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Our Team

as of January 2019

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Executive Director

DELENE W. PORTER
Chief Operating Officer

JOANN E. JOHNSTON
Legal Programs Director

JIM DAVIS
Staff Attorney

JAZZ WATTS
Equal Justice Works GA Housing Corps Advocate

GENTRY E. MANDER
Equal Justice Works GA Housing Corps Fellow

ALEXANDRIA J. ARNOLD
Equal Justice Works GA Housing Corps Fellow

TERESA G. MOORE
Equal Justice Works GA Housing Corps Advocate
Dear Colleagues and Friends,

Wow! What a year FY2018 has been. The Georgia Heirs Property Law Center has grown exponentially by adding four staff and opening an additional office in Fitzgerald, Georgia. This is no surprise given the fact that approximately 10% to 25% of the properties in Georgia’s 159 counties are probable heirs property and thus impact the economy of the entire state. These numbers are based on a study released in November of 2017 in just 10 non-metro Atlanta, Georgia counties by the USDA Forest Service and UGA Carl Vinson Institute of Government, which identified 38,120 acres as probable heirs property representing a total tax appraised value of over $2 billion dollars ($2,148,951,361). If heirs property in 10 counties represents over $2 billion in locked equity, the total tax appraised value of probable heirs property undermining Georgia’s economy is over $34 billion.

For each piece of heirs property, whether a home or a tract of farmland, 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. A piece of heirs property is like a pile of money in a glass box; a family and a community can see the asset but cannot use it.

Heirs property makes it difficult to obtain a loan or participate in home rehab programs to fix the roof; qualify for USDA farm programs to make the land productive; manage timber to sell or to reduce wildfire tinder; or sell the property to convert the asset into funds for other uses. Equally, heirs property erodes the tax base of municipalities, disqualifies potential customers for banks, and, as families abandon homes they cannot repair due to tangled title, places burden on rental property inventory.

$34 BILLION IN PROBABLE HEIRS PROPERTY SEVERELY UNDERMINES GEORGIA’S ECONOMY.

Heirs property undermines Georgia’s economy one family, one neighborhood, and one community at a time. Ideally home and landownership should provide cultural, economic, and political stability from which to operate. Through this lens, heirs property creates instability, reducing our ability to manage Georgia’s 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’s legal services and educational outreach advance economic justice at the micro (individual) and macro (community) level. Each case provides its own twists and turns and becomes part of our collaborative economic stories.

The last year has provided me, both personally and professionally, a great deal of hope and belief in our state. I have had the opportunity to talk to folks from different socioeconomic backgrounds in diverse settings, and what I hear is a commitment and belief in the need and desire to address heirs property to rebuild a healthy economy for Georgia.

I believe the Center’s growth this year is a direct reaction to not only the economic potential heirs property provides, but equally the willingness and commitment that individuals, non-profits, and municipalities have to tap into heirs property to create economic growth for all. It is with a great deal of pride in our state and the work of our staff that I present the Center’s results in this, our FY2018 Annual Report.

Thank you for helping the Center serve Georgia’s people and economy.

With warm regards,

Skipper G. StipeMaas
Executive Director
Opportunity

The Math: If heirs property in 10 counties represents over $2 billion in locked equity, the total tax appraised value of probable heirs property undermining Georgia’s economy is over $34 billion.

Average client is 66 years old,

has a household income of $32,500 a year,

and owns property with locked equity valued at $76,464.

Heirs Property Cases

- BEN HILL
- BIBB
- BRYAN
- BULLOCH
- CHATHAM
- COBB
- COLUMBIA
- CRAWFORD
- DEKALB
- DOOLY
- EARLY
- ELBERT
- EVANS
- FRANKLIN
- FULTON
- GLYNN
- HARRIS
- HENRY
- HOUSTON
- JEFF DAVIS
- JONES
- LAMAR
- LAURENS
- LEE
- LIBERTY
- LOWNDES
- MACON
- MCINTOSH
- MITCHELL
- MORGAN
- NEWTON
- PEACH
- RANDOLPH
- RICHMOND
- ROCKDALE
- SPALDING
- SUMTER
- TATTNALL
- TIFT
- TWIGGS
- WASHINGTON
- WILKINSON
- WORTH
Opportunity
Connecting with Organizations and Communities

