



Resolving Heirs' Property Issues to Protect Middle Neighborhood Stability and Intergenerational Wealth



MIDDLE NEIGHBORHOODS

National Initiative focused on mobilizing attention to reverse the trend of decline in middle neighborhoods. The initiative does this through research, policy analysis, communications, and advocacy.

The initiative is coordinated by the **National Community Stabilization Trust** and is advised by a **Steering Committee** of 20 prominent researchers, practitioners, and policy makers.



This webinar presented by
The Middle
Neighborhoods
Community of
Practice
(CoP)

The **Middle Neighborhoods CoP** is an informal, facilitated network of over 300 practitioners, researchers and policymakers engaged in revitalizing middle neighborhoods. CoP members share learnings through topical webinars, referrals, site visits, phone calls, and occasional larger group events.

The CoP is supported by **NeighborWorks America** and staffed by a small team of organizers.

Join the Community of Practice at middleneighborhoods.org.



Characteristics of Middle Neighborhoods

- Mostly single-family housing, built for families with children.
- Still well more than 50% owner-occupied, but slowly eroding.
- Housing stock is aging, still in generally acceptable condition, but lacks features and updates to compete well for today's homebuyers.
- Property values range from slow decline to flat to underperforming against city and/or inflation.
- Most of our members do not see hyper-inflation of housing price as a risk in their middles. Only a few middle neighborhoods, those in prime locations and usually mostly white, are appreciating, even gentrifying.
- More racially and ethnically diverse, a holder of hard-won middle household wealth.



Middle Neighborhoods Are Faltering In Their Sustainability

- Ability to ***reliably attract replacement owner occupants*** and other neighborhood-friendly buyers.
- Ability to ***generate home values that support quality maintenance***, repairs and updates without appraisal gaps.
- Ability to ***repel irresponsible investors***.
- Ability to ***maintain engaged residents taking stewardship*** of the neighborhood.
- Ability to ***deliver home equity to owners and revenue to municipal government***.

Click [here](#) to learn more about defining Middle Neighborhoods

Refresh Your Map Zoom Questions or feedback? Type in location GO

Your Map

Map Satellite

Choose a 2014-2018 layer to display

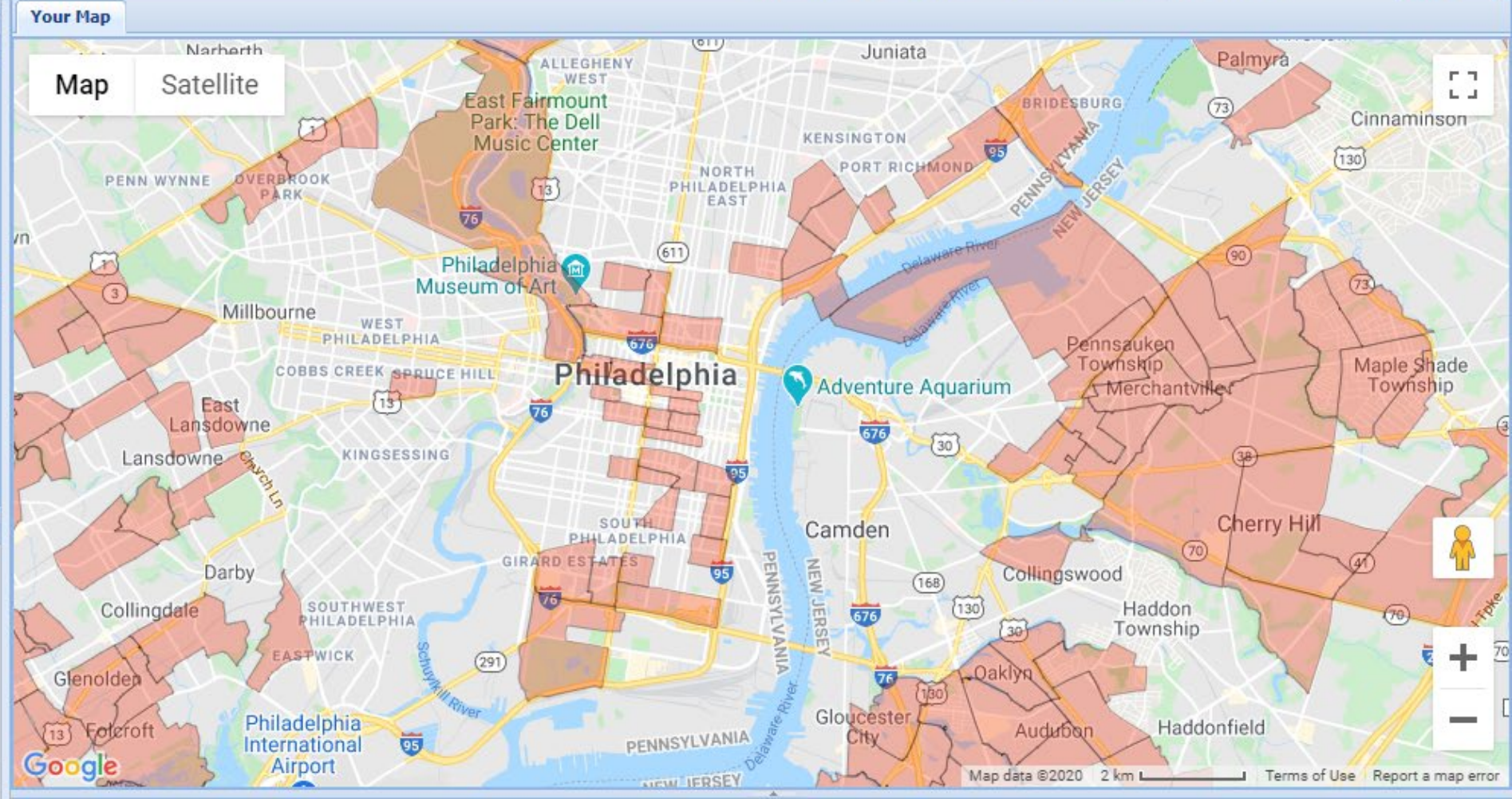
- 2018 City Test 1: 60-100% CMI
- 2018 City Test 2: 80-120% CMI
- 2018 National Test 1: 60-100% NMI
- 2018 National Test 2: 80-120% NMI
- 2018 Regional Test 1: 60-100% AMI
- 2018 Regional Test 2: 80-120% AMI
- 2018 Regional Test 3: 100-160% AMI

