

# Georgia's Heirs Property: *Assessing the Impacts of "Locked Wealth"*

Georgia Institute of  
Community Housing  
Retreat  
February 22, 2017

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UNIVERSITY OF GEORGIA

## 3 Goals for this session:

What is an "heirs property"?

Why do we care about heirs property?

What is being done to resolve this issue?

## What is an "heirs property"?

Heirs property refers to a specific condition of the title (legal ownership) of real estate that is passed down from generation to generation without a will.

- Generally caused through the death of an owner without a will.
- There is the fact that heirs do not know who they are or where they are located, which is referred to as "heirs property."
- All of the heirs must be listed in the deed to the property, meaning they all have equal rights to the property.
- Decisions affecting the property require unanimous agreement of the heirs in a court of law.

## Uniform Partition of Heirs Property Act

"Heirs property" means real or personal held in tenancy in common which satisfies all of the following requirements as of the filing of a partition action:

1. There is no will.
2. The estate of the decedent is not a trust.
3. The estate of the decedent is not a partnership.
4. The estate of the decedent is not a joint tenancy.
5. The estate of the decedent is not a life estate.
6. The estate of the decedent is not a remainder.
7. The estate of the decedent is not a reversion.
8. The estate of the decedent is not a right of redemption.
9. The estate of the decedent is not a right of purchase.
10. The estate of the decedent is not a right of sale.
11. The estate of the decedent is not a right of lease.
12. The estate of the decedent is not a right of use.
13. The estate of the decedent is not a right of occupancy.
14. The estate of the decedent is not a right of possession.
15. The estate of the decedent is not a right of enjoyment.
16. The estate of the decedent is not a right of benefit.
17. The estate of the decedent is not a right of interest.
18. The estate of the decedent is not a right of title.
19. The estate of the decedent is not a right of ownership.
20. The estate of the decedent is not a right of control.
21. The estate of the decedent is not a right of management.
22. The estate of the decedent is not a right of administration.
23. The estate of the decedent is not a right of execution.
24. The estate of the decedent is not a right of distribution.
25. The estate of the decedent is not a right of liquidation.
26. The estate of the decedent is not a right of realization.
27. The estate of the decedent is not a right of conversion.
28. The estate of the decedent is not a right of change.
29. The estate of the decedent is not a right of transformation.
30. The estate of the decedent is not a right of transmutation.
31. The estate of the decedent is not a right of transference.
32. The estate of the decedent is not a right of transmission.
33. The estate of the decedent is not a right of transmittal.
34. The estate of the decedent is not a right of transmittance.
35. The estate of the decedent is not a right of transmittation.
36. The estate of the decedent is not a right of transmittation.
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50. The estate of the decedent is not a right of transmittation.



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# **3 Goals for this session:**

**What is an "heirs property"?**

**Why do we care about heirs property?**

**What is being done to resolve this issue?**

# What is an "heirs property"?

Heirs property refers to a specific condition of the title (legal ownership) of land that limits its productive use.

- Generally created through the death of an owner without a will.
- Title to the land passes to the owner's heirs through an intestate process, which is defined in state law.
- All of the heirs own the land as "tenants in common", meaning they all have equal rights to all of the property.
- Decisions affecting the property require unanimous agreement of the tenants in common.

# Uniform Partition of Heirs Property Act

"Heirs property" means real property held in **tenancy in common** which satisfies all of the following requirements as of the filing of a partition action:

- A) There is **no agreement** in a record binding all the cotenants which governs the partition of the property;
- B) One or more of the cotenants **acquired title from a relative**, whether living or deceased; and
- C) Any of the following applies:
  - i) 20 percent or more of the interests are held in common by cotenants who are relatives;
  - ii) 20 percent or more of the interests are held by an individual who acquired title from a relative, whether living or deceased; or
  - iii) 20 percent or more of the cotenants are relatives.

**GEORGE V**  
1865–1936  
m. Princess Mary, dau. of Duke of Teck (1867–1953)

**DUKE OF WINDSOR**  
1894–1972  
**EDWARD VIII**  
(abdicated 1936)  
m. Wallis Simpson,  
dau. of Teackle Wallis  
Warfield (1896–1986)

**GEORGE VI**  
1895–1952  
m. Lady Elizabeth Bowes-Lyon  
dau. of Earl of Strathmore  
and Kinghorne  
(**QUEEN ELIZABETH**  
The Queen Mother)

Mary,  
Princess Royal  
1897–1965  
m. Earl of Harewood  
2 sons

Henry,  
Duke of Gloucester  
1900–74  
m. Lady Alice Montagu  
Douglas Scott

George,  
Duke of Kent  
1902–42  
m. Princess Marina of Greece

Prince John  
1905–19

**QUEEN ELIZABETH II**  
b. 1926  
m. Philip, **DUKE OF EDINBURGH**,  
son of Prince Andrew of Greece

Princess Margaret  
1930–2002  
m. Antony, Earl of Snowdon  
(divorced 1978)

David,  
**Viscount Linley**  
b. 1961  
m. Serena Stanhope

Lady Sarah  
**Armstrong-Jones**  
b. 1964  
m. Daniel Chatto

Edward,  
**Duke of Kent**  
b. 1935  
m. Katharine Worsley

Princess Alexandra  
b. 1936  
m. Hon. Angus Ogilvy

Prince Michael  
b. 1942  
m. Baroness Marie-Christine  
von Reibnitz

Richard, **Duke of Gloucester**  
b. 1944  
m. Birgitte van Deurs

Charles,  
**Prince of Wales**  
b. 1948  
m. Lady Diana Spencer,  
dau. of Earl Spencer  
(divorced 1996)  
(d. 1997)  
m. Camilla Parker Bowles

Anne,  
**Princess Royal**  
b. 1950  
m. Captain Mark Phillips  
(divorced 1992)

Peter  
Phillips  
b. 1977

Zara  
Phillips  
b. 1981

m. Commander  
Timothy Laurence

Andrew,  
**Duke of York**  
b. 1960  
m. Sarah Ferguson  
(divorced 1996)

