

# How to Hire a -Competent Property Surveyor

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It is not easy to tell the difference between a good and bad surveyor.

This is the third of a three-part series on land surveying. This article will explain how to find and hire a competent property surveyor. The second article, which appeared last month, explained how the surveying process works. The first installment described the actual and practical task of what a land survey really is.

As presented in earlier articles, all -surveyors are not alike. They are as unlike as any other group of professionals. There are good surveyors and bad surveyors and every type in between. It is not easy to tell the difference between a good and bad surveyor. It is even more difficult to tell the difference between a good and bad survey. In fact, a bad -survey may look better than a good survey. The worst kind of quack surveyor is the one who surveys to existing fence lines or some other kind of occupation line, knowing that it is going to cause the least fuss, because it always fits acknowledged property lines. This kind of survey always looks good until a competent surveyor comes along and finds the error.

Real estate professionals and land owners should constantly remind themselves and/or their clients that a good survey and a bad survey may look the same. It is the integrity and competence of the surveyor that can be somewhat judged, and thereby relied upon. If you can't tell the difference between a good and a bad survey, how do you tell the difference between a good and bad surveyor? There are a number of points to be considered:

Is he (she) licensed by the state? In all 50 states of the union, land surveyors must be licensed to practice. Any -boundary staked by an unlicensed person is fraudulent, illegal, and completely without value. Make sure your surveyor is licensed.

Are they members of the State Surveyors' Association? Every state has an association of professional land surveyors, and any professional surveyor should belong to and be active in the association representing surveyors' interest. This is a standard professional measure for any discipline. In addition, the true professional should be active within the association, either on a local, state, or national level. It is a professional responsibility to contribute to the betterment of the profession, and is indicative of a responsible, up-to-date professional.

Does the individual appear competent? This is certainly a subjective area of measurement but an important criterion. Look around the office, the personnel, the equipment, and the demeanor and get an overall impression. The competent surveyor has a professional aura that is obvious. The competent surveyor acts like it. As a result, those individuals that are at the top of their careers are successful and generally financially secure, meaning that if something does go wrong, there will be adequate resources to cover such a contingency. The successful surveyor will be around year after year in good times and in bad. It is important that the business be around many years down the road, for that is most likely the time for any survey work to be challenged.

Are the services expensive? Now this may seem at first blush to be an anomaly. Obviously it behooves you to spend your dollars wisely, but it is easy when hiring a land surveyor to be penny rich and pound foolish. It is obviously irresponsible not to get the most economical deal you can. This being the case, why should you ask such a question? The reason is that while an expensive survey may not guarantee quality, a cheap survey is very likely to be just that - cheap, and bad! You should keep in mind that it is very important that the surveyor do a thorough and competent job in surveying any property boundary, and to do so requires a budget of sufficient caliber to allow for a complete job. It is also unethical for a surveyor to compete on a price basis. It is easy to see why. The less than competent (responsible) surveyor will lower prices in order to acquire work and will be forced by the sheer nature of the situation to cut corners and do a less than adequate job of surveying. You certainly are not advised to simply hire the highest-priced surveyor in town. This by itself would be irresponsible. You should consider this aspect, however, as one measure of the surveyor's image of competence. Do not consider it by itself, however. Make sure all the tests of competence are in place. In some cases, the best surveyor may even be the least expensive, but the overall pricing structure is what you want to look at. It's just like hiring a lawyer or a doctor - when important matters are at stake, you do not hire the cheapest professional, you hire the best.

Beyond these subjective observations, there are certain elements of property surveying that you can identify and make sure that your prospective surveyor includes them in his services.

The competent surveyor should include the following in the standard package of services:

1. Be willing to take full responsibility for securing all the records necessary for the survey, whether it's deed records, original survey notes and plats, retracement survey records, or court actions. These records should be for both the property being surveyed and for the adjoining properties.

2. Be willing to perpetuate and record all the corners used as control in the survey.

3. Be willing to take full responsibility for the survey by filing in the official records on a plat containing all necessary information to generate and perpetuate the survey. Often these requirements are spelled out in statutes, and the surveyor is obligated by law to include them as a part of the record.

4. Be willing to accomplish a survey that will be defensible in court. This is the strongest test of competency.

You should enter into a written contract with any surveyor you retain. This contract should include all of the above items, either by reference or by explicit language. The contract is a two-party document, and it should spell out exactly what the surveyor's responsibilities are, as well as those of the client. Make sure you have a written agreement that is satisfactory to both parties. Such a valuable and expensive service as property boundary insurance should never be left to the whims of an oral agreement. Additionally, it is important that you have an agreement that can be referred to at a later date should a question arise as to any responsibility of either party to the contract. It is also a pleasant way of doing business.

The pricing strategy for surveying services is a subject of continuing debate within the land surveying profession. There are generally two schools of thought: One is that you cannot accurately estimate the cost of doing a boundary survey because of all the unknowns, e.g., existence of original survey monuments, historical surveys, encroachments, terrain, weather, research data, etc., and therefore it is best to just give clients an estimate of the cost and proceed with the survey on the basis of an hourly rate charge, the total being the rate times the number of hours incurred in completing the survey.

While this argument has merit in some instances, I would argue to the contrary. A lump sum agreement is the best arrangement because the client knows from the outset what the charges will be and there is complete agreement on fees before the project starts. While it may well be difficult to estimate the cost of a particular survey, it is not impossible and we figure that you can estimate within 80% of the time, and that's good enough.

Besides, you tend to underestimate under an hourly rate system and in most cases, experience has shown, you will end up with a final figure higher than the estimated cost. With lump sum pricing, you get only one shot, and it had better be right. This is reason to watch out for cheap prices - the cheap hourly rate estimate is likely to end up substantially higher than the expensive lump sum fee. In any case, lump sum pricing is more beneficial to the client and the profession. A true professional who knows what he or she is doing, can accurately estimate the cost of a survey and give you a lump sum price.

With the above information in hand, you should be able to responsibly choose a competent land surveyor. If not, you should ask about his reputation among people you trust. Also, ask for references. You might even go so far as to check with the Board of Registration and see if the surveyor is in good standing with the licensing authority. This should not be necessary, however, because the competent surveyor will proudly display licenses to practice and be well known and highly regarded in the community.

A few additional thoughts: In the written agreement, asks the surveyor to include a description of how your corners will be marked. This is, in the end, what you are paying for. They should be durable and capable of being relocated many years hence. Get your surveyor to commit to at least an estimated time of completion. In times of heavy survey activity, the surveyor tends to prioritize on some rather strange bases. Be prepared to pay all or some of the cost of the survey prior to commencement of the survey work, but make sure you are protected by contractual agreement if such is the case. (Some of the most respected surveyors ask for most of the money up front. It gives them a nice cash flow position and allows them to survey, not collect past due receivables.)

Finally, it is essential to remember that a land survey is not a commodity that can be bought and sold for a specific price. It is a service that requires a trained and licensed professional to complete the job correctly and thoroughly. SLDT