Challenges of Mobile Home Relocation

By Lisa Barnes, VP, ORC Training, LLC

The relocation of mobile homes is like assembling a puzzle. Each of the puzzle pieces represents an issue that the acquiring agency must resolve. Each of these pieces must be considered, and then fit into the overall “picture” to achieve a successful relocation.

Whether your agency is displacing a few mobile homes, or an entire mobile home park, early planning in the project development process is essential. You should ask, “What problems will the displacement of the mobile homes cause and what strategies can you identify to minimize the adverse impacts of displacement?” The agency must conduct early studies and field reviews to determine the scope of the relocation impacts, and continue to update the plan throughout the project. This planning can save your agency time and money in project delivery.

An agency must be prepared to address several challenges in mobile home relocation that are not seen with conventional dwellings.

The Acquirer is published by O. R. Colan Associates, a firm that specializes in right of way land acquisition, appraisal and relocation assistance for public projects implemented under state and federal guidelines. ORC Training, LLC and ORC Utility and Infrastructure Land Services, LLC are affiliate companies formed to serve our nation’s real estate infrastructure training needs and energy infrastructure needs, respectively. To learn more, visit www.ORColan.com or call us at 888-204-7667.
Mobile Home Relocation—continued from page 1

Is the Mobile Home Real Property or Personal Property?

The classification of mobile homes as real or personal property can vary from state to state, or even from parcel to parcel, depending on the circumstances. Some states do not address the issue of whether a mobile home is really or personally, while others allow them to be treated either way. In some states, mobile homes are considered real estate if the wheels have been removed and the mobile home is attached in some permanent manner to the site. In other states, mobile homes are always considered personally, regardless of how they are attached to the land.

![Mobile Home](image)

It is important for the appraiser to consider any state laws concerning the status of mobile homes. The classification of the mobile home determines whether the agency will acquire the mobile home as real property or reimburse the actual, reasonable costs of moving it as personal property.

Can the Owner-Occupied Mobile Home Be Moved to a Replacement Site?

Normally, if the mobile home is considered personal property, the owner-occupant is not eligible for a replacement housing payment for the mobile home. However, there may be situations where mobile homes that have been classified as personal property cannot be moved, and the owner-occupant would be eligible for a replacement housing payment for the mobile home under the provisions of 49 CFR 24.502.

An agency may find that such a mobile home cannot be moved for the following reasons:

**Cannot economically be made decent, safe and sanitary**

An owner-occupied mobile home classified as personal property may need repairs or modifications to make it decent, safe and sanitary (DSS), since the displaced person must occupy a replacement dwelling that meets DSS standards to be eligible for a replacement housing payment. When looking at the cost of repairs or modifications, it is important to consider what is reasonable. These costs, plus the costs to relocate and reestablish the mobile home at a new site, should not exceed the value of the mobile home itself. Otherwise, it would not be considered economically feasible to make the repairs or modifications.
**Cannot be relocated without substantial damage**

Another reason the agency may decide not to move a mobile home is that it cannot be moved without substantial damage or unreasonable cost. Some mobile homes may be old and in disrepair, and will not survive the move. In other instances, it may cost more to move it than what it is worth.

**No available comparable replacement site**

There may be times when no comparable replacement sites can be located for the mobile home. In some areas, it is becoming difficult to find property that is zoned for mobile home use. Local ordinances restrict the size of the property so less property is available for mobile homes. As a result, fewer mobile home parks can be found.

**Does not meet replacement mobile home park entrance requirements**

Mobile home parks will often require that the mobile homes meet certain size and/or age requirements. If the subject mobile home cannot meet these standards, the agency will determine that it cannot be moved.