Edward,  
**Earl of Wessex**  
b. 1964  
m. Sophie  
Rhys-Jones

William  
of Wales  
b. 1982

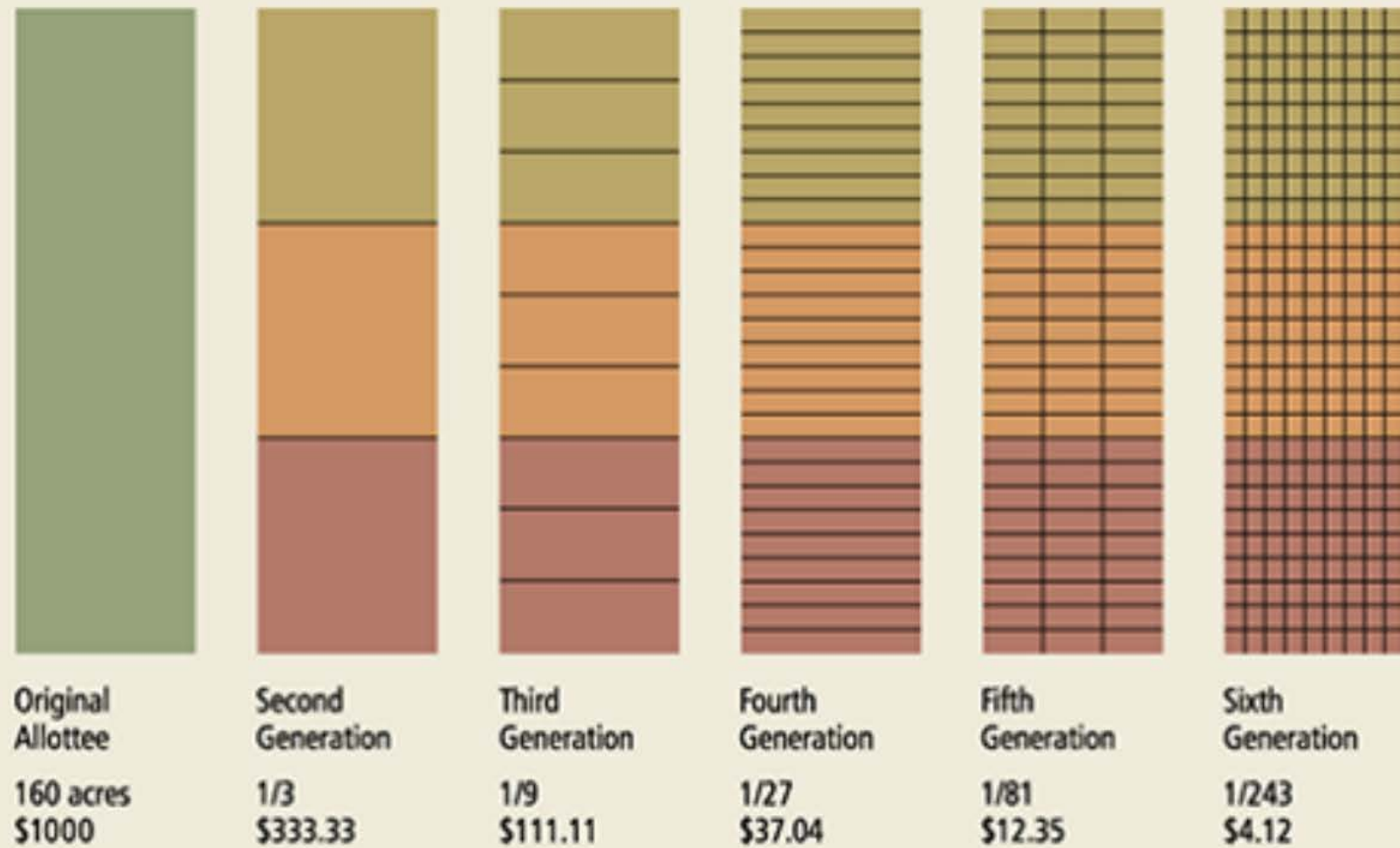
Prince Harry  
of Wales  
b. 1984

Princess Beatrice  
of York  
b. 1988

Princess Eugenie  
of York  
b. 1990

## A Simplified Six-Generation Example of Undivided Heirship

*Fractionated Values and Lease Payment Values of Undivided Interest\**



*\*Presumes only three heirs per person per generation.*

# Limitations of heirs property ownership:

Greater risk of land loss from unpaid taxes

Greater risk of fines for nuisance

Can't access loans

Difficulty selling or leasing land

Difficulty selling timber

Can't access USDA farm assistance

Difficulty accessing FEMA pre-and post disaster assistance

Difficulty accessing federal and state grants (septics, home improvement)

**The result is that significant personal and community assets are diminished in value.**

This in turn entrenches cycles of poverty -- concept of **"locked wealth"**

Displaces local land owners through **partition sales**, often to outside developers.

It also:

- diminishes other land values,
- harms community character,
- inhibits code enforcement,

• etc.



## Early Data

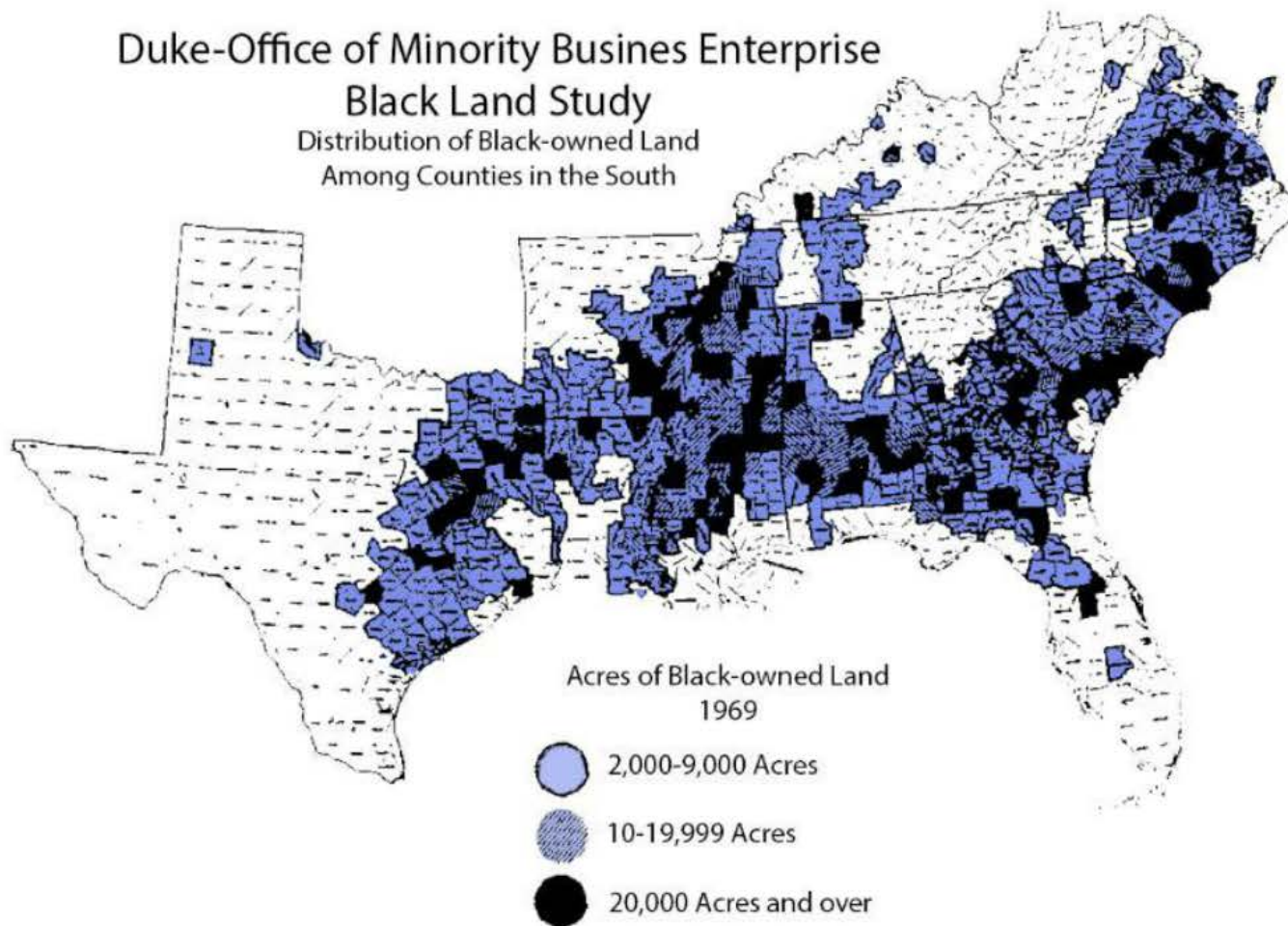
1976 data collection on black-owned land uncovered issues with intestate estates, heir properties, and partition sales that lead to land loss

15 million acres acquired by black land owners from 1865-1910

Reduced to 5.5 million acres by 1969

(Salamon & Others, 1976)