Choose a 2006-2010 layer to display

- 2010 City Test 1: 60-100% CMI
- 2010 City Test 2: 80-120% CMI
- 2010 National Test 1: 60-100% NMI
- 2010 National Test 2: 80-120% NMI
- 2010 Regional Test 1: 60-100% AMI
- 2010 Regional Test 2: 80-120% AMI
- 2010 Regional Test 3: 100-160% AMI

MSAs

- Panama City, FL Metro Area
- Parkersburg-Vienna, WV Metro Area
- Pensacola-Ferry Pass-Brent, FL Metro Area
- Peoria, IL Metro Area
- Philadelphia-Camden-Wilmington, PA-NJ-DE-MD Metro Area
- Phoenix-Mesa-Scottsdale, AZ Metro Area
- Pine Bluff, AR Metro Area
- Pittsburgh, PA Metro Area
- Pittsfield, MA Metro Area



Displaying census tracts with median household incomes between 80 and 120 percent of regional/MSA median (\$69,465), or \$55,572 - \$83,358

Today's Agenda

- Welcome and Introductions
- Heirs' Property Issues: A National Perspective
- Simple Outreach Strategies: Plano, TX
- Building a Web-Based Campaign: Baltimore, MD
- Q&A and Discussion

Guests

Shakisha A. Morgan, Esq.

- Estate Planning and Probate Attorney
- The Griffin Firm, PLLC

• Jennifer Connell

- Attorney
- Legal Aid of Northwest Texas

• John Kern

- Advanced Planning Project Coordinator
- Maryland Volunteer Lawyers Service



Creating Intergenerational Wealth with Estate Planning

Presented by: Shakisha A. Morgan, Esq.

DID YOU KNOW...



50%

Adults w/o a Will

70%

Black adults w/o a Will



Wealth creation equires intentionality



EDUCATION
PARTNERSHIPS
ACTION



Foundational Estate Planning Documents

EDUCATION

DURABLE POWER OF ATTORNEY

Empower someone to help you enforce your rights & manage your finances.

HEALTHCARE PACKET

Empower someone to be your advocate for your medical care.

LAST WILL & TESTAMENT

Empower someone to manage your affairs after you pass.



Beyond the Foundation: Tools for Wealth Creation



REVOCABLE LIVING TRUST

Maintain access & control to what you own + transfer it without probate.

IRREVOCABLE LIVING TRUST

Reduce control & protect what you own + transfer it without probate.

BUSINESS SUCCESSION

Plan for the continuance of your business beyond your life.

TRANSFERRING PROPERTY @ DEATH

Transfer ownership of your home after you pass without needing probate.



PARTNERSHIP

BECOME A
MEMBER

JOIN TODAY!

