

WHAT WE DO

LEGAL SUPPORT: The Georgia Heirs Property Law Center provides legal support for families, individuals, nonprofits, and municipalities. Depending on the client goals and particulars of the case, title-clearing services may include title audits, family meetings, probate, quiet title actions, management agreements; power of attorney, consolidation of title into single ownership, LLC, or trust.

LAND LOSS PREVENTION: The Center develops estate plans and prepares last wills and testaments for individuals to foster generational wealth transfer and prevent land loss. Services may include advanced directive for healthcare, financial power of attorney, and establishing a trust or LLC. In addition, the Center provides educational materials for nonprofits through its Estate Planning Handbooks.

ASSET EDUCATION: The Center facilitates asset education on home and land ownership to grow equity for the next generation. The Center engages nonprofit and governmental partners to help clients develop land and timber management plans, qualify for USDA programs, and access home repair, financing, Disaster Recovery and Resilience programs

WHO WE SERVE

The Center works throughout Georgia but, due to limited resources, cannot accept every case. The Center gives priority to potential clients with properties located in Atlanta and South Georgia. The Center's services are either free or discounted depending on a client's qualifications.

WHO WE ARE

The Georgia Heirs Property Law Center is a not-for-profit law firm that helps heirs property owners, nonprofits, and municipalities remediate tangled title, increase equity and advance generational wealth transfer through title clearing, wills creation, estate planning and facilitating access to government, private sector, and nonprofit land management and home improvement programs

GROWING GEORGIA'S ECONOMY THROUGH PROPERTY RIGHTS

CONTACT US

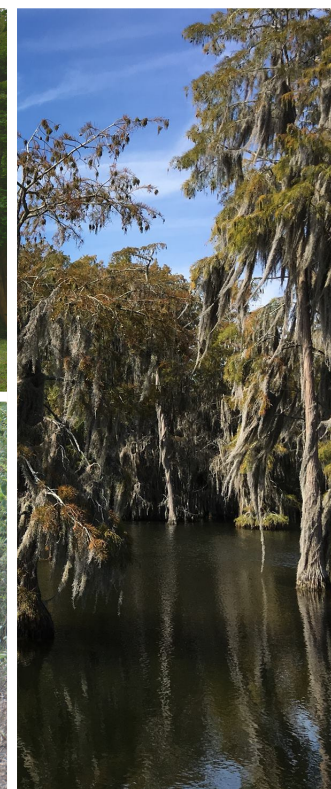


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GEORGIA HEIRS PROPERTY
LAW CENTER



OWNING HEIRS PROPERTY

WHAT IS HEIRS PROPERTY?

WHAT DOES IT MEAN TO OWN HEIRS PROPERTY?

WHY IS HEIRS PROPERTY A PROBLEM

WHAT IS HEIRS PROPERTY?

Heirs property refers to a home or land that passes from generation to generation. Typically, the last recorded deed for the property is in the name of a deceased relative. This unstable form of ownership limits a family's ability to build generational wealth and hampers the efforts of nonprofits and cities to revitalize neighborhoods.

HOW IS HEIRS PROPERTY CREATED?

Heirs property is created when the original owner of the home or land dies without a will or dies with a will leaving the property to multiple beneficiaries. The number of owners increases as additional heirs/owners die.



HOW WIDESPREAD IS HEIRS PROPERTY IN GEORGIA?

Heirs property is created every day as owners die without wills or don't engage in thoughtful estate planning. A 2017 USDA and UGA report revealed 11 to 25% of the total parcels within 10 Georgia counties as probable heirs property with a total tax appraised value of over 2 billion dollars. By extension, the total tax appraised value of heirs property undermining Georgia's economy is over 34 billion dollars.



HOW DO YOU KNOW IF YOU CO-OWN HEIRS PROPERTY?

If the owner named on the last recorded deed for the property died without a will, the property passes to heirs at law via the Georgia Code for Intestate Succession. This means a spouse, children, grandchildren, siblings, parents, or nieces and nephews may hold an ownership interest in the property.

If the owner named on the last recorded deed died with a will that left the property to two or more beneficiaries (for example multiple children), ownership is fractured and may continue to divide as the original beneficiaries pass away.

WHAT DOES IT MEAN TO OWN HEIRS PROPERTY?

Owners of heirs property are tenants in common:

- Each heir has equal rights to full use and possession.
- Each heir is legally responsible for taxes and other real property-related expenses.
- Each heir may transfer interest in real property to another heir or outsider.
- Each heir may seek a partition of the real property.
- Each heir must agree to any major decisions about the real property.

WHY IS HEIRS PROPERTY A PROBLEM?

Heirs property is an unstable form of ownership that limits a family's ability to access the equity in their home or land.

Without clear title, heirs property owners :

- Face an increased risk of forced sale and eviction;
- Cannot qualify for local home repair programs funded by HUD programs like CDBG and CHIP;
- Cannot leverage bank financing for improvements or business investments;
- Cannot fully access farm, timber, and easement programs offered by USDA, Georgia Forestry Commission, and the Georgia Department of Agriculture;
- Are ineligible for FEMA assistance and have difficulty accessing Disaster Recovery programs; and
- May not qualify for homestead exemption to reduce property taxes
- Cannot sell, mortgage, or lease the property without heirs' unanimous agreement.

HOW CAN THE CENTER HELP HEIRS PROPERTY OWNERS?

The Center works with families to unlock the value in their heirs property through negotiated agreements, probate, quiet title actions, and other legal strategies. The Center also provides estate planning services to prevent the creation of heirs property.