Duke-Office of Minority Business Enterprise  
Black Land Study  
Distribution of Black-owned Land  
Among Counties in the South



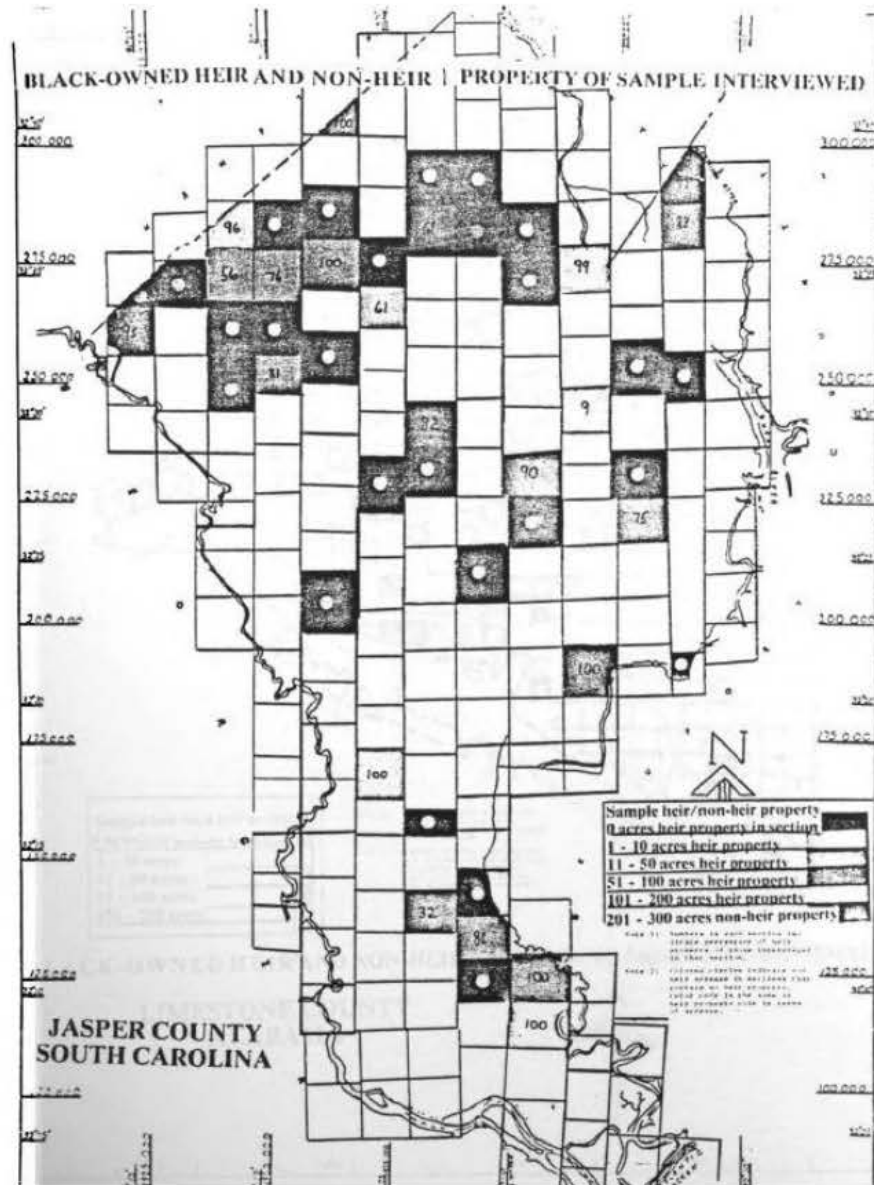
## Early Data

1980 study employed a randomized sample survey in 10 counties to extrapolate the scope of the issue across the rural south

27% of black-owned properties in the south were found to be owned by heirs

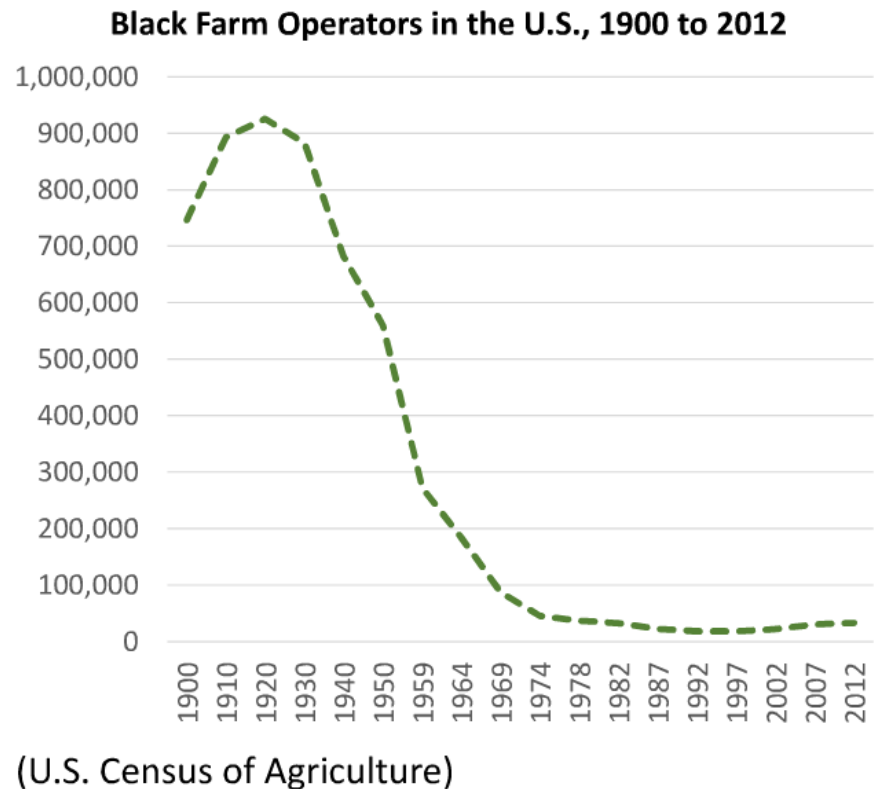
82% of land owners surveyed stated they had no will

(The Emergency Land Fund, 1980)



# Overview of the Issue

- Heirs' property estimates vary widely
  - As high as 30% of all rural land (Baab, 2011)
  - Highest in agricultural areas, also found in declining or distressed urban areas
  - Probably in range of 10-15% of all properties in the southeast
- According to the Census, 80% of black-owned land has been lost since 1910 due to heirs' property (USDA)



2001 Associated Press Story:

***Torn from the Land*** investigated abuses of the partition sale process

**Hurricane Katrina** highlighted heirs property in the urban context: **25,000** of 185,000 applicants were initially denied disaster assistance because of title problems.

