



**GEORGIA HEIRS PROPERTY**  
**LAW CENTER**

**RESOLVING AND PREVENTING HEIRS PROPERTY:**  
**GROWING GEORGIA'S ECONOMY THROUGH**  
**PROPERTY RIGHTS**

**[www.gaheirsproperty.org](http://www.gaheirsproperty.org)**  
**706-424-7557**



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# THANK YOU TO OUR FUNDING PARTNERS

- Georgia Department of Community Affairs
- Georgia Department of Agriculture
- Georgia Forestry Commission
- USDA-NRCS, Farm Service Agency, Rural Development, Forest Service, SARE, NASS, NIFA
- Team Agriculture Georgia
- Golden Triangle RC&D
- Federal Home Loan Bank
- Wells Fargo & Co.



Golden Triangle RC&D  
Resource Conservation and Development Council  
Southwest Georgia

GEORGIA FORESTRY  
COMMISSION





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# GEORGIA HEIRS PROPERTY LAW CENTER

*The Georgia Heirs Property Law Center's mission is to build generational wealth, economic value and community stability by securing and preserving property rights.*

- Attorneys, support staff, and a network of pro bono volunteers, and grassroots organizational partners.



- State-wide work with geographic focus and outreach in **Atlanta and South Georgia**.

- Offices in **Atlanta, Athens, Fitzgerald, and Valdosta**.





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# WHAT DOES THE CENTER DO?



## Legal support for families, individuals, nonprofits and local governments through:

- Title audits;
- Title clearing; and
- Remediation of fractured title.



## Land loss prevention services to help slow down land loss and secure property assets through:

- Legal and mediation counsel; and
- Development of estate plans and assistance with financial planning.



## Asset education through:

- Education of community members and stakeholders about heirs property and potential impact on owners and their communities; and
- Education of landowners about ways to increase the value of their property and generate wealth now and for future generations.



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# CENTER WORK

## MAY 2015 – NOV 2023

The Center has:

- Provided legal services and **closed 932 matters** (209 title clearing matters, 499 title search/audits, and 224 estate planning matters).
- Delivered **380** community outreach programs, providing information and educational materials to over **15,521** individuals in **119** counties.

The Center has **178** open matters involving properties in **34** Central and South Georgia counties with a total tax appraised value of **\$11.74 million**.

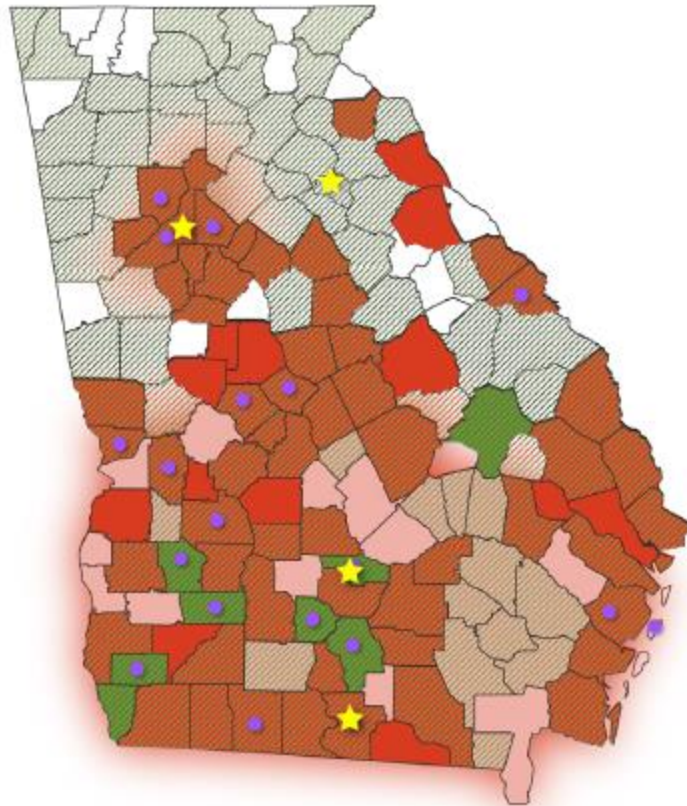




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# ON THE MAP

As of June 2023



-  Target Areas
-  Outreach, Workshops & Webinars
-  Landowner Academy
-  Heirs Property Cases
-  GHPLC Offices
-  Estate Plans & Wills Clinics



