

## CHAPTER 11 – WORKING WITH PROPERTY OWNERS

### 11.1 Introduction

The evaluation process in Chapter 3 outlined steps designed to identify some of the mitigation approaches appropriate for further consideration. This section provides recommendations on how to work with the property owners who will be affected by the proposed mitigation measures.

### 11.2 Presenting Appropriate Mitigation Measures

There are several options for how to present the results of the selection process to the property owners and other decision-makers. The options include:

- Package the results of the evaluation process (as described in Chapter 3) and meet with the property owners to discuss the process, the findings, and their preferences. The information provided in Chapters 4 through 10 for each mitigation measure may be used as a reference for any mitigation measures that were identified as appropriate during the evaluation process.
- Prepare a recommendation for a specific mitigation measure along with the appropriate justification. It is strongly recommended that all work is shown and copies of all the worksheets are provided to the property owners.

The following documentation should be used to prepare for the initial meetings with the property owners:

- NT Basic Report
- Technical Considerations Scorecard (see Worksheet A)
- Appropriate Mitigation Measures (see Worksheet B)
- Initial Consultation with Property Owner (see Worksheet C)

During the meeting, the following issues should be discussed between the State or local officials and the property owner:

- The property owner should be aware that there is no guarantee the project will be funded.
- The property owner should be aware of what the project will look like after completion.
- The property owner should be aware of their responsibilities concerning operations and maintenance and determine if they are capable of fulfilling them.
- Cost-sharing is an option. This issue is addressed in Appendix E, Hazard Mitigation Assistance Programs.

At the end of the meeting, the State or local officials should have a preliminary idea of the property owners' interest in any of the mitigation measures. There may be concerns that will need to be addressed.

## Worksheet C: Initial Consultation with Property Owner

Date Prepared: \_\_\_\_\_ Consultation Date: \_\_\_\_\_

Property Owner Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Repetitive Loss Property Locator Number: \_\_\_\_\_

Prepared by: \_\_\_\_\_

### Instructions to complete Worksheet C: Initial Consultation with Property Owner

1. Record recommended mitigation measures (mitigation measure(s) with lowest score from Worksheet B) and include any comments for the discussion with the property owner.
2. Record property owner's response to recommended mitigation measure(s).
3. If an appropriate mitigation measure has been agreed upon, record it under "Property Owner Preferred Mitigation Measure(s)". A detailed cost estimate and/or benefit/cost analysis will be necessary to ensure the preferred mitigation measure is appropriate. The cost analysis and additional required actions are recorded under "Action Items for Follow Up."

### Recommended Mitigation Measure(s)

- |  |                                      |
|--|--------------------------------------|
| <input type="checkbox"/> Drainage Improvements | <input type="checkbox"/> Elevation   |
| <input type="checkbox"/> Barriers              | <input type="checkbox"/> Relocation  |
| <input type="checkbox"/> Dry Floodproofing     | <input type="checkbox"/> Acquisition |
| <input type="checkbox"/> Wet Floodproofing     |                                      |

### Comments

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### Response from Property Owner

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### Property Owner Preferred Mitigation Measure(s)

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### Action Items for Follow Up

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## 11.3 Addressing Property Owner Concerns

Not all property owners will accept the proposed measure that is presented to them, regardless of how the risk to natural hazards can be overcome. The results of the process in Worksheets A and B should be discussed with the property owner to explain how the decision was made to recommend a particular mitigation measure or measures. Typical property owner concerns are included in a report titled, *Implementing Floodplain Land Acquisition Programs in Urban Localities*. See Section 11.5 for information on accessing this report.

### 11.3.1 Evaluation Process

The concerns of the property owner regarding the proposed mitigation measure should be taken into consideration and addressed by using the following:

- **Show all work.** By demonstrating the decision-making process of how certain mitigation measures were eliminated from consideration, the property owner will be able to gain an understanding of the steps involved and the rationale used to select or eliminate from consideration a specific mitigation measure.
- **Solicit feedback.** The property owner can provide additional information that may be necessary to determine if alternative measures are more suitable for acceptance.
- **Address concerns.** The property owner may have an objection to a particular mitigation measure for a variety of reasons: cost, aesthetics, or displacement. Working closely with the property owner and demonstrating the range of options available allows the property owner to determine which of the remaining mitigation measures will best suit their needs.