TOTAL OUTREACHES: 87 • SERVED: 4,351

Heirs property impacts heirs property owners, nonprofits, and municipalities in every county in Georgia. The Georgia Heirs Property Law Center helps remediate fractured title, increase equity, and transfer wealth to the next generation through title clearing, wills creation, estate planning, and facilitating access to government, private sector, and nonprofit land management/home improvement programs. The Center works throughout the state with targeted outreach in Atlanta and Southwest Georgia. Challenges for property owners, nonprofits and municipalities vary between urban and rural areas, and the Center develops customized programming and resources to meet the needs of each community.

URBAN

Connecting with Organizations:
Urban Stakeholder Meeting
Representatives from the City of Atlanta, Habitat for Humanity, HUD, Georgia Department of Community Affairs, Atlanta Legal Aid Society, USDA Rural Development, and National Church Residences discussed the pervasiveness of heirs property in Atlanta and need for estate planning.

Connecting with Communities:
Grove Park Neighborhood
The Grove Park neighborhood sits in Northwest Atlanta’s Commission District 9 near the site of the city’s new quarry. The neighborhood has many elderly residents who are concerned about development pressures and leaving assets to their children and grandchildren. Residents gathered for a community meeting at Paradise Missionary Baptist Church to learn about the Center’s services. The Center has been asked to conduct additional workshops to support residents’ goals.

CLIENT STORY

Mrs. Donnelly* owned a home with her husband, who passed away. At the height of the real estate bubble and without having full title, Ms. Donnelly was targeted for a $135,000 predatory reverse mortgage on the home. Mrs. Donnelly managed to pay back $55,000 of the reverse mortgage before she died without a will. Her two children learned of the reverse mortgage when the mortgage holder began threatening foreclosure. The Donnelly children contacted the Center for assistance. Staff probated their parents’ estates to place title with the Donnelly children as joint tenants with rights of survivorship and prepared estate plans for each of them. At the Center’s request, Atlanta Legal Aid Society is assisting the Donnelly children with the reverse mortgage issues to help them avoid foreclosure.

Sample Urban Outreach in Fiscal Year 2018

5 Recreational Centers as well as community associations in the Pittsburgh, Oakland City, Mechanicsville, Peoplestown and Capitol View neighborhoods.

7 Neighborhood Planning unit meetings including: NPU H, K, S, T, V, X, and Y.

*Client’s name has been changed to protect her privacy.
Connecting with Organizations

The Center expanded its capacity to address heirs property in rural Georgia by hiring an attorney and a community advocate through a partnership with the City of Fitzgerald and Equal Justice Works. Strategically placed in south-central Georgia, this attorney & community advocate team engaged partners including USDA NRCS/FSA/RD/NASS, Georgia Forestry Commission, Golden Triangle RC&D, Fort Valley State Extension, and UGA Warnell School of Forestry to support rural landowners.

Connecting with Communities

The Center conducted an heirs property workshop in the Hog Hammock community on Sapelo Island. The workshop was attended by 18 Sapelo descendants and followed by personalized reach outs to additional community residents. The center continues to work with Sapelo descendant residents on their estate planning needs.

CLIENT STORY

Mr. Jamison* passed away in the 1980's with a will which left one-fourth undivided interest in 70 acres of land in McIntosh County to his wife Mrs. Jamison.* The remaining interests were owned by Mr. Jamison's two sisters and a cousin. At a Center outreach, Mrs. Jamison learned that she needed to probate her husband's will in order to receive title to his interest. The Center helped Mrs. Jamison complete the probate of her husband's estate and are working with Mrs. Jamison and her husband's family to clear the title to the property and consolidate it into a limited liability company.

At a recent family meeting facilitated by the Center, it was discovered that a co-tenant, with a one-fourth undivided interest in the property, wanted to sell her interest rather than participating in the limited liability company. The Center is working with Mrs. Jamison to get the property surveyed and appraised so that she and other family members can buy out the dissenting co-tenant and form the limited liability company. The Center also connected the family with a Georgia Forestry Commission Forester to identify ways to make the property more economically sustainable.

