

The Georgia Heirs Property Law Center, Inc.: Addressing Tangled Title and Economic Security for Georgians

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Heirs property¹ is the hidden story behind blight and poverty in Georgia. The economics are staggering: between 11 and 25 percent of the property in Georgia’s 159 counties is likely heirs property. These numbers are based on a study released in 2017 by the U.S. Department of Agriculture (USDA) Forest Service and University of Georgia Carl Vinson Institute of Government, which looked at just 10 Georgia counties and identified 38,120 acres as probable heirs property, representing a total tax-appraised value of \$2,148,951,361.² If heirs property in 10 counties represents over \$2 billion in locked equity, the total tax appraised value of probable heirs property in Georgia is likely over \$34 billion.

For each piece of heirs property, whether it is a home or a tract of land, there are multiple legal owners (usually descendants in a family), and no single owner can make major decisions for the property without everyone’s agreement. Heirs property, which can be created with or without a will, is equivalent to having a pile of money in a glass box; a family can see their asset but cannot access its equity. For municipalities, this means that billions of dollars in valuable tax-appraised land is owned by a group of individuals where no one person has the legal authority to manage the property in such a way that benefits the family, let alone the tax base.

Co-owners of heirs property have difficulty getting a loan to fix the roof, qualifying for USDA programs to make the land productive, managing timber property to reduce wildfire tinder, qualifying for property tax exemptions, receiving Federal aid after a natural disaster, participating in land conservation programs, or selling the property to convert the asset into funds for other uses. Heirs property is an unstable form of property ownership that inherently affects the relationships of the family owners and limits the family’s ability to access the tools that will help them leverage their real property and build generational wealth.

Because I became an heirs property owner at the age of 8, I take this work personally. When my father died unexpectedly, my mother and her six minor children became co-owners of our home and farm in rural south Georgia. While I did not understand that I was an heirs property owner, I was very aware from an early age of the negative impacts this ownership structure had on our lives. Not enough food, lack of running water, and a lack of electricity accompanied arguments with neighboring landowners and others looking to take advantage of our vulnerability. While my friends were outside playing, I was at the courthouse with my siblings being “served” papers regarding the land on which we lived. These papers were numerous, legal-sized pages stapled together with a long, blue backing, called a “blue back,” written in a legalese

¹ Georgia law specifically defines “heirs property” (without an apostrophe) as a legal term. Debate about the variations of “heirs property,” “heirs’ property,” and “heir property” as they are presented in the literature, media, and legal documents and which term is “correct” demonstrates the complexity of heirs property.

² Pippin, S.; Jones, S.; Johnson Gaither, C. 2017. Identifying potential heirs’ properties in the Southeastern United States: a new GIS methodology utilizing mass appraisal data. e-Gen. Tech. Rep. SRS-225. Asheville, NC: U.S. Department of Agriculture Forest Service, Southern Research Station. 58 p.

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that I, as a child, could not even start to understand. At the top was my mother's name followed by "*et al.*" My curiosity as a child about those two small words, "*et al.*," started my lifelong study of what it means to be "*et al.*" This curiosity led me to law school and ultimately to founding the Georgia Heirs Property Law Center, Inc. This is what I have learned:

"*Et al.*" means all of us. It is that simple. In the case of the land where I was raised, *et al.* referred to me, my mother and my five siblings, all heirs and co-owners of our family property. In the case of heirs property, *et al.* can also be used as a reference to all of us, each and every member of society, and the universal impact heirs property has on neighborhoods, municipalities, economies, affordable homeownership and rental stocks, water quality, forest health, and conservation. Heirs property is as much of an issue in rural communities as it is in urban communities. It is in every socio-economic segment of society and every geographic region of Georgia, and it is created every day. Heirs property, when boiled down to its bare essence, is about family and land, the two most complex aspects of all of our lives and fundamental components of our economic system. However, the most important thing I have learned is that legal tools in the hands of committed attorneys and intentional outreach by community advocates can resolve and prevent heirs property so that generational wealth building and community revitalization efforts can succeed. The overwhelming need to stabilize land ownership for individuals and communities for economic growth is the impetus for the Georgia Heirs Property Law Center, Inc.