### 11.3.2 Property Owners' Preference

There are four main areas of concern that influence the property owner's preference for a particular mitigation measure:

- How they will be affected by the mitigation project
- How secure they will be from future flood damage
- Their responsibilities to the project, including maintenance
- The appearance of the property

Mitigation project concerns include:

- The cost of the project to the property owner
- Administration of the contract with the contractor
- Additions or modifications to the structure during the project
- Vacating the property during the project and for how long

Security concerns include:

- Degree of safety from flooding as a result of the mitigation project
- Occupying the structure during a flood event

It is important to convey to the property owner that only acquisition and demolition will provide total security from any future flood event. A project can fail if the flood exceeds the project's design level, the owner did not adequately maintain the project, or the property owner did not properly implement the measure during a flood event (e.g., did not install a closure or was not home when the structure was flooded). Although the project is designed to reduce damage to the structure, the property owner will still need to take safety and health precautions during a flood. If the building is flooded, it should not be occupied, especially if the floodwater is deep or fast.

The property owner's responsibility concerns include project maintenance and how much the property owner can remodel the structure in the future. The property owner is ultimately responsible for the maintenance of the mitigation measures and needs to be aware that the project will only work if he or she assumes this responsibility.

Appearance concerns are most often the issue that stalls many potential mitigation projects, particularly elevation. Property owners will regard any change to the appearance of their home with a very critical eye. If the property owner is subject to criticism (or perceives that they will be) since the project may be an eyesore, he or she will not be willing a participant in the floodproofing project. It would be beneficial to provide the property owner with before and after photographs of similar mitigation projects completed in an aesthetically pleasing manner.

### 11.3.3 FEMA Buyout Study Findings

There may be situations in which the only appropriate mitigation measure is an acquisition project. The property owner may not be receptive to this alternative. FEMA and the National Science Foundation (NSF) commissioned a study in 2003 to examine why property owners did or did not participate in an acquisition (also known as a buyout) program. The findings are included in the report, *Implementing Floodplain Land Acquisition Programs in Urban Localities*.

According to the results in the buyout study, the key factors that influenced a homeowner's decision to participate in a buyout program included the perception of risk, neighborhood attachment, and buyout factors, including timing, communication, trust, and pressure.

**Perception of risk.** While the buyout staff defined "risk" in terms of the probability of future flooding, the residents and other agencies perceived risk as financial debt, affordable housing, and losing social networks. Community officials and buyout staff perceived themselves as sympathetic to residents' concerns; however, many residents reported that they felt pressured to participate in the buyout program.

**Neighborhood attachment.** Many residents considered their neighborhood to be as important, if not more important, than the probability of future flooding in deciding whether or not to participate in a buyout program. Residents stated that their neighborhood provided a sense of

community and home, and access to familiar resources such as transportation, shopping, employment, recreation, and places of worship.

**Buyout factors.** Residents and buyout staff reported several factors that contributed to the difficulties during the buyout process: lengthy delays before settlement, miscommunication, lack of trust in buyout staff, and a feeling of pressure to participate in buyout program.

## 11.4 Next Steps

Finally, one of two steps remains for follow-up:

1. **The property owner accepts the proposed mitigation measure.** Both the community official and the property owner explore options for accomplishing this mitigation measure. A design professional should be consulted to determine the exact cost of the mitigation measure and how then to proceed with construction. Applicable hazard mitigation assistance programs (see Appendix E) should be researched to determine which ones might provide funding opportunities for the mitigation project. A benefit/cost analysis should be conducted to determine whether the project is eligible for FEMA funding.
2. **The property owner rejects the proposed mitigation measure based on personal preference, cost, or other reasons.**
  - a. Record the property owner's concerns regarding the proposed mitigation measure on Worksheet C, Initial Consultation with Property Owner.
  - b. Review Worksheet B with the property owner to determine whether other appropriate mitigation measures might warrant additional consideration. The process described in Section 3.5, Evaluating the Mitigation Measures, should be followed to determine whether any of the available mitigation measures preferred by the property owner are appropriate for the flood risk and construction characteristics of the structure.

## 11.5 Available Resources

Fraser et al. *Implementing Floodplain Land Acquisition Programs in Urban Localities*. Report prepared for the Federal Emergency Management Agency (FEMA) and the National Science Foundation (NSF).

<http://www.unc.edu/~fraser18/publications/Floddplain%20Project%20Report.Fin al.pdf>

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