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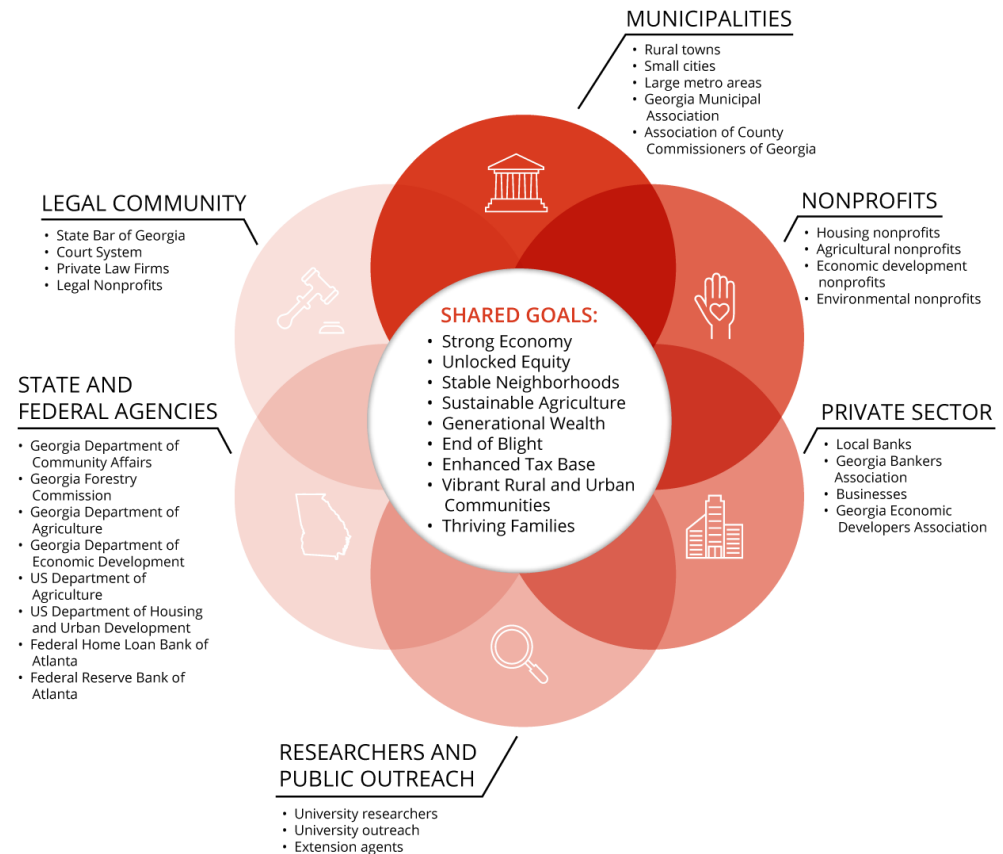
# HOW PREVALENT IS HEIRS PROPERTY IN GEORGIA AND WHO DOES IT IMPACT?

In 2023, the Center, in partnership with the **NASA Develop Program** used geospatial mapping to identify areas vulnerable because of heirs property in rural counties impacted by 2017 Hurricane Irma.

When extrapolated to the state, heirs property represents:

**\$47 Billion  
in "Frozen Equity"**

**Heirs Property undermines every aspect of Georgia's economy and communities.**







# WHAT IS HEIRS PROPERTY?

- Home or land that has been passed from **generation to generation** in such a way that multiple people own the same piece of property.
  - The recorded deed for the property is typically in the name of the deceased relative.
  - This results in **“fractured” or “tangled” title** shared among multiple family members.
- Heirs property is created when:
  - The owner dies **with a will** leaving property to **multiple beneficiaries**; or
  - The owner dies **without a will** so the property passes to heirs at law via **intestate succession**.