THE GEORGIA HEIRS PROPERTY LAW CENTER, INC.

The Georgia Heirs Property Law Center, Inc. ("the Center") is a nonprofit law firm that was founded in 2015 with the mission to increase generational wealth, social justice, and community stability by securing and preserving property rights of Georgians. The Center envisions an end to generational poverty achieved by unlocking these property rights, partnering with housing and land management organizations to prevent heirs property, and ending blight and abandonment in Georgia's rural and urban communities.

The Center works throughout the State with targeted outreach in southwest Georgia and Atlanta. The Center currently has offices throughout the State and nine staff members: six attorneys, two community advocates, and a social worker.

The Center is the only nonprofit of its kind in Georgia and is positioned to assess, remediate, and prevent heirs property while also providing financial asset education around home and land ownership. This holistic technical assistance is needed by and provided to individual

landowners, municipalities, and nonprofits with the sole purpose of untangling title to unlock the economic and conservation benefits of real property ownership.

The Center empowers each client to exercise their right to self-determination and does not require that the client retain ownership of property after title is cleared or consolidated. If the client decides to sell the property, our staff works diligently to ensure that the client has the support necessary to realize full financial gain from the property. Alternatively, if the client decides to keep the property in the family, our staff provides technical assistance to help the client develop a plan for growing the value of the home or land in a manner that will sustain the client and facilitate the passing of that wealth to the next generation.

THE CENTER'S WORK

The Center utilizes a multi-pronged strategy to mitigate the negative impacts of heirs property. The Center:

- Remediates "tangled title" utilizing a full range of diagnostic and curative tools, including working with clients to determine goals for their property and developing a family tree of heirs; facilitating title searches and surveys; and clearing titles through negotiated agreements, probate, and litigation
- Prevents heirs property by helping clients create simple wills and more complex estate plans with a focus on effective generational wealth transfer
- Provides asset education to help real property owners steward and enhance the value of their home or land
- Provides educational programs on and access to government, private sector, and nonprofit land management/home improvement and disaster relief programs
- Advances a deeper understanding of heirs property—its impact, its cures, and its prevention—by providing research, education, and planning to government agencies and employees, elected officials, attorneys and judges, and nonprofit and neighborhood leaders

Since opening its doors in 2015, the Center has provided legal representation and closed 259 matters, which includes 78 title-clearing matters, 81 title search/audits, and 100 estate planning matters. The title-clearing matters were for properties valued at approximately \$2.1 million and were resolved through title clearing, deeds or corrective instruments, formation of Limited Liability Companies ("LLCs"), and removal of liens. In addition, the Center's staff has provided advice and consultation on an additional 79 matters.

As word of the Center's services spreads, demand increases throughout Georgia. The Center's cases are divided evenly in rural southwest Georgia and Atlanta, and include some cases along the coast. Over the past year alone,³ the Center has fielded 432 applications for title clearing, estate planning, and title auditing services and provided legal representation or advice to 300 individuals statewide. As of May 15, 2019, the Center has 147 open title-clearing matters involving properties in 43 Georgia counties with a total tax-assessed value of \$14.1 million. Moreover, the Center and its pro bono attorney volunteers have conducted title audits for 203 properties in 43 Georgia counties collectively valued at \$14.1 million.

The Center's average client is 64 years old, has a household income of \$29,450 per year, and owns property valued at \$86,754.66. Recognizing that even heirs property owners who have the means to pay for an attorney cannot always find an attorney to hire, the Center has a sliding fee scale and currently has 17 open sliding fee scale cases. The Center has completed 271 community outreach programs, held training and stakeholder meetings in 41 of Georgia's counties, and provided information and printed educational materials to 8,900 individuals.