**What is the Ownership and Occupancy Status?**

Another difference with mobile homes is the various ownership scenarios you can encounter with the mobile home and the site. There are four (4) possible scenarios for persons displaced from mobile homes:

- Owns mobile home/owns site
- Tenant in mobile home/tenant on site
- Owns mobile home/tenant on site
- Tenant in mobile home/owns site

In these situations, the classification of the mobile home as realty or personalty will have an effect on the computation of the replacement housing payment for the mobile home owner-occupant.

Keep in mind that the non-occupant owners may also be eligible for certain relocation payments. Examples are the landlord who rents out the mobile home, the mobile home park owner who is a business displacee, and possibly other businesses on site at a mobile home park.

This article gives an overview of the challenges associated with mobile home relocation. ORC Training, through its licensing agreement with IRWA, is currently developing an online training course that will provide detailed information about this complex topic. The course is scheduled for release in August 2015. Learn more about planning the move, classifying eligibility, determining moving expenses and computing replacement housing payments with a format that keeps learners engaged with interactive exercises, videos and case studies. For more information, see our ad in this newsletter, or visit www.irwauniversity.org.
ORC Training will deliver three (3) additional online courses to IRWA in 2015, with additional courses in subsequent years. The three courses scheduled for delivery in 2015 are:

- **Mobile Home Relocation**
- **Specialized Nonresidential Payments**
- **Special Topics in Replacement Housing**

**Certification/Recertification**

These courses will be recognized for various IRWA certification/recertification credits, depending on the topic.
Annual Conference News

By Cathy Colan Muth, CEO

ORC and Cardno were joint sponsors for a fifth year for the Welcome Reception at the Annual AASHTO Subcommittee on Right of Way, Utilities and Outdoor Advertising Control Conference that was held April 26-30 in Minneapolis, Minnesota. Pictured at left are Keith Shepherd, Steve Toth, Cathy Colan Muth and Daryl Knobbe. Also in attendance were Dick Moeller, Lisa Barnes, Bob Merryman and Richie McNally.

The event was marked by a special celebration of Dick Moeller for his more than 50 years of service to the right of way industry. For more information on his notable career please see the article in the Spring Edition of The Acquirer. You can find past issues of The Acquirer on the ORC public website. Pictured to the right is Dick Moeller with his wife Jane and her sisters, Judy Pereboom and Jill Rechtferig.

If you are interested in learning more about the sessions at AASHTO, you can find links to the presentations at http://rightofway.transportation.org/Pages/Minneapolis-2015.aspx.

The 61st Annual IRWA Conference was held from June 14 – 17, 2015 in San Diego, California. A conference highlight was the announcement of the first online course released under the new licensing agreement between IRWA and ORC Training: Appraisal Concepts for the Negotiator. The next course to be released in August of this year will be Mobile Home Relocation, with two more to follow by year’s end.
Pictured in front of the ORC booth at left are Matt Starling, Chris Ross and Ben Zera. Attending from ORC were Cathy Colon Muth, Matt Starling, Ben Zera, Chris Ross and Donna Roche. Richie McNally and James Laramie represented ORC U&I. ORC Training was represented by Lisa Barnes and Bob Merryman who led a panel discussion on Actual Direct Loss and Substitute Personal Property Payments.

Ben & Matt are both past presidents of IRWA Chapter 13 (Ohio) – “the Buckeye Chapter.” Ben is currently representing the Chapter as their International Director. Chapter 13 received the GENE L. LAND AWARD for the Highest Percentage Gain in Membership for 2014 at the IRWA Education Conference in San Diego, CA.

Above from left to right are Ben Zera, Andy Glassmeyer, Mark Edginton, Matt Starling, Mark Kline, Christine Deacon, Dan Bucan, and Kristina Breeding of the Buckeye Chapter.