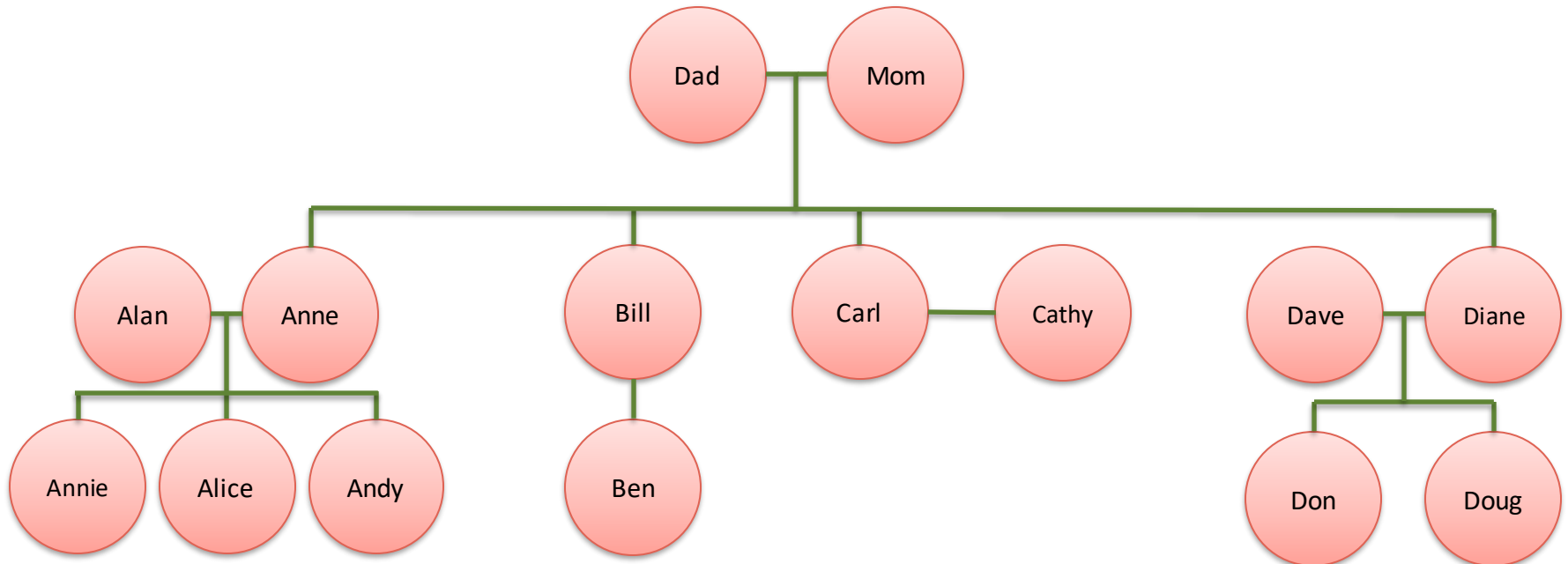






# HEIRS PROPERTY EXAMPLE #1

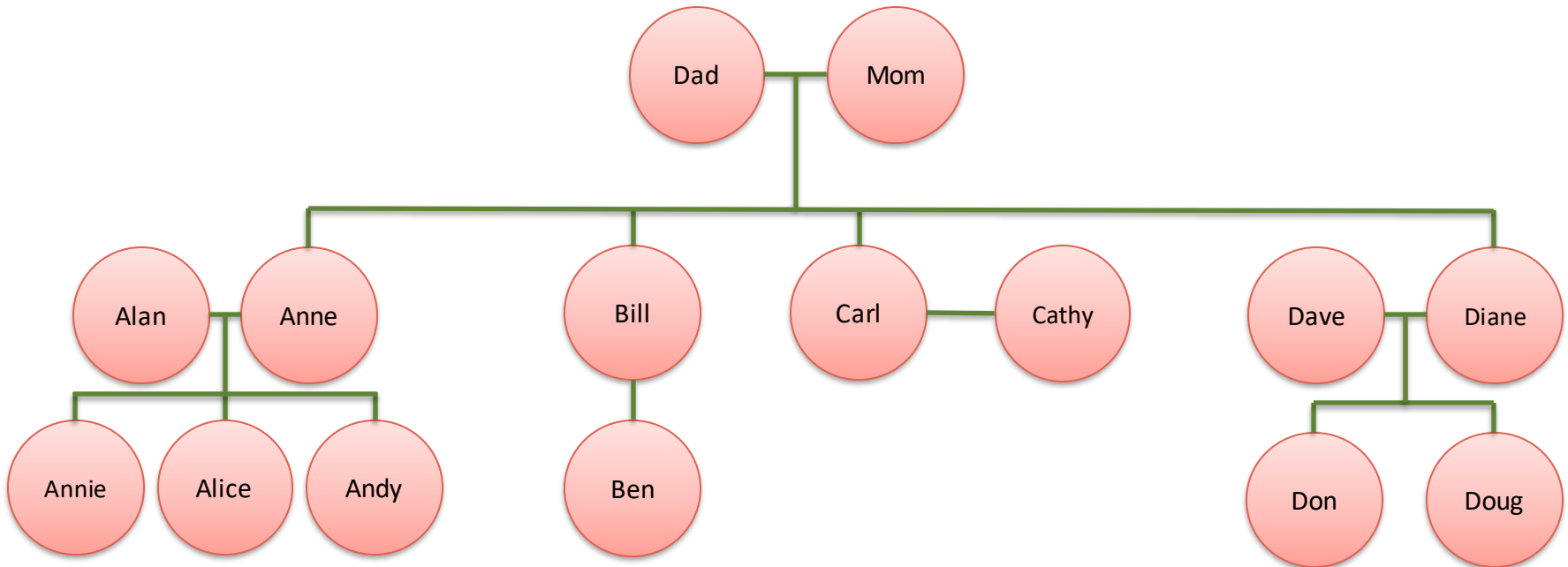
Mom owns a home and dies without a will.  
She is survived by Dad and 4 children.  
The real property is co-owned by **5 heirs**.