Estate planning that contemplates heirs property prevention breaks the cycle of generational property loss. According to a 2016 Gallup poll, 56 percent of Americans do not have a will.⁴ The percentage is even higher in low-income communities that lack access to affordable estate planning attorneys. Title clearing is complex and expensive, and the Center operates under the adage that "an ounce of prevention is worth a pound of cure." To help broaden the reach of our legal services, the Center provides educational materials and workshops for low-income families and the organizations that serve these populations. The workshops emphasize the importance of estate planning with a goal of preventing heirs property. Collaborating with nonprofits, churches, and pro bono attorney volunteers, our staff members conduct hands-on heirs property prevention and wills clinics where low-income clients receive simple wills. In partnership with pro bono legal volunteers, the Center has also conducted four wills clinics and completed 100 estate plans for nonclients. The Center is currently working on estate plans for an additional 35 clients. Four more wills clinics serving low-income urban and rural property owners are scheduled for the next 8 months alone.

Recognizing the need for quality estate forms for use by nonprofits and practitioners throughout Georgia, the Center partners with the Fiduciary Law Section of the State Bar of Georgia to develop estate planning forms

and education materials that will be available for free to nonprofits and their volunteers throughout Georgia. These forms will be housed at and maintained by the Center, and will include an updated estate planning questionnaire, annotated last will and testament, statutory power of attorney, and advance directive for healthcare.

As part of its outreach and asset education program, the Center developed the Georgia Landowner Academy in collaboration with Fort Valley State University Cooperative Extension Program, Georgia Forestry Commission, Sustainable Forestry Initiative, and the Golden Triangle Resource Conservation and Development Council. This program, an intensive six-session course for rural Georgians who own at least 10 acres of land, helps landowners develop land/timber management plans, create conservation plans, complete conservation easements, apply and qualify for USDA programs, take advantage of disaster relief programs through the Federal Emergency Management Agency (FEMA), and develop working relationships with each of our partners and their offices throughout Georgia. Participants in the Georgia Landowner Academy also receive a review of the condition of the title of their property, which identifies the record title owner for the property and any liens, encumbrances, or other issues affecting the property. In addition, they are offered an estate plan.

Educating elected officials, attorneys, nonprofit and government employees, and community/neighborhood leaders and stakeholders is a critical aspect of tackling heirs property in Georgia. The Center is working with diverse partners like the U.S. Department of Housing and Urban Development, the Junior League of Atlanta, Inc., Pro Bono Partnership of Atlanta, Atlanta Legal Aid Society, and the Georgia Department of Community Affairs to help affordable housing nonprofits and housing counselors integrate title remediation and estate and resiliency planning into their services. As part of our outreach to government and nonprofit leaders, the Center has received support from the Junior League of Atlanta, Inc. to provide housing nonprofits training on property titles, heirs property issues, and the importance of estate planning.

THE CENTER'S IMPACT

The Center's real work unfolds through the positive impact on individuals and families throughout Georgia. The Center empowers heirs property owners by removing the legal and technical obstacles that prevent owners from accessing the equity in their homes and land. Examples of the Center's impact are powerful and numerous.

³Data effective as of May 15, 2019.

⁴Jones, J.M. 2016. Majority in U.S. do not have a will. Gallup. <https://news.gallup.com/poll/191651/majority-not.aspx>. [Date last accessed: May 7, 2019].

Empowering Property Owners Through Information and Outreach

Oftentimes, it is simply a lack of knowledge that creates and perpetuates heirs property. The Center has found that one of the most powerful tools to prevent and resolve heirs property is educational outreach. For instance, during a recent outreach presentation, a Center staff attorney informed attendees that, under a will, title to a home or land is not transferred until the will has been properly administered with the county probate court⁵ and the property has been deeded out of the estate. After the program, Mr. Lynn,* who is now a Center client, revealed that he had been holding on to his wife’s original will since she passed away in 1980, believing that holding the physical will alone was proof that he owned their home and her interest in family timberland. For almost 30 years, this inaccurate information and lack of access to legal counsel led Mr. Lynn to mistakenly believe he owned those properties. As a result of the Center’s outreach, Mr. Lynn has since administered his wife’s estate with the county probate court, and the Center is working with him to place title to the family property in his name.