Renewed interest in addressing heirs property in order to:

- Stem minority land loss,
- Improve community resilience,
- Remove barriers to community development, and
- Alleviate entrenched poverty

# Threshold Question: How Much Heir Property is There?



**UNLOCKING HEIR PROPERTY OWNERSHIP:**  
Assessing the Impact on Low and Mid-Income  
Georgians and Their Communities



County	Total Population <sup>1</sup>	Total parcels <sup>2</sup>	Land parcels Rd. 1	Land parcels Rd. 2	# of heir property land parcels	Acreage of heir property	Fair market value
Chatham	265,128	115,135	1,028	537	537	922.75 acres	\$22,308,672
Chattooga	25,736	14,445	565	162	162	271.32 acres	\$820,428
Dougherty	94,565	34,000 <sup>3</sup>	790	472	472	1,551.26 acres	\$8,897,850
Evans	11,000	6,484	285	40	40	93.48 acres	\$387,960
McIntosh	14,333	12,825	1,531	409	409	2,376.53 acres	\$26,234,285
<b>TOTAL</b>					<b>1,620</b>	<b>5,215.34 acres</b>	<b>\$58,649,195</b>

Methodology:  
Tax Parcel Data  
Land Record Comparison

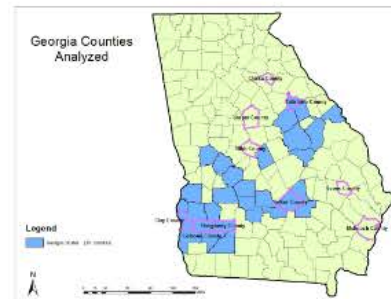
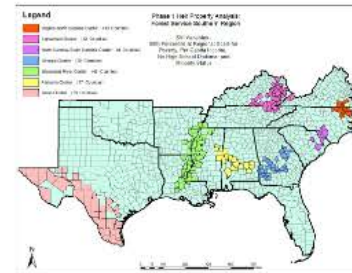
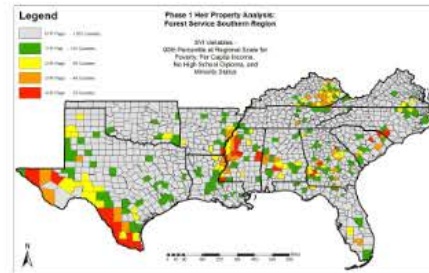
# How much heirs' property is there?

	Area examined	Parcels	Acres	Percentage of land	Total value
<b>Multi-state</b>					
Graber 1978	5 states	--	--	33	--
Emergency Land Fund 1980	10 states	101,648	3,836,498	41	--
<b>Multi-county</b>					
Tinubu and Hite 1978	3 SC, rural electric cooperatives	37	--	3.5	--
Plastrik 2001	2 counties SC	3,300	17,000	--	--
Center for Heirs' Property Preservation	6 counties SC		41,000		
Georgia Appleseed 2013	5 counties GA	1,620	5,215		\$58,649,195
<b>Single county</b>					
Southern Coalition for Social Justice 2009	1 county NC	475	5,623	2	--
Oyer et al. 2009	1 county AL	1,516	15,937	4.1	> \$25 million



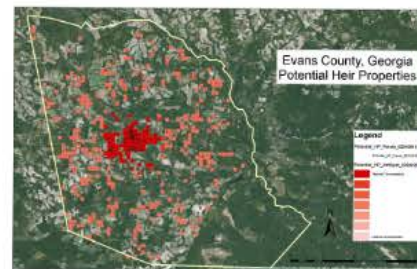
Demographic Indicators:

- Low Income;
- % Poverty;
- Minority Status;
- Low Educational Attainment



Parcel Indicators:

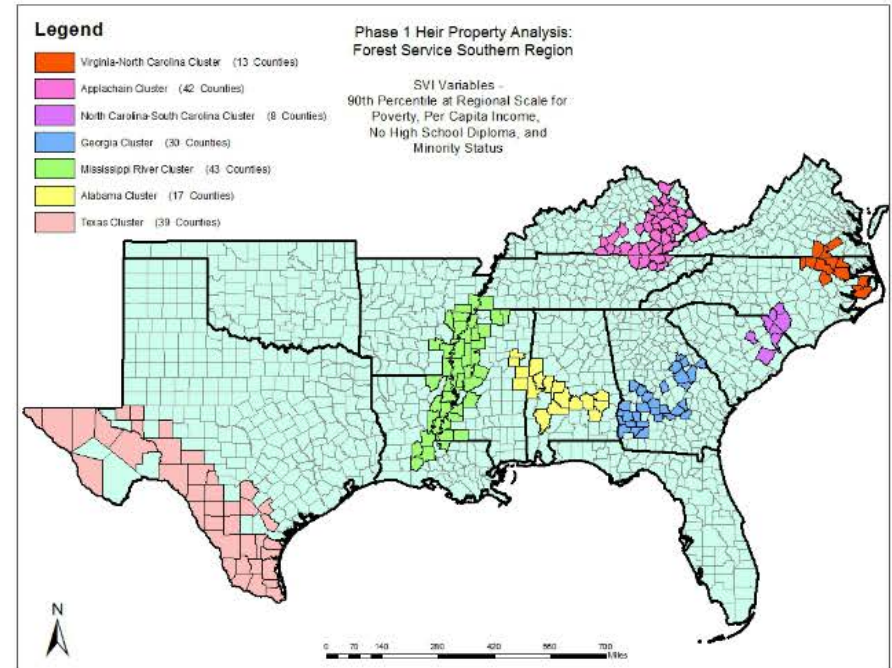
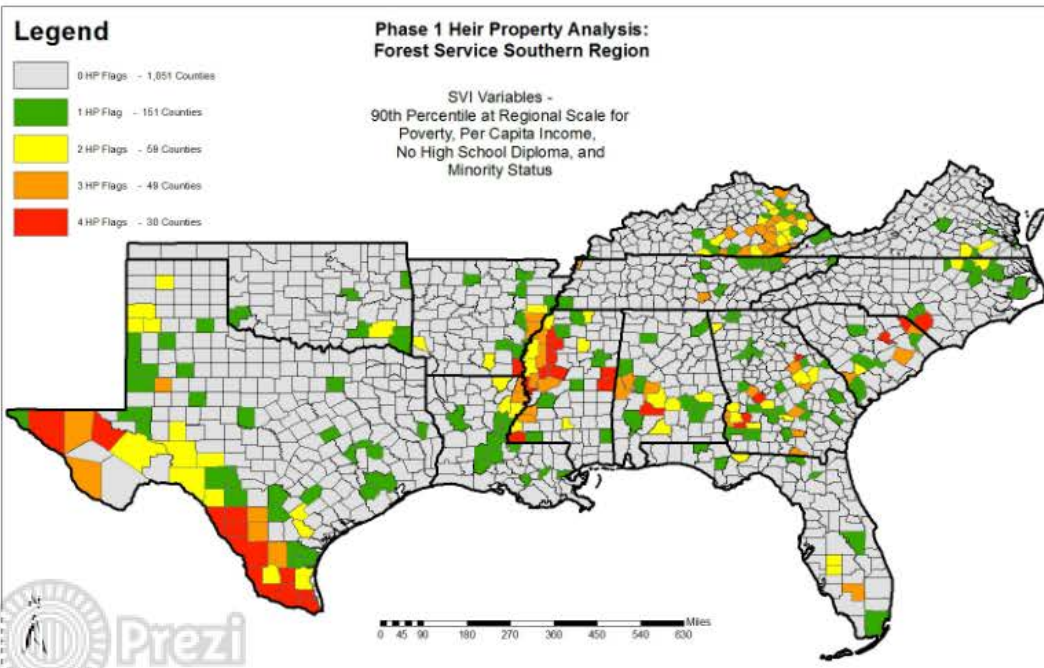
- 30+ years since transfer;
- Owned by "Natural Person";
- No Preferential Tax Status