## HEIRS PROPERTY EXAMPLE #2

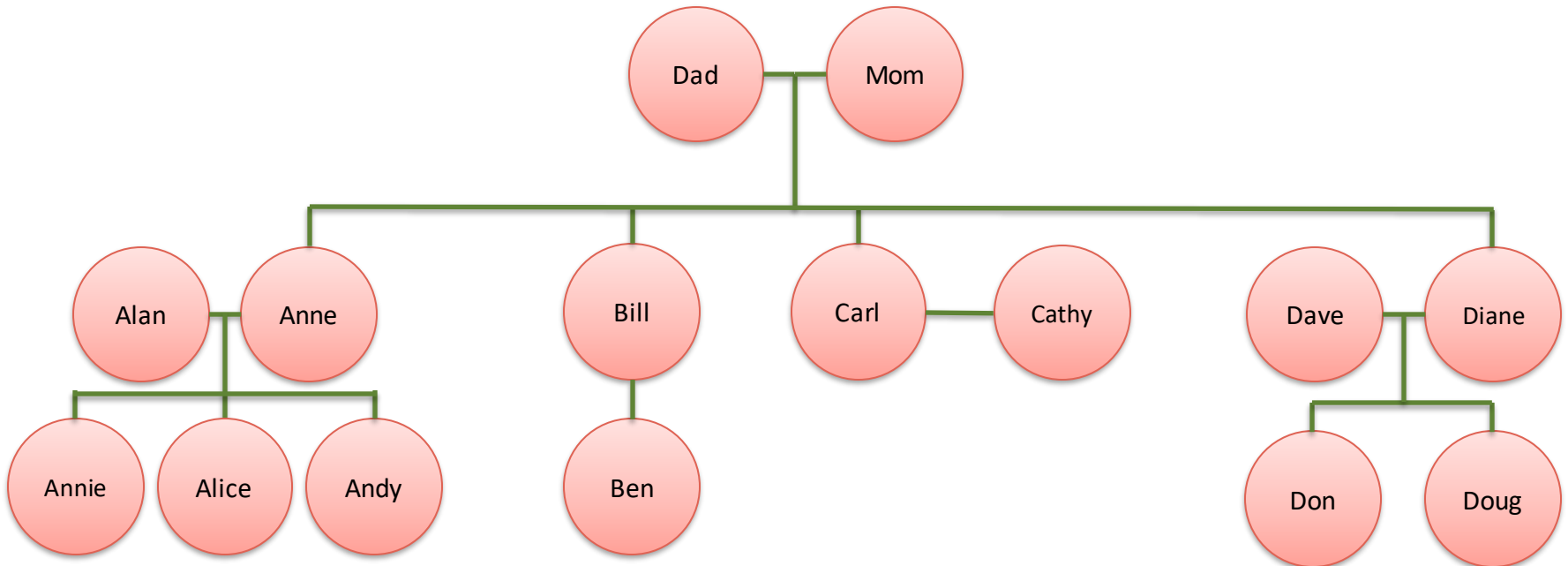
Anne and Bill die **before** Mom, both without wills.  
Mom dies without a will, survived by Dad, Carl and Diane.  
Anne's share goes to her 3 children and Bill's share goes to his child.  
The real property is co-owned by **7 heirs**.