Confusion about ownership and how property is transferred upon the owner’s death can also prevent heirs property owners from realizing the full benefits of ownership. Ms. Carter* was referred to the Center after she was cited by a city for housing code violations for her deceased mother’s home. Prior to receiving notice of the code violations, Ms. Carter had been unaware that her brother, who had been appointed by the county probate court as administrator of her mother’s estate, had recorded a deed purportedly conveying the home to her and that she had “owned” the property for over 2 years. Her brother did not have the benefit of legal counsel and thus failed to convey marketable title⁵ to Ms. Carter.

The Center worked with Ms. Carter to properly administer her mother’s estate and gain marketable title to the home. Although Ms. Carter was able to correct the code violations, she did not have funds to make substantial repairs to the home. However, she did start mowing the grass and making some small repairs. People noticed changes to the property after being empty for over 2 years, and Ms. Carter started receiving letters from investors with extremely low cash offers for the property. Ms. Carter thought a \$10,000 offer was reasonable given the property’s tax assessed value of \$7,200, but our staff advised Ms. Carter that the property would sell for much more if listed with a knowledgeable real estate agent. The Center provided Ms. Carter with a list of reputable brokers and agencies to consider contacting about her options.

Using these resources, Ms. Carter ultimately sold the house for \$50,000 and worked with the Center to develop an estate plan to pass some of the proceeds on to her children and grandchildren. During a followup call, Ms. Carter expressed her gratitude to the Center: “The Center was wonderful—they helped me clean up the title and turn an abandoned house into a treasure.”

Resolving Heirs Property by Navigating Difficult Family Dynamics and Complex Legal Issues

Clearing title can be a lengthy and complex legal and emotional process. In some cases, however, a relatively short amount of time is required to clear title to property. For example, when there are relatively few heirs to a property or when the family members are largely in agreement, an heirs property case could be resolved in less than a year. Oftentimes, the solution to an heirs property problem may be as simple as administering the estate of a deceased property owner with the county probate court and having an administrator or executor appointed with the proper authority to clear the title to the property.

Ms. Lily* is an example of what can be done with legal tools and perseverance in more complex cases. Ms. Lily’s mother owned a house surrounded by 5 acres. In her will, Ms. Lily’s mother left the house and surrounding 1 acre to Ms. Lily with the remainder to be split among Ms. Lily and her four sisters. The will named Ms. Lily as executor, so Ms. Lily filed a petition with the county probate court to administer her mother’s will. When it came time to distribute the property, Ms. Lily and her sisters could not agree on what to do—Ms. Lily and two of her sisters wanted to keep the family property, while the other two sisters wanted to sell it.

The Center agreed to assist Ms. Lily and her sisters with resolving their disagreement over the property. Ms. Lily had paid the probate expenses and property taxes on the property with little to no assistance from her sisters, which caused financial strain and resentment. One of the sisters did not want the trouble or expense of the property and agreed to give up her share. The property was then surveyed into four tracts, with Ms. Lily receiving the tract with the house and the other tracts being assigned to the remaining three sisters. This meant that the sister who wanted to sell her share had marketable title to do so, while the other three were able to keep their shares—all of which was wealth passed down from their mother to the next generation. This resolution also resulted in the remaining sisters agreeing to reimburse Ms. Lily for their share of the probate expenses and property taxes. Once the Center helped Ms. Lily complete these steps, she

⁵Marketable title is ownership of a house or land that is free from all reasonable doubt, evidences actual ownership, and ensures that the property can be sold to a reasonable purchaser or mortgaged to a person of reasonable prudence.

was able to move past the hurt and resentment caused by the disagreements with her sisters and reestablish those relationships.

The Center frequently sees cases that initially appear simple but later evolve into more complex representations. For example, Mr. Simon* contacted the Center for assistance with preserving his family's land by forming a LLC.⁶ His mother's estate had already been probated without the assistance of an attorney. We were initially told that Mr. Simon and his 11 siblings were the only owners and, by his estimation, were steps away from their goal.