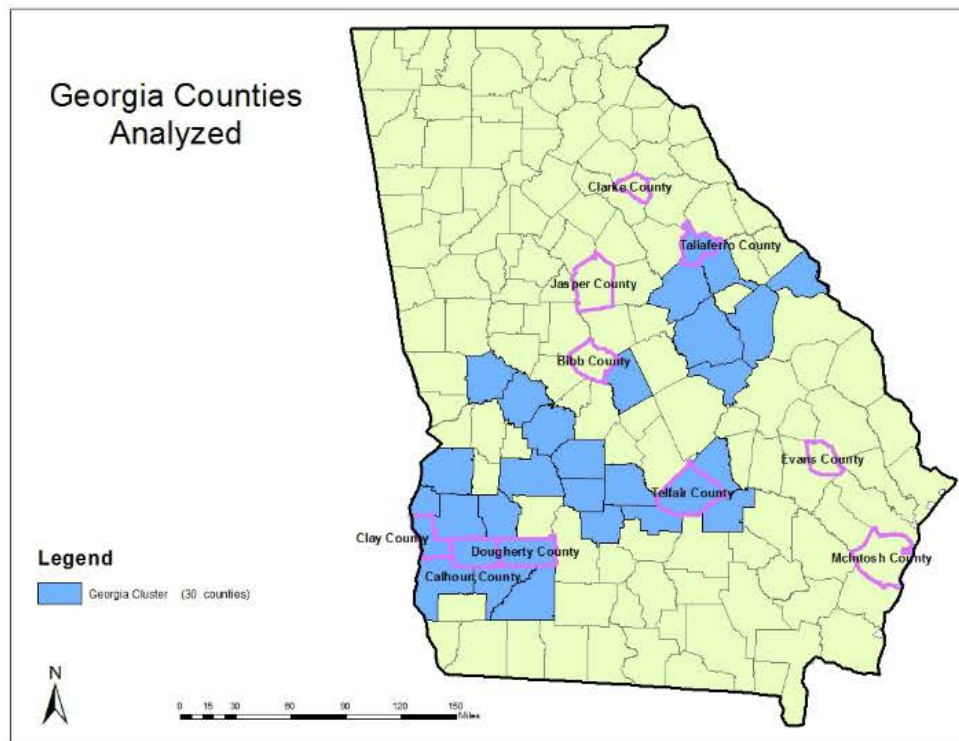




## Demographic Indicators:

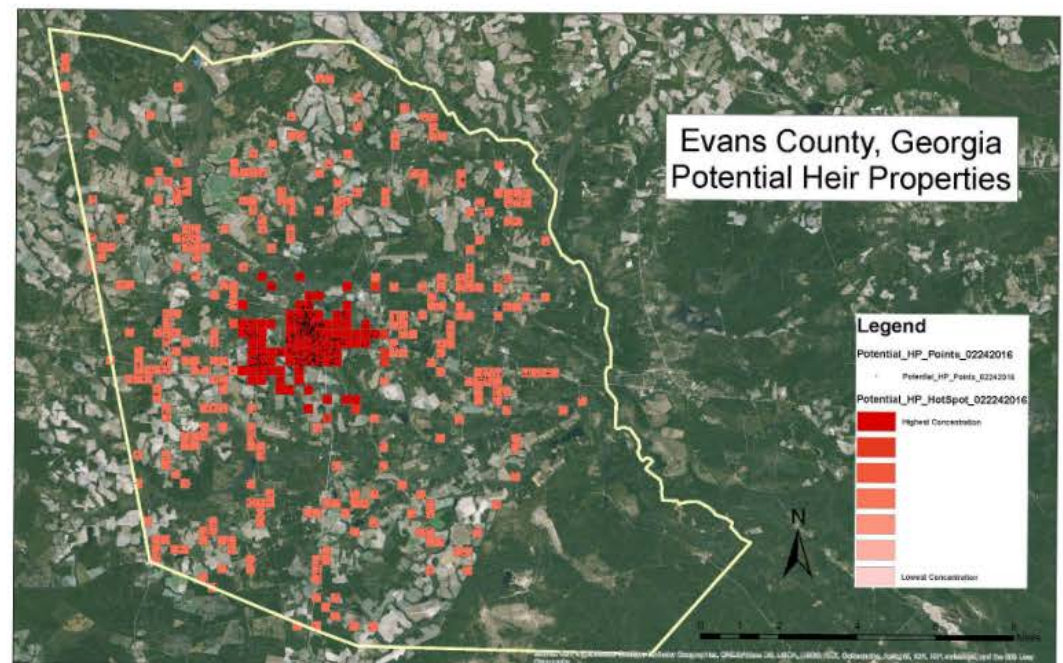
- Low Income;
- % Poverty;
- Minority Status;
- Low Educational Attainment





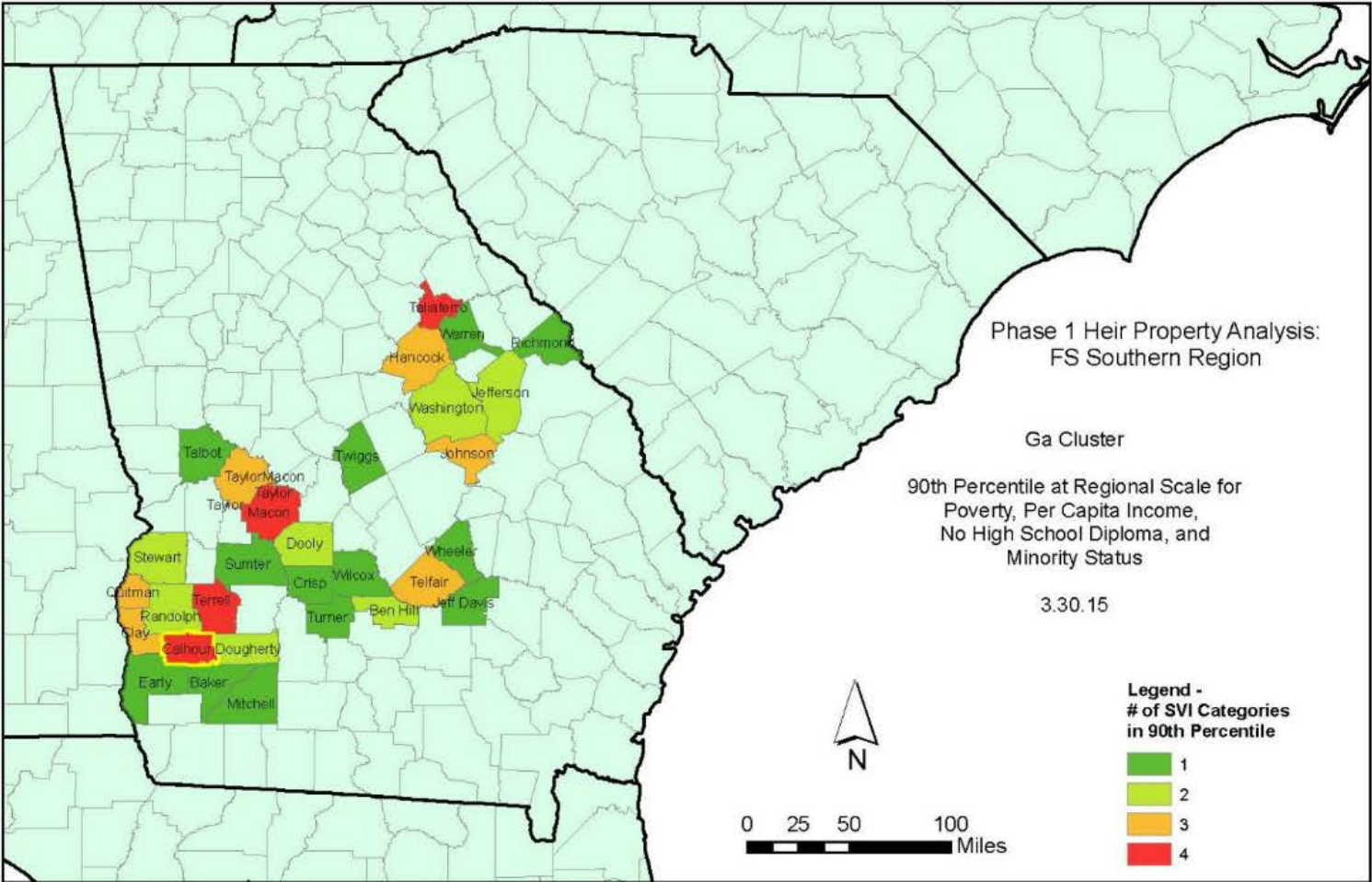
## Parcel Indicators:

- 30+ years since transfer;
- Owned by "Natural Person";
- No Preferential Tax Status



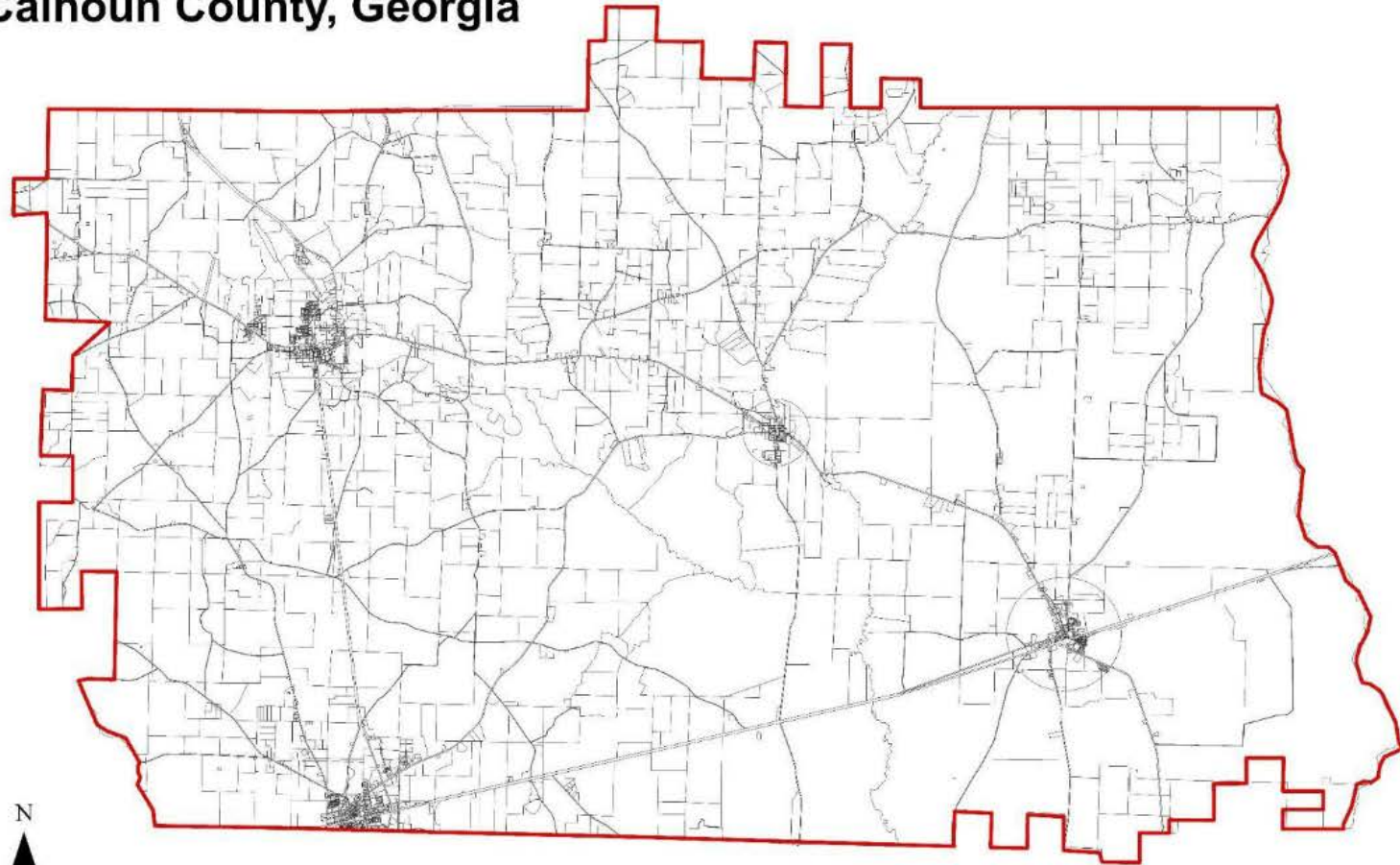
# Phase 3 – “Identify Likely Heir Properties”

## County- Level Analysis



# Parcel Map

## Calhoun County, Georgia



0 0.5 1 2 3 4 5 Miles

- Owner/Tax payer name
- Mailing Address
- Property Address
- Land Value
- Land Information
- Improvement Information
- Acreage
- Sale/Conveyance Information

3/23/2015

qpublic / qpublic.net/ga\_display.php?county=ga\_clarke&KEY=12284 1008

ATHENS-CLARKE COUNTY UNIFIED GOVERNMENT BOARD OF TAX ASSESSORS									
<a href="#">Recent Sales in Neighborhood</a> <a href="#">Recent Sales in Area</a>		<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Field Definitions</a>	<a href="#">Return to Main Search Page</a>		<a href="#">Clarke Home</a>		
<b>Owner and Parcel Information</b>									
Owner Name	VARSITY REALTY CO THE			Today's Date	March 23, 2015				
Mailing Address	C/O EASLEY MCALEB & STALLIN			Parcel Number	12284 1008				
Location Address	P O BOX 98309 ATLANTA, GA 30359			Tax District	Urban Services District (District 02)				
Legal Description	1000 W BROAD ST			2014 Millage Rate	34.05				
Property Class(NOTE: Not Zoning Info)	C3-Commercial			Acres	2.11				
Zoning	C-G			Neighborhood	4030C-MILLEDGE AVE				
				Homestead Exemption	No (S0)				
				Parcel Map	<a href="#">Show Parcel Map</a>				
<b>Current Value Information</b>									
Land Value	Improvement Value	Accessory Value	Total Value	Previous Value					
\$ 1,255,450	\$ 629,302	\$ 17,000	\$ 1,901,752	\$ 1,901,752					
<b>Land Information</b>									
Type	Description	Calculation Method			Acres	Photo			
COM	Com-ST-078	Acres			2.11	NA			
<b>Improvement Information</b>									
Description	Value	Actual Year Built	Effective Year Built	Square Feet	Wall Height	Wall Frames	Exterior Wall		
RESTAURANT-FAST FOOD	\$ 629,302	1965	1995	6,783	16				
Roof	Interior Walls	Floor Construction	Floor Finish	Ceiling Finish	Lighting	Heating	Sketch		
Cover						013-1	<a href="#">Sketch Building 1</a> <a href="#">Show Photo</a>		
<b>Accessory Information</b>									
Description	Year Built	Dimensions/Units			Value				
Y-ASPH ASPH PAVING AV 9999	1	1x0 50000			\$ 17,000				
<b>Sale Information</b>									
Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee			
No sales information associated with this parcel.									
<b>Permit Information</b>									
Permit Date	Permit Number			Type					
No permit information associated with this parcel.									
<a href="#">Recent Sales in Neighborhood</a> <a href="#">Recent Sales in Area</a>		<a href="#">Previous Parcel</a>	<a href="#">Next Parcel</a>	<a href="#">Field Definitions</a>	<a href="#">Return to Main Search Page</a>		<a href="#">Clarke Home</a>		

The Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. Website Updated: March 21, 2015

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REALKEY	GRANTEE	GRANTOR	SALEDATE	DEEDPAGE	PLOTAGE	SALEPRICE	SALECLASS	STRAT	REASON	QUALIFIER	MKTVAL	PTD	PT61_NUM	RETT	INSTRUMENT	SALESADJ	NET_SP	MAV
2850	GUDE MOULTRE LEE	GUDE MOULTRE LEE	11/15/1950	V 527		0	R	3	UK		0	N	-000000	0		0	0	
3344	BARNES JOHNNY & LOUISE	BARNES JOHNNY & LOUISE	11/15/1955	X 232	2 142	1	R	3	UK		0	N		0		0	1	
1999	HALL JOE CHARLIE ESTAT	HALL JOE CHARLIE ESTATE	11/16/1944	U 466	E	800	R	3	UK		0	N		0		0	800	
1238	PAUL JOE M	JORDAN W H	11/17/1957	X 578		0	A	5	UK		0	N	PT-61 019-2009-000000	0		0	0	
2223	ROBINSON AGELIA &	ROBINSON AGELIA &	11/17/1964	27 31		0	R	3	UK		0	N		0		0	0	
3687	JOHNSON JAMES	RAMBO C J ETAL	11/19/1911	M 342	M 248	0	R	3	UV		0	N	PT-61 019-2009-000000	0		0	0	
1499	GRAY RANDALL EST		11/19/1945	U 552		1	A	5	UK		0	N	-000000	0		0	1	
3592	KENDRICK LUCY	JOHNSON J B	11/21/1945	U 553		300	R	3	UK		0	N	-000000	0.55	WD	0	300	
2123	GLOVER AMY & O C EST	GLOVER AMY & O C EST	11/21/1950	V 529		1	R	3	UK		0	N	-000000	0		0	1	
1258	RICHARDSON BRYAN RANDAL & SPURGEON JR	RICHARDSON SPURGEON	11/21/1961	Z 31		0	V	5	UK		0	N	-000000	0	WD	0	0	
2397	HENDERSON CHARLIE		11/3/1958	Y 93		1	R	3	UK		0	N	-000000	0		0	1	
464	STEVENS JOSH EST	STEVENS JOSH EST	11/30/1943	U 334		0	A	5	UK		0	N		0		0	0	
2710	WALKER MATTIE L (LOWE)	WALKER MATTIE L (LOWE)	11/6/1951	W 182		0	R	3	UK		0	N	-000000	0		0	0	
2020	CHURCH OF THE KINGDOM OF GOD INC		11/7/1961	Z 4		0	E	1	UK		0	N	-000000	0		0	0	
2017	OLIVER CLARA	GLOVER LAURA BELL	11/8/1952	W 279		1	R	3	UK		0	N	-000000	0		0	1	
2140	MURRAY ETHEL BELL	SANDERS RUBY B	12/10/1949	V 401		1	R	3	UK		0	N	-000000	0	WD	0	1	
3600	MORGAN BAPTIST CHURCH		12/10/1962	Z 238		0	E	1	UK		0	N	-000000	0		0	0	
3427	BOWEN EDDIE JR ETAL	WILLIAMS WILLE	12/14/1936	S 556	2 142	1	R	1	UI		0	N	-000000	0		0	1	
3360	BELLAMY CLEVELAND	BRANDYMORE CURLIE DUDLEY	12/15/1961	Z 58	1 18	550	R	3	UK		0	N	-000000	0.55	WD	0	550	
3326	BLACK VASHTI MRS ESTAT		12/19/1959	Y 305	E	1	R	3	UK		0	N	-000000	0		0	1	
259	MCLENDON H T CO (TED)	MCLENDON H T CO (TED)	12/20/1964	27 43		0	V	5	UK		0	N		0		0	0	
261	MCLENDON H T CO	MCLENDON H T CO	12/20/1964	27 43		0	C	3	UK		0	N	-000000	0		0	0	
1645	HOPEWELL MB CHURCH		12/25/1904	K 488		0	E	1	UK		0	N	-000000	0		0	0	
1073	PRATER MARVIN L	WOODHAM C S & PETER C	12/28/1964	27 50		0	A	4	UK		0	N	000000	1.65	WD	0	0	
2164	COWART J S III & BARBARA J		12/30/1946	Z 572		1	R	3	UK		0	N	-000000	0		0	1	
2765	BLUNT HENRY	BLUNT HENRY	12/30/1950	V 547		0	R	3	UK		0	N		0		0	0	
3688	GOINS IDEL ESTATE	MILLER A L	12/31/1918	O 490	M 248	0	R	3	UV		0	N	PT-61 019-2009-000000	0		0	0	
2728	LANG SAMME LEE		12/31/1960	Z 415		1	R	3	UK		0	N	-000000	0		0	1	
2717	LANG SAMME LEE		12/31/1960	Z 415		1	R	3	UK		0	N	-000000	0		0	1	
3513	MOODY MELVIN	MOODY MELVIN	12/4/1958	27 247		1	R	3	UK		0	N		0		0	1	
3538	MACKLIN DELIA EST	MACKLIN DELIA EST	12/4/1965	27 48		0	R	3	UK		0	N		0		0	0	
1761	MT PLEASANT BAPTIST	MT PLEASANT BAPTIST	12/5/1964	27 153		0	E	1	UK		0	N		0		0	0	
2586	IDLETT ZORA MAE	IDLETT MARION	2/12/1957	X 341		0	R	3	UK		0	N	-000000	0		0	0	
3266	MASONIC LODGE	MASONIC LODGE	2/16/1945	U 478		0	E	1	UK		0	N		0		0	0	
2112	BROWN CHARLIE & ANNA M	BROWN CHARLIE & ANNA MAE	2/24/1944	U 372	m 277	0	R	3	UK		0	N	-000000	0		0	0	
1290	HAMMACK DAN W JR		2/4/1901	58 341		1	P	5	UK		0	N		0		0	1	
3741	HAMMACK DAN W JR	HAMMACK MRS H E	3/1/1963	Z 295		0	A	5	UV	MS	0	N	PT-61 019-2011-000000	0	WD	0	0	
2479	GLEATON J J	SALTER JOE B	3/10/1960	Y 303		4400	C	3	FM		0	N	-000000	4.4	WD	0	4400	
1385	ST MARYLAND BAPTIST CH		3/15/1920	O 404	0 0	40	E	1	UK		0	N	-000000	0		0	40	
3606	KENDRICK ELBERT & BESSIE MAE	DOZER G A	3/24/1951	V 574		750	R	3	FM		0	N	-000000	1	WD	0	750	
3251	LEARY BAPTIST CHURCH	LEARY BAPTIST CHURCH	3/25/1958	Y 6		0	E	1	UK		0	N		0		0	0	
776	BROOKS JAMES R JR	BROOKS J R JR	3/29/1949	V 227		0	V	5	UK		0	N	-000000	0		0	0	
2723	BROWN MILDRED	BROWN MILDRED	3/29/1965	28 474		0	R	3	UK		0	N		0		0	0	
2198	THOMAS N E	PEPPER HATTIE L	4/1/1901	J 333		0	R	1	UI		0	N	PT-61 019-2011-000000	0	WD	0	0	
3581	CALHOUN CO	BRIDGES LOUIS & RUBEN C	4/11/1952	W 214		83	E	1	UK		0	N	-000000	82.5	WD	0	83	
3418	WILLIAMS NATHANIEL	LUNSFORD ELOISE	4/13/1942	U 192		1	R	3	UK		0	N	-000000	0		0	1	
2229	JOHNSON CHARLIE WILL & MAVIS M		4/17/1961	Y 500		1	R	3	UK		0	N	-000000	0		0	1	
538	LANGES SUSIE MAE	LANGES SUSIE MAE	4/17/1964	Z 544		0	R	3	UK		0	N		0		0	0	
1260	CORRIGAN MARTHA S AN		4/19/1954	73 48		0	V	4	UK		0	N		0		0	0	
3553	MORGAN BAPTIST CHURCH	MORGAN BAPTIST CHURCH	5/1/1950	V 430		0	E	1	UK		0	N		0		0	0	
1464	DUNHAM LONNIE HERS	ROBINSON SOL ESTATE	5/11/1939	MB I 93	MB I 93	1	A	4	UK		0	N	-000000	0		0	1	
941	KILLGORE SARAH HELEN	KILLGORE SARAH HELEN	5/18/1968	28 147		1	R	3	UK		0	N		0		0	1	
3296	KENDRICK LUCY BELL	HARRIS SALLIE CHESHIRE	5/2/1959	Y 173	L 92	3000	C	3	UI	MS	0	N	-000000	3	WD	0	3000	
3398	CRITTENDEN D C & MINNIE LEE		5/4/1961	Y 502		0	R	3	UK		0	N	000000	0		0	0	
2901	SALEM BAPTIST CHURCH & CEMETARY		5/5/1960	Y 326	5 238	0	E	1	UK		0	N	-000000	0		0	0	
3384	CRITTENDEN D C & MINNIE LEE		6/14/1955	X 76		0	R	3	UK		0	N	000000	0		0	0	