ORC sponsored the International Luncheon where representatives from more than 10 different member nations presented a short update on the status of right of way policies in their countries. Those in the audience were left with an appreciation for how much our profession is contributing to progress in these countries by sharing the way we respect private property rights and how we deal with relocating businesses and residential occupants when land is needed for a public works project. These concepts are pretty new to certain countries like Uganda and Mexico. Speakers from those countries expressed their appreciation for their IRWA membership and actively requested any kind of technical assistance that other members can provide to their emerging countries.
ORC Awarded Two Relocation Contracts

By Daryl Knobbe, VP of Project Development

ORC is proud to announce that we have been selected to provide relocation assistance services on projects with the Philadelphia Redevelopment Authority and Department of the Navy.

ORC contracted with the Philadelphia Redevelopment Authority, as agent for the Philadelphia Housing Authority, to prepare a Relocation Plan and to relocate at least 55 residents and 10 businesses in the Sharswood-Blumberg section of North Philadelphia.

ORC began work on the project in early in 2015 and relocation is anticipated to be substantially complete in the first quarter of 2016.

Along with the project support and relocation assistance currently being provided to the Philadelphia Airport Authority, this North Philadelphia project continues to establish ORC’s presence in Pennsylvania.

The second relocation project is with the Department of the Navy. The Department of the Navy is in the process of acquiring real estate as part of the Air Installation Compatibility Use Zone requirements related to Military Construction Project 433 (“MILCON P433”) near the Marine Corps Air Station in Beaufort, South Carolina. The project will require the relocation of approximately 28 mobile home occupants consisting of a mix of both civilian and military personnel.

ORC has been hired to prepare a Relocation Plan and effect the relocation of the mobile home occupants in accordance with the Uniform Act. ORC began work on this project in February of 2015 and expects to have substantial completion by the end of the year.

ORC Utilities & Infrastructure (ORC U&I) has continued its rapid growth in the electric and natural gas sectors by adding the following projects in the first six months of 2015.

AEP – Charleston Area Improvement Project
AEP Transmission will construct 7 miles of overhead and underground transmission lines, connecting 5 different substations. The goal of this project is to enhance and reinforce reliability of the downtown
Charleston underground transmission grid. The project is scheduled to start in June 2015, and ORC will acquire 155 easements in support of it.

**Oncor Electric Delivery Company LLC (Oncor): Permian Basin – Culberson 138kv, Reeves and Ward Counties, TX**

Oncor has proposed to construct a double circuit 138kv electric transmission line on steel monopoles, interconnecting the existing Permian Basin Switching Station located in Ward County with the existing Culberson Switching Station located in Culberson County. The proposed line will be almost 100 miles in length and traverse 194 parcels in West Texas. ORC U&I will provide turnkey acquisition services, including project management, title/abstract, easement acquisitions, and construction support.

**Vectren Energy Z-167 South Hydrostatic Test Project – Tipp City, Ohio**

ORC will acquire several temporary staging areas in support of the Z-167 South Hydrostatic Test Project. Vectren’s construction team will use this land to stage equipment and material as they test the existing 12” gas main.

**Tennessee Valley Authority – Spencer 161kv Delivery Point & Rickman 161 kv Transmission**

ORC will complete 40 abstracts for TVA in Spencer, TN for the new Spencer 161kv transmission line project. ORC will also complete 34 preliminary title notes and 34 abstracts for TVA in Rickman, TN for the new Rickman 161kv transmission line project.

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**The Catherine Muth Academic and Citizenship Award**

The Catherine Muth Academic and Citizenship Award at Collins Elementary School in Dania Beach, Florida was presented to Tasha Ethridge at the Academic Banquet (sponsored by ORC) on May 21. Pictured with Tasha are the school’s Community Liaison, Mr. Ford, and Catherine Muth.

ORC has been a sponsor of the Academic Banquet at Collins Elementary School in Dania Beach, Florida for the last ten years. Collins Elementary is a Title 1 School and was ranked #1 in the state of Florida for its SES (Supplemental Services) tier.
ORC U&I Opens New Office Near Richmond, VA

By Richie McNally, Director of ORC Utility & Infrastructure Land Services, LLC

ORC Utility and Infrastructure Land Services LLC, has opened an office in Mechanicsville, VA to accommodate the continued growth of the Utility Division. The new office will support several public and private energy clients throughout the State of Virginia. The office address is 8101 Vanguard Dr., Suite 100, Mechanicsville, VA 23111.