# HEIRS PROPERTY EXAMPLE #2.1

Carl dies without a will. His share goes to his spouse.  
Then Diane dies without a will. Her share goes to her spouse and children.  
The real property is now co-owned by **9 heirs**, including in-laws.

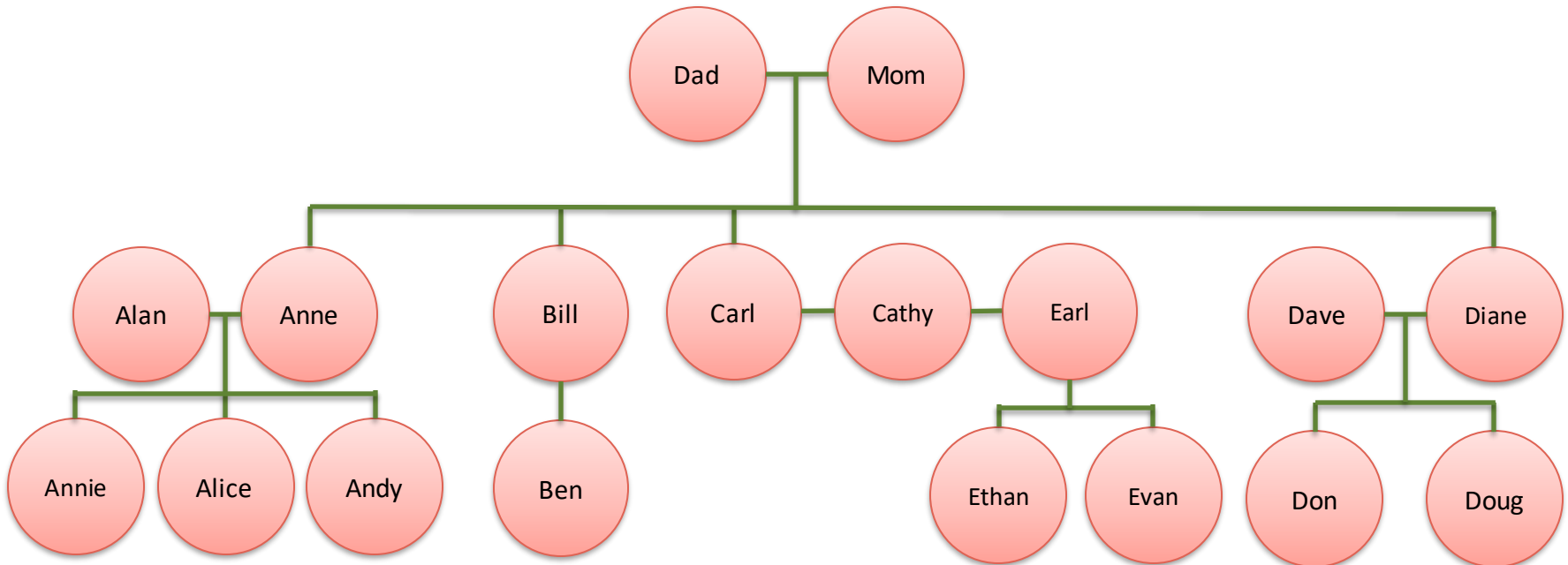




## HEIRS PROPERTY EXAMPLE #2.2

Carl's wife, Cathy, remarries Earl.

Cathy dies without a will. Her share, which she inherited from Carl, goes to Earl. Then Earl dies without a will. His share, which he inherited from Cathy, goes to his children. The real property is now co-owned by **10 heirs**, including in-laws and non-family members.