Sample Rural Outreach in Fiscal Year 2018

<table>
<thead>
<tr>
<th>What Are You Going to Do with Your Family Land?</th>
<th>Ladies for the Land</th>
<th>Managing Your Land for Profit</th>
<th>Heirs Property Information Workshop</th>
</tr>
</thead>
<tbody>
<tr>
<td>A program sponsored by Georgia College and State University's Office of Inclusion and Excellence.</td>
<td>A program hosted by the Georgia Forestry Commission.</td>
<td>A program hosted by Ft. Valley State University.</td>
<td>Sponsored by the City of Midway.</td>
</tr>
</tbody>
</table>

*Client's name has been changed to protect their privacy.
Growth

Georgia Heirs Property Law Center Growth

The Center grew by adding staff in the Atlanta office and opening a Fitzgerald office. The Atlanta office moved to the Atlanta Legal Aid Society building and added a legal fellow and a community advocate through the Equal Justice Works Georgia Housing Corps program. The Fitzgerald office was a new addition to help support rural outreach and is staffed by a legal fellow and a community advocate through Equal Justice Works Georgia Housing Corps Program.

URBAN

JLA Generational Poverty Law Project

The Center completed its first year of the Generational Poverty Law partnership with Atlanta Legal Aid and Pro Bono Partnership of Atlanta and funded by The Junior League of Atlanta, Inc. The year focused on strategic alignment planning to determine potential areas for concentrated outreach and service in the Atlanta area with a focus on a 3-tiered strategy for targeted services and outreach to specific neighborhoods under the grant. The first tier neighborhoods, which will be the project focus over the next year, are Cascade Heights, Dixie Hills, East Point, Oakland City, Penelope Neighbors, West End Park and Westview. The second and third tier have neighborhoods located in South Dekalb county and Clayton county, which will be the focus of the final year of the grant.

One key area of focus was the development of new educational materials. The Center developed two new publications, “Owning Heirs Property in Georgia” and “Preventing Heirs Property Through Estate Planning,” which have allowed the Center to leverage the materials throughout the state.

Looking forward, the team is working with Atlanta Legal Aid Society to create a flyer summarizing available training options for use in pitching outreaches and trainings to community organizations and agencies. In addition, the team is working on the creation of a resource page for the project on the Society’s website. In addition, staff are working with Atlanta Legal Aid to develop one to two wills clinics in the targeted neighborhoods.

The Building Generational Wealth Webinars for nonprofits provided the opportunity to focus on the importance of clear title and heirs property as well as homeownership and home scams.
The Georgia Landowner Academy

The Georgia Landowner Academy empowers landowners by educating them on how to manage the business, agricultural and natural resource responsibilities of land ownership. The Academy also positions clients to access government, private sector, and nonprofit programs that encourage property ownership and housing stability. Topics range from record keeping, managing farming and forestry operations, taxes and estate planning.

September 5, 2017 – November 14, 2017

29 participants for this series, with properties averaging 214.98 acres (totaling 6,235.5 acres) located in Early, Crisp, Terrell, Webster, Schley, Lee, Stewart, Randolph, Marion, Sumter, and Randolph counties.

The Center provided 4 participants with free estate planning services.

February 27, 2018 – May 8, 2018

33 participants for this series, with properties averaging 163.12 acres (totaling 5,383 acres) located in Bulloch, Ben Hill, Irwin, Houston, Berrien, Upson, Coffee, Dooly, Macon, Evans, Colquitt, Dougherty, Worth, Telfair, Turner, Mitchell, and Wilkinson counties.

The Center provided 10 participants with free estate planning services and worked with another participant to create a limited liability company.

FEEDBACK:

Landowner Academy Participants

“Georgia Heirs Property session was very helpful in preparing wills and what one needs to ‘AVOID’ Heirs Property. Being able to talk to an attorney was very helpful.”

“Having attended with my son who will be heir to my family property gave me the opportunity to discuss planning for secession and future of land and our need of conservation of the assets.”