Collaboratively Bridging the Racial Wealth Gap

The Association of Black Estate Planning Professionals is a collaborative economic development organization for financial and estate planning professionals that is committed to bridging the racial wealth gap, by Creating, Conserving and Channeling wealth in Black communities.

www.abep.org/membership



Association of
Black Estate Planning
Professionals



JUSTIS  CONNECTION



NEW
YORK
LIFE



Association of
Black Estate Planning
Professionals



www.abepp.org



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GRIFFIN
FIRM, PLLC.

Empowering communities, one family at a time.



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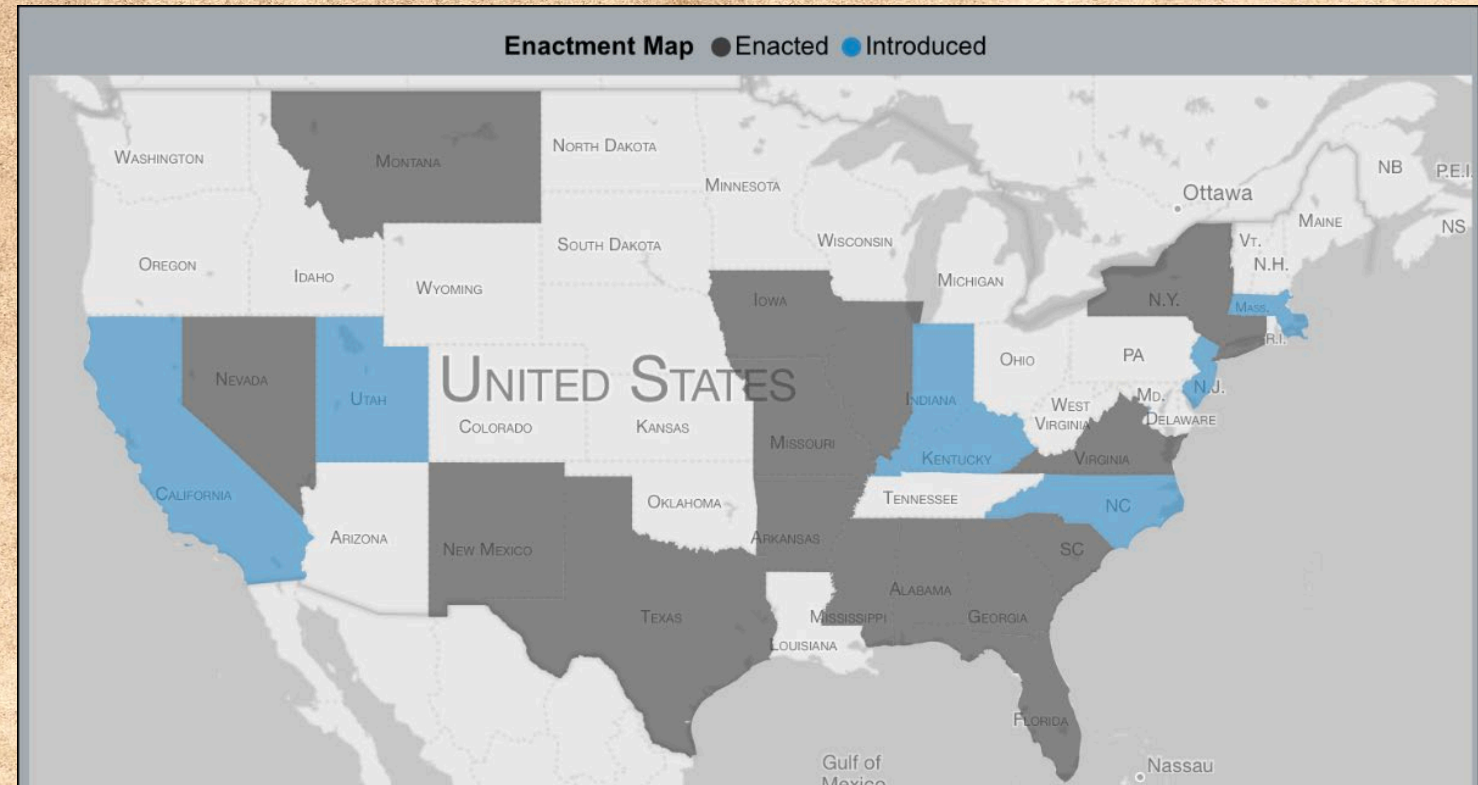
Uniform Partition of Heirs Property Act

GOAL:

To preserve family wealth passed to the next generation in the form of real property.

REACH:

Enacted in 18 jurisdictions, incl. VA, NY, FL, SC, and TX.
Introduced in 8 jurisdictions, incl. DC, NC, and CA.