## HEIRS PROPERTY EXAMPLE #2.3

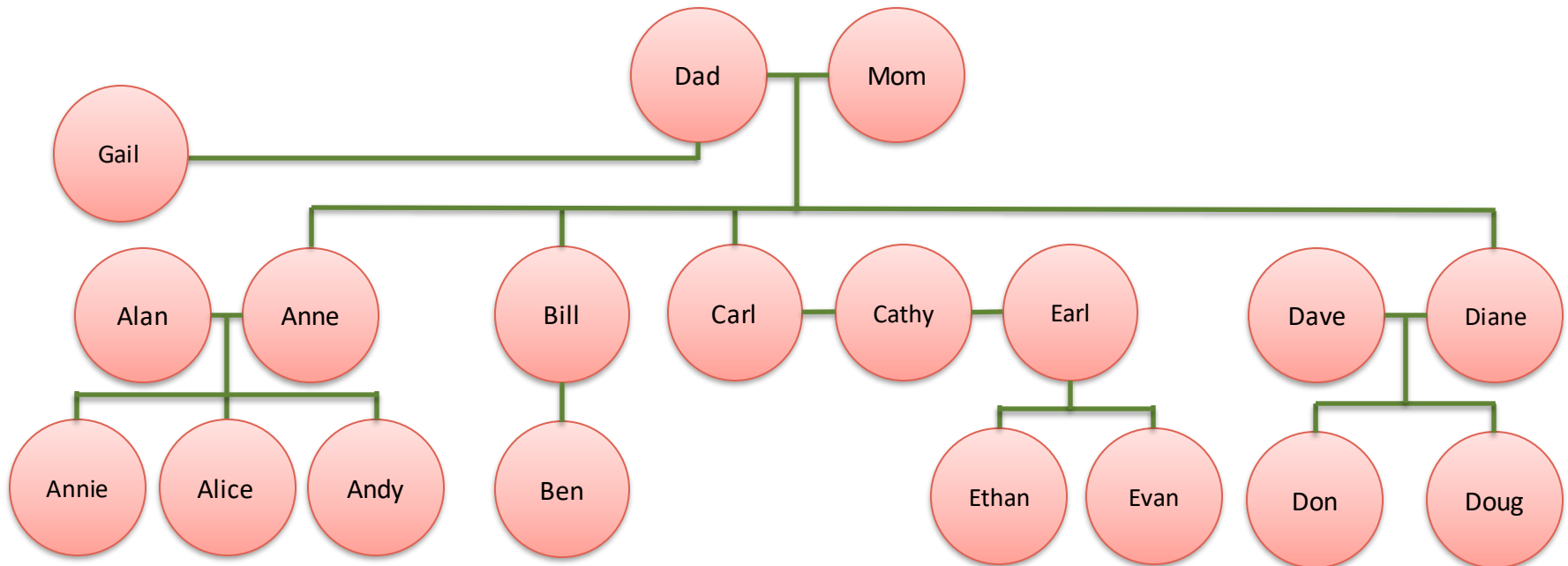
It turns out that Dad had a child, Gail, outside of his marriage to Mom.

Dad was predeceased by Anne, Bill, Mom, Carl and Diane.

Dad dies without a will.

Dad's share goes to Anne's 3 children, Bill's child, Diane's children and Gail.

The real property is now co-owned by Dad's **7 heirs** and Mom's **9 heirs**.





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# IMPACT OF HEIRS PROPERTY ON COMMUNITIES & DISASTER RECOVERY





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# 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 property-related expenses.
- **Each** heir may transfer interest in property to another heir or outsider.
- **Each** heir may seek a partition of the property.
- **Each** heir must agree to any major decisions about the property.







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## HOW DOES HEIRS PROPERTY IMPACT COMMUNITIES?

- Heirs property, especially after a natural disaster, often becomes abandoned and **blighted property** reducing the county's tax base.
- Status makes it difficult for cities to identify owners, **enforce code ordinances and collect property taxes.**
- Heirs property is a contributing factor to the **decrease in owner-occupied homes and family-owned farms.**
- Heirs property hinders efforts to increase **affordable housing** and family stability.
- Communities can **lose funding for revitalization efforts** if heirs property is pervasive.