Breaking News: Changes to the Fixed Residential Moving Cost Schedule

By Lisa Barnes, VP of ORC Training, LLC

The Federal Highway Administration (FHWA) published a Federal Register Notice (click to download) on July 24, 2015 making changes to the Fixed Residential Moving Cost Schedule. The schedule or “room count method” under 49 CFR 24.402 may be used as an alternative for the payment of actual residential moving and related expenses. The changes in the moving schedule impact 25 States and Territories. The effective date for using the new amounts is August 24, 2015, although an agency may elect to begin using the new amounts on an earlier date. The schedule amounts for the States and Territories not listed in the notice remain unchanged.

As the lead agency, FHWA develops the schedule, and must maintain/update it to reflect any increased costs associated with moving personal property, as appropriate. FHWA collects this data from State DOTs periodically (usually every 3-4 years). The use of the schedule does simplify the computation and payment for residential moving expenses. Since the governmentwide regulations at 49 CFR part 24 apply to all Federal and federally assisted projects, 17 other agencies have adopted the regulations and use the fixed residential moving schedule.

Note: If the above link does not work, type the following in your search engine: Federal Register Notice July 24, 2015 Uniform Relocation

FHWA’s Office of Real Estate Services has posted the new schedule to its website at: www.fhwa.dot.gov/real_estate/uniform_act/relocation/moving_cost_schedule.cfm
I recently presented a training session at the IRWA Annual Education Conference in San Diego, California. The Conference offered a wide array of educational opportunities in right of way. Along with Lisa Barnes, I addressed the sometimes difficult business moving payments called “substitute personal property and direct loss.” The educational sessions wrapped up on Wednesday and I had plans to see the Bristlecone Pines, one of the often missed sights of California!

California is an extremely varied state. Over the years, I have visited the Muir Woods north of San Francisco and the Tall Tree Grove located in Redwood National Park. These locations offer some of the tallest trees in the world, the Pacific Redwoods. I have also seen the Sequoia Redwoods in central California, which are the largest trees (in terms of diameter) in the world. So it was natural that I wanted to see another resident of California, the oldest single tree on earth.

Nestled away in a remote part of California, near Bishop, are trees which many claim are the oldest living things on earth. The scientific name of the species also denotes its extreme age, Pinus Longaeva, meaning “ancient pine.” These are commonly called the Bristlecone Pines and are located in a few scattered western locations. However, the California trees located in the White Mountains hold the distinction of being the oldest grove of trees. One tree, the unidentified “Methuselah” tree, is estimated at 5,000 years old. Other nearby neighbors of Methuselah are also estimated at about that age. After 5,000 years, the trees are twisted and dramatic; and probably not a tree you would want in your front yard.

So while the Egyptian Pharaohs were building their pyramids, the Bristlecones were setting root and searching for enough water to survive. Five thousand years passes quickly when you barely grow in any one year.

These trees love their harsh environment. They grow near the tree line elevation of the mountains. The hiking trail which winds through the trees varies from about 7,000 feet of elevation up to about 10,000 feet. Needless to say, for a person who lives at 600 feet of elevation, the oxygen on the trail is in short supply! Compounded with the blazing sun, the trail is difficult, but the sights are worth the effort.

From my walk, I would estimate the average tree is about 30 feet tall, but keep in mind that it took thousands of years to attain that height. The soil they grow in appears to be rock, and the desert-like conditions show little water availability. But these trees just “hang in there” and keep on growing.

So now I can say, with arguable accuracy, that I have seen the tallest trees in the world, the biggest trees in the world, and the oldest trees in the world. All in one state.