



APPLYING ETHICAL PRACTICES TO RELOCATION

Common dilemmas and issues

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Some of the most difficult situations we face as relocation professionals don't involve relocation planning, benefit calculations, filing claims or any of the usual relocation tasks we perform. Sometimes our most difficult situations involve ethical issues.

The word "ethics" is generally defined as "moral principles that govern a person's behavior or the conducting of an activity." This definition seems simplistic enough, but the proper application of these moral principles to the right of way profession can be difficult.

As IRWA members, we all must adhere to the IRWA Rules of Professional Conduct and Standards of Practice. These rules are for IRWA members' "constant guidance and inspiration predicated upon the basic principles of professional competence, character, integrity, fairness, commitment and trustfulness. These basic principles provide the foundation for establishing and maintaining all professional relationships. Therefore, all Members shall dedicate themselves to a course of conduct which manifests respect, confidence and trust on the part of the general public and all users of right of way services." Adherence is mandatory, and "the breach of any of these Rules shall be punishable as provided in the Bylaws of the Association and Disciplinary Procedures."

There are a variety of specific ethical issues that we are presented with everyday as relocation agents. One of the most common is when either a private consulting firm or an agency assigns a complex relocation case to an agent who doesn't have the requisite expertise or experience. This situation can occur when the consulting firm cannot recruit enough



qualified personnel or the agency is left shorthanded due to budget cuts or retirements. No matter what the reason, this is a difficult situation and provides an ethical dilemma for all involved. Obviously, the displacee may not receive the professional services he or she deserves from an inexperienced agent and, in addition, this lack of professional services violates the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). This lack of professional services can also harm the public's perception and trust of the project. Ineffective relocation assistance can also lead to displacee complaints, appeals and adverse audit findings.

If this isn't bad enough, there are additional repercussions for the IRWA member. Specifically, there are a number of ethical rules that could be potentially broken when a member is not qualified to handle a complex case. These rules include:

- **ER 1.1:** Conduct that could damage reputation of Association and Profession.
- **ER 6.3(a):** Failure to acquire necessary knowledge and experience.
- **ER 6.3(b):** Failure to disclose lack of experience to the client.

Thus, it is extremely important that any case be analyzed carefully to determine the level of expertise needed to successfully complete the relocation.



Another common ethical dilemma occurs when the relocation agent is asked to show favoritism to a displacee who may be "politically connected" or may be vocal in their criticism of the project. In either case, the agent could feel pressure from his employer to provide benefits that the displacee doesn't fully qualify for in an effort to "make them be quiet." In these situations, the employer can believe that the provision of additional, undeserved benefits will facilitate acquisition settlements or accelerate relocations in order to meet project schedules. Additional undeserved relocation benefits may or may not meet these goals, but approval of these benefits violates the URA and can lead to a loss of federal funding.

But again, there are additional repercussions for the IRWA member. Ethical rules that could be potentially broken in this situation include:

- **ER 1.1:** Conduct that could damage reputation of Association and Profession.
- **ER 1.2:** Conduct resulting in breach of government laws or regulations.
- **ER 1.4:** Attempting to injure professional reputation of another.
- **ER 6.1:** Assisting employer in conduct that the member knows to be fraudulent.

In addition, approving or submitting claims for approval that in reality do not meet the URA standards for such benefits could result in the breaking of the following ethics rules:

- **ER 1.1(a):** Conduct that could damage reputation of Association and Profession.
- **ER 1.2(c):** Use or permit the use of misleading information.
- **ER 1.2:** Conduct which is in breach of government regulations/laws.
- **ER 1.6(d):** Conduct involving fraud, deceit or misrepresentation.
- **ER 1.6(f):** Conduct that has substantially adverse effect upon profession or Association.

Clearly, the relocation professional may encounter situations where outside pressures make it tempting to violate ethical standards and/or the URA. It is important to resist these temptations to avoid potential displacee complaints, appeals, loss of federal funding and adverse audit findings. But there are additional potential ramifications for the IRWA member in the form of disciplinary proceedings and other punishments. These ramifications can have a lasting and profound effect on a member's career. ⚠



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