“Having recently inherited a farm, I am new to ownership responsibilities and landowner opportunities. The landowner academy has been very beneficial to me in learning the basics of being a landowner.”
IMPACT

BY THE NUMBERS

Fiscal Year 2018

The Center has provided legal services and closed 107 matters, including title clearing, title search/audits and estate planning cases.

The Center has 46 open title clearing and estate planning matters involving properties with a total tax assessed value of $8.24 million.

The Center, in collaboration with private attorneys and pro bono title companies, reviewed titles for 75 tracts of land collectively valued at $10.01 million.

The Center, solely or in collaboration with other partners, completed 87 community outreach programs, trainings, and stakeholder meetings and trained approximately 4,351 individuals.
Stabilizing Neighborhoods, Building Generational Wealth

Ms. Rawls* owned a house in Westside Atlanta and purchased the property next door at a tax sale after it was abandoned and began attracting crime. Ms. Rawls moved into the second property with her grandson, allowing Ms. Rawls’ daughter to move into the original house with her family. Because titles purchased at tax sale can often be tangled titles (you buy the title in whatever condition it is in), Ms. Rawls contacted the Center because she wanted to use her new house as security for a loan to make much needed repairs but did not possess a clean deed to the property. Staff at the Center filed a quiet title action to clear the property’s title. The court waived filing fees for the case, and the Center found an attorney who was willing to serve as a court-appointed special master at a low bono rate. The Center worked with Ms. Rawls to resolve several liens and serve notice of the action to interested parties. The special master’s hearing was uncontested, and resulted in the court entering an order placing fee simple title with Ms. Rawls. Ms. Rawls’ case is the first quiet title action fully completed by Center attorneys.

When Ms. Weber* bought her first home in Atlanta in 1988, her mother Mrs. Pittman* co-signed the mortgage and was placed on title as a tenant in common with Ms. Weber. Mrs. Pittman already owned her own home with her husband. Ms. Weber lived in the house by herself and has paid the mortgage and the taxes since the property was purchased. When it came time for Ms. Weber’s sister to buy her first home, Mrs. Pittman helped her out in the same way. Neither sister ever thought to remove their mother’s name from the deed. When Mrs. Pittman passed away in 2008 without a will, her one-half undivided interest in each of her daughters’ homes passed to her husband (now deceased), the daughters and her other children. The sisters both wanted to sell their homes, but each owned it with their deceased father’s estate and their five siblings. Mr. Pittman passed away testate, and Ms. Weber came to the Center having already been appointed executrix of his estate. The Center worked with both sisters to successfully petition for orders declaring no administration necessary for the estate of Mrs. Pittman and consolidate title in the names of each respective sister and with two siblings who refuse to give up their inherited shares. Through the Center’s efforts, those siblings agreed to sign off on sales of the properties and are willing to have their share of the taxes over the last ten years deducted from their proceeds.

*Clients’ names have been changed to protect their privacy.
The City of Valdosta is working to address blight and improve affordable housing for its citizens. As part of these efforts, the city has launched programs to rehab owner-occupied homes as well as build new rental units. While much progress has been made, the City realized that it could not sustainably revitalize its neighborhoods if it had to continue “skipping over” heirs properties. Because heirs property has unclear title, the City was unable to use its federal and state grant dollars to make the major repairs to these properties that are needed to help low-income residents bring some of these houses up to code. Worst of all, the city had to set aside general fund dollars to demolish these homes once they had finally become so rundown that they were posing a threat to health and safety in the neighborhood. Desperate for an alternative, the City of Valdosta reached out to the Center to learn more about title clearing and preventing heirs property through estate planning. The Center presented information to residents as well as a special meeting with City officials and local nonprofits. The City of Valdosta will be contracting with the Center for proactive education, title clearing, and prevention services this coming year.