After meeting with Mr. Simon and reviewing a title search for the property, one of our attorneys realized that Mr. Simon's reading of his mother's will was mistaken. Distribution of the land from her estate did not, as originally believed, create a joint tenancy with right of survivorship. With a joint tenancy with right of survivorship between the siblings, as each sibling passed away, his or her interest in the property would not pass through his or her estate, but instead would be redistributed to the surviving siblings without the need for probate. Instead, Mr. Simon and his siblings inherited the property as tenants-in-common and thus the property was heirs property, which meant that a deceased sibling's interest in the land would pass to his or her beneficiaries or heirs. As a result, Mr. Simon and his living siblings actually co-owned the property with their deceased brother's five children, resulting in 15 co-owners who would need to be included in any agreement to form an LLC.

The Center is working with Mr. Simon to form an LLC designed to own the property and to finalize an operating agreement with terms agreed upon by all heirs, including those not previously identified as co-owners of the property. As part of this process, our staff will also correct any probate pleadings or recorded instruments to ensure that the LLC receives marketable title to the land.

Families are complex, dynamic organisms, and cultures. As families grow and change, it is critical that they plan how to best preserve or transfer property to the next generation. Mr. Connor* is a good example of this need. He and his first wife Betty* owned a home as tenants-in-common. Betty passed away in 2011 without a will. The couple had three children, all of whom are still living. Mr. Connor contacted the Center for assistance in placing title to the property in his name so that all important documents, including the tax bill, were directed to him and he could handle his affairs accordingly.

Mr. Connor has remarried twice since Betty's death, and the children were reluctant to give up their interests in the property for fear that their childhood home could be inherited by a stepmother. Mr. Connor agreed that he wanted his children, and not any spouse, to inherit the property. As a result, the Center has helped Mr. Connor prepare an estate plan that leaves the property to the children and is working with Mr. Connor and his children to administer Betty's estate with the county probate court and attain marketable title that can be passed down.

Preserving Family Homes and Land

Homes and land are part of a family's heritage. Our client Ms. Ansley* is fighting hard to keep the link to her past and turn her family's heirs property into an income-generating property that will continue to be owned by the family but will also sustain her and her family in the future. For over 50 years, Ms. Ansley's grandfather owned a house and a separate parcel of land in rural Georgia. Ms. Ansley was her grandfather's caretaker and lived with him until his death. After her grandfather's death, her grandfather's will could not be located, and its contents were unknown. Ms. Ansley's mother and her mother's siblings were still living, so Ms. Ansley assumed that they had inherited both properties. The properties began to deteriorate and taxes fell into arrears. Ms. Ansley did her best to maintain the properties and paid several thousand dollars of her own money towards the taxes, all the while believing that she had no legal interest in either of them. Maintaining her grandfather's legacy was simply too important to Ms. Ansley to risk losing the properties.

After the house fell into disrepair, the city sought to demolish and sell the property. Ms. Ansley sought the Center's assistance, and our staff attorney encouraged her to look again for her grandfather's will. Ms. Ansley eventually found it on the dusty top shelf of a closet. In the will, Ms. Ansley's grandfather left the properties to Ms. Ansley and three cousins, and nominated Ms. Ansley to be the executor of his estate.

The Center was able to delay the city's efforts to demolish and sell the home, while Ms. Ansley sought to probate her grandfather's will and use other estate resources to repair the property. With our staff's help, an estate was opened for Ms. Ansley's grandfather, and Ms. Ansley has been appointed executor. Ms. Ansley is working on repairs to the home, which is helping to remediate blight without the need for a forced sale by the city. She is also seeking her cousins' agreement to give or sell their interests in the

⁶With an LLC, heirs property owners transfer their fractional interests in the family property to the company and become co-owners of the company instead of the property. This means that the company will own the property without any further fracturing of title as co-owners pass away. In forming the company, the heirs must agree upon how decisions will be made, the rights and responsibilities of co-owners, circumstances in which the property can be sold, and most importantly, what happens to a co-owner's interest in the LLC when he or she passes away.

properties to Ms. Ansley. As a result, Ms. Ansley is better positioned to protect her grandfather's legacy and be able to pass that legacy on to her three children.