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# HEIRS PROPERTY'S IMPACT ON WORKFORCE HOUSING

- **Without marketable titles, homeowners cannot participate in CDBG and Disaster Recovery Programs** like Homeowner Rehabilitation and Reconstruction Programs or **Buy-Out Programs**.
- If there is a large percentage of homeowners with title issues, **state and local governments cannot access all of the federal and state funds** they are eligible for, like Federally Designated Natural Disaster Relief and Recovery Programs.
- **Revitalization efforts that are hindered by title issues can cause agencies to focus their efforts elsewhere.**



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## WHY FUNDING FOR ATTORNEYS IS NECESSARY IN RURAL GEORGIA

Heirs Property requires expert attorneys for resolution. This, coupled with the fact that attorneys in Rural Georgia are few and far between, is why funding is critical.



The expertise and efficiency of the Center's attorneys has proven success in addressing the magnitude of heirs property in rural Georgia and the opportunity it presents.



The Center has handled and closed 209 titles and unlocked \$8.89 million in frozen equity. Beyond the numbers are changed lives, communities, and the state's economy.



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# CDBG HOME REHAB PROGRAMS REQUIRE CLEAR TITLE: CLIENT STORIES



"I was trying to figure out how to afford to fix my old house and ended up with a brand new one! I met two sisters I never knew before. And I got to choose the layout I wanted. I am amazed at how many people came together to help me. Thank you!" - Martha Reynolds\*, former client from Wilcox County

Mr. Edward\* was raised on his family's homeplace first by his parents and then, when they passed, by his older siblings. He has lived on the property in rural Georgia most of his life. Because of heirs property, he had been unable to qualify for any assistance programs since the natural disaster of Hurricane Irma. The Center cleared his title and qualified him to participate in disaster recovery home repairs.



Voicemail from Mr. Edward

\*Names have been changed to protect client confidentiality.

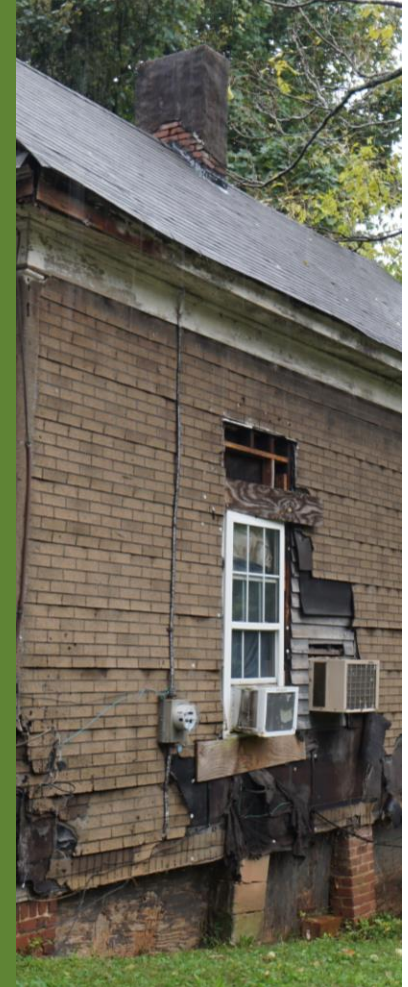


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## CDBG HOME REHAB PROGRAMS REQUIRE CLEAR TITLE: CLIENT STORIES CONT'D

- Ms. Perrit's\* home became uninhabitable by storms in 2017. However, title to her home was in her deceased husband's name. The Center was able to transfer the title from her daughters' names and thus qualify her for the Department of Community Affairs Disaster Recovery Program.
- Ms. Anderson\* and her son lived in a mobile home that was severely damaged by Hurricane Irma in 2017. Repairs were unaffordable, and **while Ms. Anderson qualified for the HRRP Program, the clouded title on her mobile home kept her from getting the assistance she needed.** The Center was able to consolidate the title into Ms. Anderson's name. Now she is qualified to receive HRRP assistance!

\*Names have been changed to protect client confidentiality.