Golden Triangle Resource Conservation & Development Council works to advance sustainable natural resource management and economic opportunities in Southwest Georgia, so it was a natural fit to partner with the Center to stabilize land ownership in this part of the state. Golden Triangle and the Center frequently partner on the Georgia Landowner Academy and community outreaches. This year, Golden Triangle engaged the Center to begin the task of clearing titles for outreach participants in an effort to maintain land tenure so that landowners can participate in USDA programs. Golden Triangle provides information to landowners about USDA programs, and the Center, through title clearing and estate planning, enables landowners to qualify for these programs. Without clear title or control of the property, the participants would otherwise be unable to qualify for farm programs provided by the government.

HouseProud Atlanta retained the Center to facilitate title searches for applicants for a housing rehab program offered by Invest Atlanta. The Center completed 10 title searches during FY2018, and the partnership has continued into FY2019. Applicants must have clear title to participate, so the Center has also seen an uptick in intake calls from individuals seeking to resolve heirs property issues to qualify for the program.
ON THE MAP
Fiscal Year 2018

TARGET AREAS
TRAINING & WORKSHOPS
LANDOWNER ACADEMY

OUTREACH
HEIRS PROPERTY CASES
GHPLC OFFICES

Target Areas
Training & Workshops
Landowner Academy
Heirs Property Locations
Outreach
GHPLC Offices
Legal Community Support

As part of its ongoing commitment to educating the legal community on heirs property, the Center has developed new resources:

- One hour CLE presentation on the prevention of heirs property;
- Two-page primer for attorneys titled “Preventing Heirs Property Through Estate Planning”;
- Two-day Training on real property and title issues;
- A 3.5 hour heirs property training, which has been presented during the Atlanta Bar Association’s March Madness CLE Program

More than 65 Atlanta Bar Association’s Probate Real Estate Planning Section members were trained on heirs property. In total; 137 attorneys were trained.

“Most trusts and estates lawyers encounter an heirs property issue from time to time in their practices but never consider it as part of a widespread phenomenon with serious economic and environmental consequences. This is the first Georgia legal nonprofit I have encountered in my career that is focused entirely on doing what fiduciary lawyers do every day, but in a social justice context.”

- Nick Djuric
  Pro Bono Lawyer and Partner,
  The Bowden Spratt Law Firm, PC

“The Georgia Heirs Property Law Center provides access to an important legal need that would not otherwise be met. Troutman Sanders is pleased to support their efforts.”

- Terri Hendley
  Pro Bono Manager,
  Troutman Sanders LLP
PRO BONO VOLUNTEERS & ORGANIZATIONS

Fiscal Year 2018

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MEREDITH SHAUGHNESSY

NITHYA AMARANENI
MICHAEL WALL
TERRI HENDLEY

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AMANDA CALLOWAY

LESLIE SECREST

KATRINA QUICKER

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SUNDEEP KOTHARI
LYNNAE THANDIWE
SHUNTA MCBRIDE
STEPHEN WEYER

PRO BONO PARTNERSHIP/ATLANTA

TCP TENOR CAPITAL PARTNERS

SL

TOPWELL CAPITAL

JAMES BATES

SCHULTE\WARD TURNER & WEISS

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WILLIAM H DODSON II LLC
WILLIAM H DODSON II

KIM STROUP

ZACK ZIMMERMAN

CLAY WALTS

WILLIAM H DODSON II

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BEARDSLEY, P.C.
PEARSON BEARDSLEY

WILLIAM H DODSON II

SUNDEEP KOTHARI
LYNNAE THANDIWE

SHUNTA MCBRIDE
STEPHEN WEYER

BEARDSLEY, P.C.
PEARSON BEARDSLEY
Financials
July 1, 2017 - June 30, 2018

PUBLIC SUPPORT

- In-kind Donations: $66,000
- Contributions: $10,600
- State and Federal Grants: $185,000
- Foundations: $588,900

REVENUE

- Nonprofit: $10,000
- Legal Services Fees: $16,618
- Government: $6,791
- Education & Outreach: $21,100
- Contributions: $10,600
- In-kind Donations: $66,000
Donors
July 1, 2017 - June 30, 2018

USDA NRCS
United States Department of Agriculture
Natural Resources Conservation Service