Grandparents raising grandchildren are especially vulnerable to changes in family dynamics and loss of family homes. One of our clients, Ms. King,* is 83 years old and lives in a small home that her grandmother purchased in 1944. Her sole source of income is social security, and she is the primary caretaker for her two young grandchildren. Multiple generations of family members, including her mother, have died without estate plans. The home is now co-owned by dozens of relatives, who, until recently, have assured Ms. King that she can live in the home for free until her death. However, property values have been rising and a developer now wants to purchase the lot, tear down the home where generations of Ms. King's family have lived, and build a newer, larger house on the lot. One of the owners is pressuring the other relatives to sell. The amount that Ms. King would receive from the sale is less than \$5,000. None of the other relatives are willing to take her and the grandchildren in, and she cannot afford more than a few months' rent.

Ms. King contacted the Center seeking help in protecting her family's home and her grandmother's legacy. Our staff attorneys are working with Ms. King to reach an agreement with her family that would allow her to remain in the home and ensure a safe and stable environment for her grandchildren. The Center also drafted an estate plan for Ms. King that provides for her grandchildren's future in the event of her death.

Another grandmother faced with complicated heirs property issues is Ms. Raines,* who is the guardian of her three grandchildren, one of whom has cancer. Ms. Raines was living in a property originally owned by her deceased mother and deceased stepfather as tenants-in-common. When Ms. Raines's mother passed away in 2011, her stepfather and his six children inherited interest in the property. Ms. Raines's stepfather then passed away in 2016. With the Center's assistance, Ms. Raines was appointed executor of both her mother's and stepfather's estates, and was able to secure quitclaim deeds from each of her siblings to herself, which effectively cleared the title. Ms. Raines is now sole owner of the property, and as a result, has secure housing for herself and her three grandchildren.

Expanding Center Resources Through Partnerships and Pro Bono Attorneys

While the Center provides critical legal and technical resources to address heirs property, often the legal issues facing clients reach beyond our expertise. In these situations, our partnerships with other nonprofits and pro bono attorneys are critical to developing the best solutions for our clients. For example, Mrs. Donnelly* bought a home with her husband, who subsequently passed away without a will. Mrs. Donnelly incorrectly assumed that she owned the property in her sole name—instead, she co-owned the property with her two adult children. At the height of the real estate bubble and without having full title, Mrs. Donnelly was targeted for a \$135,000 predatory reverse mortgage on the home. Mrs. Donnelly managed to pay back some of the loan before passing away, also without a will.

Mrs. Donnelly's two children learned of the reverse mortgage only when the mortgage company began threatening foreclosure for nonpayment. Center attorneys are working with the Donnelly children to probate their parents' estates, place ownership with the Donnelly children as joint tenants with right of survivorship, and prepare estate plans for each of them.⁷ At the Center's request, our partner Atlanta Legal Aid Society is assisting the Donnelly children with forestalling the foreclosure and finding refinancing for the reverse mortgage. Once these steps are complete, the Donnelly children will have title to the property and estate plans, which will help them build equity and wealth to pass along to future generations.

Thirty years ago, Ms. Wilson* moved into the property where she currently lives to care for her elderly father. When Ms. Wilson's father later passed away, she believed she was the sole owner of the property since she was her father's sole heir. Ms. Wilson maintained the property and paid the property taxes, but when she recently tried to qualify for homestead exemption and obtain homeowner's insurance, she discovered that she had no ownership interest in the property since the legal title had passed down her stepmother's side. With the assistance of a pro bono volunteer attorney, the Center filed a Quiet Title action, asserting adverse possession. Not only was the Quiet Title successful, it also reunited family members to share stories about their deceased love ones. Ms. Wilson now has clear title to the property with a tax-assessed value of \$322,000.00. Since Ms. Wilson is in her 80s, she has decided that the home is too much for her to maintain and plans to sell. The Center worked with Ms. Wilson to

