lean forward. Once their arms and legs are uncrossed, their hands open and they begin to lean slightly forward, they are indicating receptiveness to your presentation.

Other positive nonverbal signs occur when the property owner picks up the appraisal report and acquisition documents and repeatedly looks through them. The agent should not talk during this time but rather remain silent and wait for the property owner to finish studying the report and package. These are positive signals and usually mean the property owner is receptive to the agency's offer, or at the very least, will be more receptive to the remaining acquisition proposal.





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Following their study of the documents, their body language and questions will guide the agent in the right direction.

If you notice the property owner “mirroring” your movements and gestures, you’ve got them locked on to your proposal. Mirroring indicates maximum communication with another person. If you move your arms apart while opening your palms, and they do the same, you are both in synch. The messages and the words of your presentation are being well received and accepted by the property owner. You can be sure their attitude is open, receptive and positive, and you should expect a cooperative attitude when you ask them to sign the acquisition documents.

## Examples of Common Gestures

The following are illustrations of body language that an agent may see displayed by a property owner during an acquisition interview. These examples, considered universal and displayed by all cultures, are just a few of the many gestures an agent may witness.

### 1 Critical-Evaluation Gesture

This is a typical cluster of gestures a property owner might use when they disagree or are unimpressed with the information you are presenting. Notice the hand-to-face gesture with the index finger pointing up the cheek while another finger covers the mouth and the thumb supports the chin. Additional negativity may be demonstrated by the legs being tightly crossed and the arm crossing the body (a defensive cluster) while the head and chin are down (hostile).

### 2 Crossed-Arms-on-Chest Gesture

This is a universal gesture that indicates an attempt by a person to put a barrier between themselves and someone or something they don't like. This gesture may be displayed by a property owner when an agent is verbally presenting an appraisal concept or an explanation regarding an acquisition package to a group of people such as partners at a partnership meeting. In an attempt to take the person out of their negative state, an agent might direct a question by asking, “Would you like to share any thoughts on this matter?” or a similar positive question. This will force the person to unfold

their arms and lean forward, which just might make them more receptive to the presentation. As long as the individual is showing a negative cluster with their body language, an agent’s presentation will not be effectively received.

### 3 Double-Arm-Grip Gesture

This gesture is similar to the crossed-arms-on-chest gesture but should be perceived as even more negative. It is normally displayed when an agent is making a presentation that is not being well received, typically in a one-on-one situation with a property owner. This body language cluster is characterized by the person’s hands gripping their upper arms to reinforce themselves and to avoid exposure of the front of their body. It conveys that the property owner is unhappy, feels insecure, and is not buying into the concept being presented.

### 4 Clenched-Fist/Crossed-Arms Gesture

This gesture exhibits a hostile attitude, and in such a case, the agent must be extra careful with the words they choose and their own body language. The agent should maintain a safe distance but continue to display friendly facial expressions. At this point, show friendly body gestures with hands open and palms up. Avoid too much eye contact. When a person is in this state, excessive direct eye contact can easily increase their hostile feelings toward you and the information you are presenting.

### 5 Glasses-in-the-Mouth Gesture

This gesture is typically used by a property owner as a way of stalling or delaying a decision. An acquisition agent will most often see this gesture at the time the property owner has been asked to make a decision regarding the proposal. Continually taking the glasses off and on is another method used to gain time when making an important decision. If the property owner takes off their glasses and goes through the process of stroking and cleaning them, and then puts the glasses back on, it is usually a positive sign. Very often, it communicates that the owner wants to take a closer look at the facts in the package. Folding the glasses and putting them away indicates the termination of the interview. Throwing the glasses onto the desk is a gesture that signals a rejection of your proposal.



6a



6b



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## 6 Cup-Placement Gesture

Asking the property owner to accept a cup of coffee or other refreshment is an excellent way of gauging how they are receiving your offer. Where a person places their cup immediately after taking a drink sends a strong message of whether or not they are open or closed to the offer. If the property owner is disappointed or unhappy with the offer, they are very likely to place their cup on the opposite side of their body to form a single-arm barrier (6a). If and when they are preparing to accept the offer, they will place the cup to the same side of their body, displaying a positive attitude of general acceptance of the offer (6b).

## 7 Mouth-Covering Gesture

A lie can often be determined when observing any hand-to-mouth gesture that a person makes during or immediately following a statement. When lying, a child will bring one or both hands up to cover their mouth. A teenager will often bring one hand up and lightly rub around their mouth with their fingers. An adult may bring their fingers up to cover their mouth followed by rubbing their nose.

No one gesture or cluster of gestures guarantees a 100% accurate reading of one's feelings or level of truthfulness, but a seasoned right of way agent, observing the mouth-covering/nose-rubbing gesture from a property owner during an acquisition interview, should keep the conversation going to uncover any possible hidden agenda.

## 8 Boredom Gesture

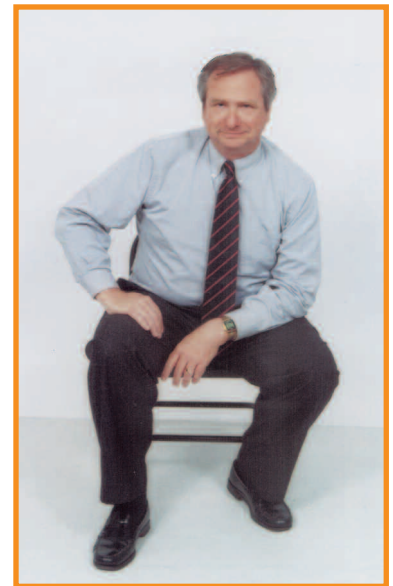
This gesture is sometimes observed when an acquisition agent is conducting an acquisition presentation with multiple owners of the same property, when one party becomes disinterested in what is being presented. A gesture of boredom normally begins with the listener using their thumb to support their chin. Complete lack of interest is displayed when the head is fully supported by the hand, as shown here. An agent should attempt to involve the listener in the conversation before the level of boredom reaches this point.

**"...65% of communication is received nonverbally."**

### "I'm Ready" Gesture

One of the important non-verbal cues an acquisition agent will want to recognize is the seated "I'm Ready" gesture.

If the property owner were to exhibit this posture, and the acquisition presentation had gone well up to that point, the agent could ask the property owner to sign the documents and would likely be met with a favorable response. This body language says, "I'm ready to sign."



### Summary

This article on nonverbal communication is not intended to make the reader an expert on body language. It is intended to raise the awareness of how one's facial expressions, body posture and simple movements can convey a positive or negative message. To become a successful right of way agent, I encourage everyone to learn as much as possible about impression management for the purpose of imparting a favorable impression to property owners. An agent will become more successful if they develop the ability to read body language, as they will be able to discern a negative decision before it is verbalized. It is invaluable to understand how one's mere presence can communicate - even without talking. ●