



Relocation advisory services

by Silas J. Maxwell

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One of the most frustrating aspects of a Relocation program is recognizing the need for the provision of advisory assistance, yet running into stumbling blocks in the attempt to provide such help. Client interviews, interagency coordination, social and economic problems — these and many other concerns are a part of the Relocation Specialist's daily affairs. Often, they are severe enough to at least threaten delaying a project; more importantly, the inability to resolve them may turn a short-term displacement success into a long-term nightmare for the displacee.

Relocation assistance is a subject that is little known to the general public. It is not publicized like automobiles or detergents and most individuals are not interested because they have not been forced from their homes or places of business by a public works project.

In most instances, relocation assistance is a two-part program. One is Relocation Assistance Advisory Services and the other is Relocation Payments. This paper will focus on Relocation Assistance Advisory Services.

As late as the mid-1940s, relocation assistance was an unknown subject. Highway construction was generally located in rural areas and seldom involved any major displacements. There were relatively few takings of residential or commercial properties and the people affected were usually widely dispersed.

Following World War II, the growth and development of our economy and the demand for public facilities and services were increasingly centered on

heavily populated areas. The properties being acquired were no longer predominantly rural lands with relatively few actual displacements. Nor were the displacees widely dispersed. Many programs required the acquisition of block after block of densely developed residential, commercial and industrial properties for projects having little local support and which were of little benefit to those being displaced. Such acquisitions resulted in mass displacements of closely-knit groups who had many common interests, not the least of which, was displacement by "government." Many of those affected were active in the civil rights movements and were quite skillful in getting the attention of Congress and in developing "champions" for their cause.

In response to those growing demands, Congress addressed itself to the problem and between 1949 and 1965 provided special payments on a project or agency basis in an effort to compensate the few who were having to bear

the burden of meeting the public needs.

In 1965, Senator Edmund Muskie of Maine began to champion a cause for better treatment of persons displaced by a public works project. Congress recognized his objective but rejected his proposed remedies. In 1968, Senator Muskie reintroduced his bill and Con-

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gress passed a modified but revolutionary relocation assistance and monetary compensation package as an addendum to the Federal-aid Highway Act of 1968.

The Texas Legislature supported that cause and on April 2, 1969 passed an act providing relocation assistance and expenditures not to exceed those authorized by the Federal-aid Highway Act of 1968.

The Federal Act was considered the break-through in the long and tedious effort to correct the inequities of the traditional concept of "just compensation" as being sole payment for property taken.

Senator Muskie again introduced his Relocation Bill entitled "The Uniform Relocation Assistance and Real Property Acquisition Policies Act." The Senate passed the Bill unanimously. A House Committee put its own "Uniform Act" — House Bill 14898 — in the hopper.

It was clear that the winds of change were blowing and that Congress would pass strong legislation. You know the results — Congress passed and the President signed into law, effective January 2, 1971, the Uniform Relocation Assistance

and Real Property Acquisition Policies Act of 1970.

The 62nd Texas Legislature quickly amended its 1969 Act directing each department, agency and instrumentality of the State, or of a political subdivision of the State, to provide relocation advisory services and payments commensurate with the provisions of the 1970 Uniform Act.

That 1970 Uniform Act was considered a "people" law. It was intended to solve "people" problems and to reimburse "people" costs. It told program managers that they are required to consider people first, and only then were they to proceed with their project.

Advisory services

The least recognized relocation program is "Advisory Services." It is vitally important that the persons being displaced be afforded their maximum lawful benefits and be relocated with a minimum of hardship and in an orderly and humane manner.

Advisory Services are interrelated with all other relocation program

requirements from the preliminary interviews to the final payments of relocation claims and should be provided by *personal contact*, whenever possible. On first contact, relocatees should be informed of the location of the local relocation office and of the name and telephone number of a relocation specialist who can assist with their needs.

The "*Eligibility Requirements*" for relocation advisory services are simple. We are required to help or at least offer our assistance to:

1. All persons occupying property to be *acquired*.
2. All persons occupying property *adjacent* to real property being acquired when the displacing agency determines that such persons will be caused substantial economic injury because of the acquisition.
3. Any person who, because of the acquisition of real property used for a business or farm operation, moves from other real property used for a dwelling, or moves personal property from such other real property.

All displacees may not be eligible for monetary benefits, but they are eligible for relocation assistance advisory services.

"*Advisory Services*" are necessary in all relocation programs. As a minimum, the law requires us to provide to the persons being displaced:

1. An explanation of the relocation services which are available and the various types of relocation payments to which they may be entitled.
2. We must explain the eligibility requirements necessary to receive relocation benefits, and determine their entitlements.
3. We must determine their relocation needs and make a sincere effort to help in any way possible.
4. We must provide current listings and prices of replacement properties that are available for sale or rent in the area. This requirement applies to all types of displacements — residential, business, farm operations, non-profit organizations, etc.
5. We must provide information concerning Federal and State housing programs, disaster loans and other governmental programs offering relocation assistance to displaced persons.

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