⁷ As discussed briefly above, a joint tenancy with right of survivorship is a way to own property that does not necessarily require probate when a co-owner passes away. Title is instead redistributed among the surviving co-owner(s) until there is only one living owner remaining. The property is then distributed according to the terms of the co-owner's will, if there is one, or according to Georgia law if there is no will. Consequently, heirs property can be created by the last surviving co-owner if the co-owners do not also engage in thoughtful estate planning.

assure she hired a reputable relator to get the best price possible. The Center also drafted Ms. Wilson's estate plan so that she can take care of herself and pass wealth to the next generation.

Helping Clients Rebuild and Repair Homes

Oftentimes, the Center's clients are dealing with situations beyond their control that have left their homes and, as a result, their lives, in disarray. We especially see this when storms, tornadoes, and hurricanes come through Georgia. Mr. Howard* lived with his 92-year-old mother in her Atlanta home until it was crushed by a tree during a tropical storm. Mr. Howard's two siblings had both passed away within the previous year, so he and his mother moved in with another relative until they could rebuild and return to the neighborhood they had loved for over 40 years. Before any progress could be made, however, Mr. Howard's mother passed away. Mr. Howard, a niece, and two nephews became co-owners of his mother's home. Because Mr. Howard was not able to show formal ownership, he could not even complete the demolition of the home or negotiate with the insurance company. When Mr. Howard could not find a private attorney willing to help him untangle the complex probate and property title, he became a client of the Center. Mr. Howard, with the Center's help, is now serving as executor of his mother's estate, working with his niece and nephews to resolve title, and moving forward with the rebuilding process. The Center's attorneys also drafted an estate plan for Mr. Howard to ensure that the home can be securely passed on to the next generation.

Heirs property can also prevent individuals from qualifying for home repair programs offered by nonprofits and municipalities. Ms. Wright* is a good example of the barrier that heirs property status creates for individuals seeking assistance. Ms. Wright's parents purchased a house in 1942. After her parents died, Ms. Wright and her six siblings inherited the property as co-owners and agreed that Ms. Wright could live there if she paid the taxes. Decades later, Ms. Wright is now elderly and, due to medical issues, has had to move in with her daughter and grandchildren. The roof on the home is badly damaged, and Ms. Wright's limited income from social security is

not enough to pay for a new one. The other owners will not contribute to the repairs, and Ms. Wright cannot get a loan or qualify for a rehab program because she is not the sole owner of the property. The city code enforcement is now inundating Ms. Wright with code violation notices, and Ms. Wright fears that she will be arrested and the home in which she was raised and lived most of her life will be demolished. The Center is working with Ms. Wright to place title to the home in her name which would allow her to qualify for programs to make needed repairs. Once the home is repaired, Ms. Wright will also be able to earn rental income to pay for needed medical care and contribute to her daughter's household expenses. The Center will also draft an estate plan for Ms. Wright that leaves her home to her daughter as a lasting family legacy and provides her daughter with an opportunity to use the home as collateral for a loan that could start a small business or send her own children to college.

CONCLUSION

Home and land ownership should provide cultural, environmental, economic, and political stability from which to operate. Heirs property creates instability, reducing people's ability to manage their homes and land. Consequently, people lose their ability to grow wealth, stabilize communities and tax bases, and sustainably manage our farms, forests, and wetlands. The Center recognizes that each family has to work at its own pace to resolve latent issues and reach agreement in order to secure land for its future. But the future of each family affects the future of all of our communities. The Center's legal services and educational outreach advance economic justice at the micro (individual) and macro (community) level. While the Center is finding that individual heirs property owners, municipalities, and nonprofits are willing and want to work on unlocking the equity in heirs property, each case provides its own twists and turns, and solving the puzzle becomes part of our collaborative economic and environmental stories.

Additional information can be found at <https://www.gaheirsproperty.org> or by emailing info@gaheirsproperty.org.

*Name has been changed to protect client.

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