FHLBank Atlanta
A Federal Home Loan Bank

The Junior League of Atlanta
Women Transforming Communities

John and Mary Franklin Foundation

Golden Triangle RC&D
Resource Conservation and Development Council

State Bar of Georgia Fiduciary Law Section

Wells Fargo Foundation

Forest Service
U.S. Department of Agriculture

AgGeorgia Farm Credit

Sustainable Forestry Initiative

Georgia Bar Foundation

Valdosta
A City Without Limits

 Warnell
School of Forestry & Natural Resources

City of Fitzgerald
Crawford's Colony City

Eversheds Sutherland

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Sustaining Neighborhoods One House At A Time. Proudly

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as of June 30, 2018

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- Fulton County Attorney, Fulton County Attorney's Office

LESLIE FULLER SECREST, ESQ.
- Retired Real Estate Attorney

SKIPPER G. STIPEMAAS, ESQ.
- Executive Director, Georgia Heirs Property Law Center, Inc.
Who Does the Center 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 Southwest Georgia. The Center’s services are either free or discounted depending on a client's qualifications.

How Do I Apply for Assistance?
To apply for assistance, contact the Center at (706) 424-7557, Ext. 1, for a free initial telephone interview. To fully evaluate your case for representation and best serve you, please plan to provide the following documents:

- A rough draft family tree, beginning with the person on the last deed for the property, and showing the names of all heirs and their spouses (if presently known), how they are related, and whether they are living or deceased;
- Copies of any deeds for the property;
- Copies of wills or probate documents for the original owner and deceased heirs;
- Copies of written agreements among family members or with third parties regarding the property;
- Copies of any legal notices relating to the property, such as tax sale, foreclosure, pending or threatened lawsuits, and code violation notices;
- Copies of recent tax bills and other tax records for the property;
- Copies of other documents relating to the property or your heirs property issue; and
- A completed income worksheet for your household.

Upon receiving all requested information and documents, the Center will review your matter and make an initial determination regarding whether to move forward with you as a “Pending Applicant” and what legal fees, if any, you would be required to pay if your case is formally accepted. Pending Applicants are required to complete a family tree and detailed information worksheets within 60 days. Once the Center receives your completed family tree and information sheets, we will make a final determination regarding your case.

Please bear in mind throughout the process that the Center has not yet agreed to represent you and has not established an attorney-client relationship with you. You will only become a client if the Center formally accepts your matter and you sign an engagement agreement.
Georgia Heirs Property Law Center is a not-for-profit law firm that helps heirs property owners, nonprofits, and municipalities remediate fractured title, increase equity and transfer wealth to the next generation through title clearing, wills creation, estate planning and facilitating access to government, private sector, and nonprofit land management or home improvement programs.

Heirs Property is the hidden story behind blight and generational poverty in Georgia.

Heirs property refers to a home or land that passes from generation to generation without a legally designated owner resulting in ownership divided among all living descendants in a family. 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.

Building Generational Wealth and Strengthening Communities by Securing and Preserving Property Rights.

WHAT WE DO

LEGAL SUPPORT
Georgia Heirs Property Law Center provides legal support for families, individuals, nonprofits and municipalities. Legal services for heirs property include title audits, title clearing and remediation of fractured titles.

LAND LOSS PREVENTION
In an effort to slow down land loss and secure property assets, Georgia Heirs Property Law Center offers legal and mediation counsel, develops estate plans, prepares last wills and testaments, and engages in financial planning.

ASSET EDUCATION
Georgia Heirs Property Law Center provides financial training and asset education on home and land ownership as a means to grow assets for the next generation. The Center also engages nonprofit and governmental partners to help clients develop land/timber management plans, create conservation easements, qualify for USDA Farm and Home programs, leverage home rehab and restoration programs, and develop working relationships with each of our partners.

WHO WE ARE

5 attorneys, 1 social worker, 2 community advocates, a network of pro bono volunteers and grassroots organizational partners

Serve low and moderate income families with properties in 31 Georgia counties with a collective value of more than $4.87 million

Statewide work with geographic outreach in Atlanta and Southwest Georgia

Offices in Atlanta, Athens and Fitzgerald

CONTACT US

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info@gaheirsproperty.org
706-424-7557