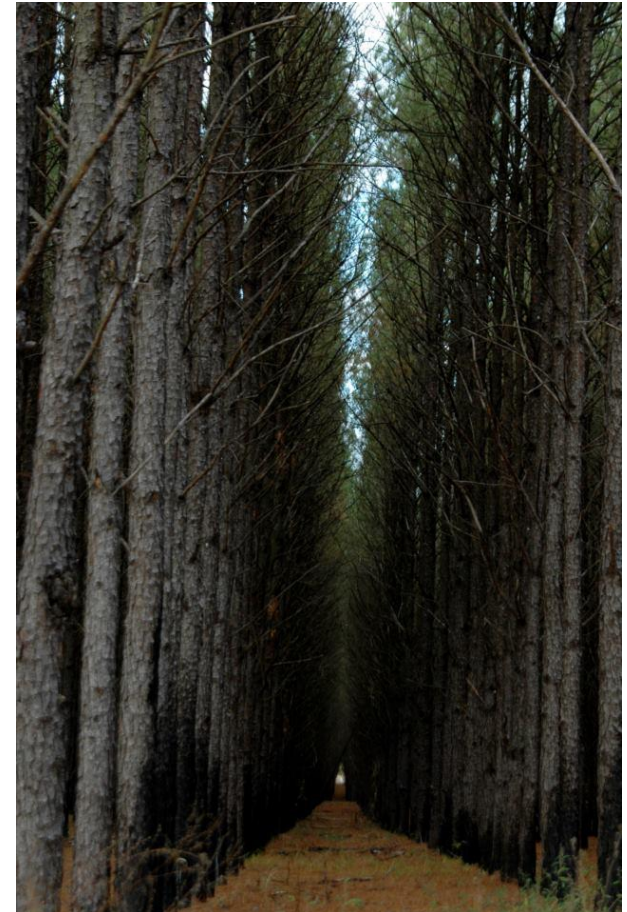




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# CLEARING TITLE TO MANAGE AND PRESERVE WOODS AND LAND: CLIENT STORIES

- **Using Timber Sales to Manage Legacy Land:** Heirs spanning two generations managed timber on heirs property for the benefit of all the heirs.
- **Conservation Easement:** Six heirs cleared title in order to close a USDA Conservation Easement, which reduced the farm debt and created economic sustainability.
- **Protecting Farmland from Developers:** The Center secured the right for an heir to buy-out the 40% interest acquired by a non-family member/developer of their 100-acre farm.





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# THE CENTER'S IMPACT THROUGH NUMBERS







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# THE CENTER'S WORK WITH GEORGIA DCA

HURRICANE IRMA & TORNADOES	HURRICANE MICHAEL	HURRICANE IDALIA
Program Almost Complete	Program Just Started	No Federal Program Allocation Yet
The Center received <b>75</b> referrals from Case Managers in Brunswick, Kingsland, and Albany/Dougherty County.	The Center has received <b>146</b> referrals (and the application is still open) from Case Managers overseeing <b>17</b> counties in Southwest and South Georgia.	A Presidential Disaster Declaration has already been made for Cook, Glynn, and Lowndes counties, with more to be added.
The Center determined that <b>63%</b> of cases referred were heirs property.	The Center determined that <b>32%</b> of cases referred so far are heirs property.	The Center's research determined that there is over <b>\$1.8 billion</b> in probable heirs property in the region impacted by Idalia.
For these cases, the Center has cleared <b>14</b> titles, and is actively providing services for <b>6</b> additional properties so they can receive repairs to their homes.	The Center has cleared one title and the rest are in various stages of the intake process.	Unless titles can be cleared, families will be unable to access any federal funds when allocated.



## RETURN ON INVESTMENT

Investment in the Center's direct legal services yields:

### **Title Clearing:**

- Every **\$1.00** invested in the Center's title clearing program, results in **\$14.00** of **unlocked equity**.

### **Estate Planning:**

- Every **\$1.00** invested in the Center's Estate Planning Services, results in **\$24.00** worth of **protected equity**.



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# LEGISLATIVE APPROPRIATIONS REQUEST

## Title Clearing

**\$300K State Funds  
for 40 Titles**



A Georgia Heirs Property Program will provide heirs property title clearing services on 40 parcels of land.

## Leveraged Funding

**\$300K State Funds  
will Leverage \$600K**



At the Georgia Department of Community Affairs, this Program will leverage diverse funding partners for a total budget of \$900K.

## Return on Investment

**\$300K State Funds  
Unlocks \$12.66M**



40 Clear Titles equals a \$12.6 million dollar ROI\* and unlocked equity for public benefit.



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**QUESTIONS?**

**Georgia Heirs Property Law Center**

**(706) 424-7557**

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