14 0 0 out of 125 Selected

Sales before 1966 (125)

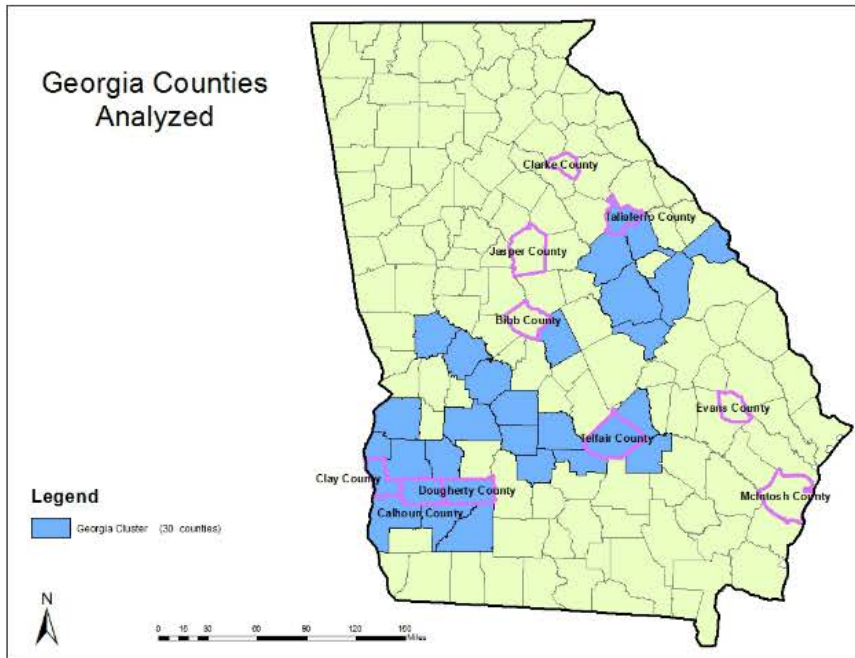


## Heirs Property cluster counties

12 - 25% of parcels (avg. 19%)

2,000 - 13,500 acres

appx. \$765 million assessed value



## Comparison Counties

11% - 19% of parcels (avg. 14%)

3,000 - 13,000 acres

appx. \$1.4 billion assessed value

# Responses

**ADVOCACY/  
LOBBYING**

**CLIENT  
REPRESENTATION**

Property Owners  
State & Local Decision-Makers

Agencies

Judges

Lawyers

**POLICY  
DEVELOPMENT**

**RESEARCH,  
PLANNING, &  
EDUCATION**

# Client-based Resources:



The Georgia Heirs Property Law Center

An end to poverty begins with property rights.



**The Federation of Southern Cooperatives**



**ATLANTA BAR  
ASSOCIATION**  
LAWYERS WHO SERVE

SOUTH CAROLINA  
**ACCESS TO  
JUSTICE**



home

# HEIRS PROPERTY & CLOUDY TITLES

## A COMMUNITY PERSPECTIVE



# VICTORIA PLACE URA/RAS

- Severely blighted neighborhood
- Numerous dilapidated and deteriorated houses
- Unsafe; high crime area
- Faulty lot layouts
- Infrastructure deficiencies and flooding



# Victoria Place Revitalization Area Preliminary Assessment

Condition	Occupancy
	HR Heir Rental
	HV Heir Vacant
	NR Non Residential
	OO Owner Occupied
	RO Rental Occupied
	RV Rental Vacant
	UN Unoccupied
	VL Vacant Lot



**City of Thomasville**  
Condition & Occupancy

0 90 180 360 540 720 Feet



Planning Dept  
GIS Service  
created 03.18.10

# PROPERTY OWNERSHIP



## Victoria Place Revitalization Area (2009)

<u>Occupancy</u>	<u>Total #</u>	<u>Cloudy Title</u>	
Owner occupied	20		
Occupied by heirs	9	9	
Occupied by renter	26	2	
Unoccupied residence	13	6	
Unoccupied commercial	1	1	
Vacant lot	15	4	
<u>Occupied commercial</u>	<u>2</u>		
Total Properties	85	22	26%

# PROPERTY CONDITIONS

## Properties in RAS with cloudy titles (2009)

	Substandard	Deteriorated	Dilapidated
Occupied by Heirs	5	3	1
Unoccupied Residence			6
Unoccupied Commercial			1
Rental Occupied	1		1



# VICTORIA PLACE ACQUISITION



Some acquisition required condemnation to obtain clear titles:

- Plan had buy-in from neighborhood residents, property owners and community stakeholders
- Most often “friendly” condemnation
- High cost for legal, advertising, appraisals, surveys and administrative fees
- Lengthy process
- Elected officials supportive of project; withstood political pressure & negative public perception

# COMMUNITY IMPACT



- Heirs property disproportionately affects low income minority neighborhoods
- Contributes to “slum and blight” and high crime
- Often results in substandard, deteriorated or dilapidated housing stock with numerous code and safety violations
- Properties often small and of low value
- Contributes to high incidence of vacant land & unoccupied houses

# ECONOMIC IMPACT



- Families gradually lose economic and personal value of property ownership
- Lowered property values and low tax revenues
- Lack of investment in neighborhoods
- Limited viable commercial property in declining business environment



# REMEDIES



- Provide education and other resources to families who want to establish clear title.
- Establish URA plan for greater flexibility and additional local resources.
- Use condemnation through code enforcement to remove blight.
  - Process varies by locale
  - Local government may force demolition of unfit structures but title remains cloudy on now vacant lot

# LESSONS LEARNED



- Local government will not solve most heirs property situations.
- Cloudy titles are a detriment to the well-being of low income households and neighborhoods.
- Education and community resources are key to prevent further proliferation of heirs properties.
- Resolution of cloudy titles and property acquisition takes more time and money than you think.



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