Putting Your Plan in Action



Legal Aid of NorthWest Texas

Connecting with Legal Aid Agencies to set up Outreach



Outreach Strategies to Promote Estate Planning

- Many clients do not understand the importance of planning ahead to prevent title issues, and outreach is the best way to promote this.
- Connect with your local Legal Aid Agency to conduct a clinic- Legal Aid of NorthWest Texas serves 114 counties in Texas. There are numerous offices in our firm- the Denton office, which I work for, conducts three clinics a month, two of which are rural.
- Many Legal Aid offices have staff who work to connect with the community, set up outreach events, and find pro bono attorneys.
- Outreach is a crucial part of our work, and we are always looking for agencies to work with.
- We often work with other agencies to host presentations, including Habitat for Humanity and County Housing Authorities.

Clinic and Webinar Topics

- Wills and Estates
- Housing
- Title Issues
- We also host clinics covering: Guardianships, Family Law, Expunctions and Non-Disclosures, Consumer Law, and General Legal Clinics.

Venues

- Local VFWs
- Community Colleges
- Libraries
- Recreation Centers
- Clinics/ Local Hospitals
- Food Banks

Locating your Local Legal Aid Agency

- Check with your State Bar Association- most list the local Legal Aid on their website.
- Call the main branch of the Legal Aid Agency, ask to speak with an outreach coordinator.
- Ask about already established clinics, and their availability to work with your organization to conduct a specific presentation.

Issues in Reaching the Rural Communities



- Difficulty in ascertaining a reliable contact to reach out to community.
- Limited access to technology.
- Inability to afford lengthy travel to meet in person.
- Limited venues.

Establishing a Reliable Contact



- Churches
- Public Libraries
- County Clerks
- Local Courts
- County Appraisal Districts
- County Health Fairs
- Community Colleges
- Local hospitals or clinics
- Councils of Governments
- Foodbanks

Technology Issues



- Even for the non-indigent population, internet connection can be unreliable at best.
- Difficult to reach clients through Facebook or other Social Media postings.
- If a client is accepted, issues in working with them through technology, as opposed to face to face. Boots on the ground!

Working around Inability to Afford Travel



- Work with local cities to find notaries in town.
- Prepaid envelopes.
- Leave applications at targeted spots with postage to return .
- Again- Boots on the Ground!

Limited Venues



- Work with local government and organizations.
- Call churches, foodbanks, libraries, county clerks.
- Check with local clinics and hospitals regarding meetings.

Finding Pro Bono Attorneys

- County Bar Associations
- Networking

Contact Information

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The Legacy Program (My Home, My Deed, My Legacy Campaign)



MARYLAND VOLUNTEER LAWYERS SERVICE

Maryland Volunteer Lawyers Service

Founded with a mission to provide access to justice for all, MVLS and its volunteer lawyers work to close the justice gap in Maryland.

Our Pro Bono Program matches low-income Marylanders with volunteer lawyers who represent them in a wide range of cases and stay with them until the end of the case.

1. Family
2. Housing
3. Income Tax Controversies
4. Criminal Record Expungement
5. Consumer Finance
6. Estate Planning

My Home, My Deed, My Legacy

- My Home, My Deed, My Legacy Homeowner Clinics
 - Volunteers meet with Marylanders to confirming that their name is on the deed to their property. If they are the legal homeowner, they are provided with information about estate planning and avoiding probate. If the client is not on the deed to their property, they are advised on probate process.
- Direct Representation
- Legislative Advocacy
 - Expanding eligibility of Homeowners' Property Tax Credit
 - Exemption from prepayment of taxes



Tangled Titles

- Tangled title issues arise when a person has a legal interest in their home (they are the de facto owner) but their name is not on the deed to the property
- Many of these people have tangled titles because they are living in the family home that is still titled in a deceased relative's name – without estate planning or probate, the property's title never changes
- Tangled title issues create serious consequences for Marylanders facing financial hardships – without their name on the deed, they cannot access property tax credits, repair programs, or transfer the property to future generations



What are the risks of not planning?

- Inability to safely age in place
- Cannot resolve issues if fall behind on mortgage or taxes
- Cannot qualify for City or State housing repair programs if problems with the house
- Do not have access to homeowners insurance
- After you pass, your children could lose your legacy

A PROBLEM

TAX SALE

- Annual sale of tax debt
- Owners charged 12-18% interest plus fees
- Heavily obfuscated process, nearly impossible to navigate
- Private investors profit heavily
- City keeps uncollectible tax debt on the books

Equity & Anti-Displacement



P A R I T Y

**FIGHT
BLIGHT
BMORE**

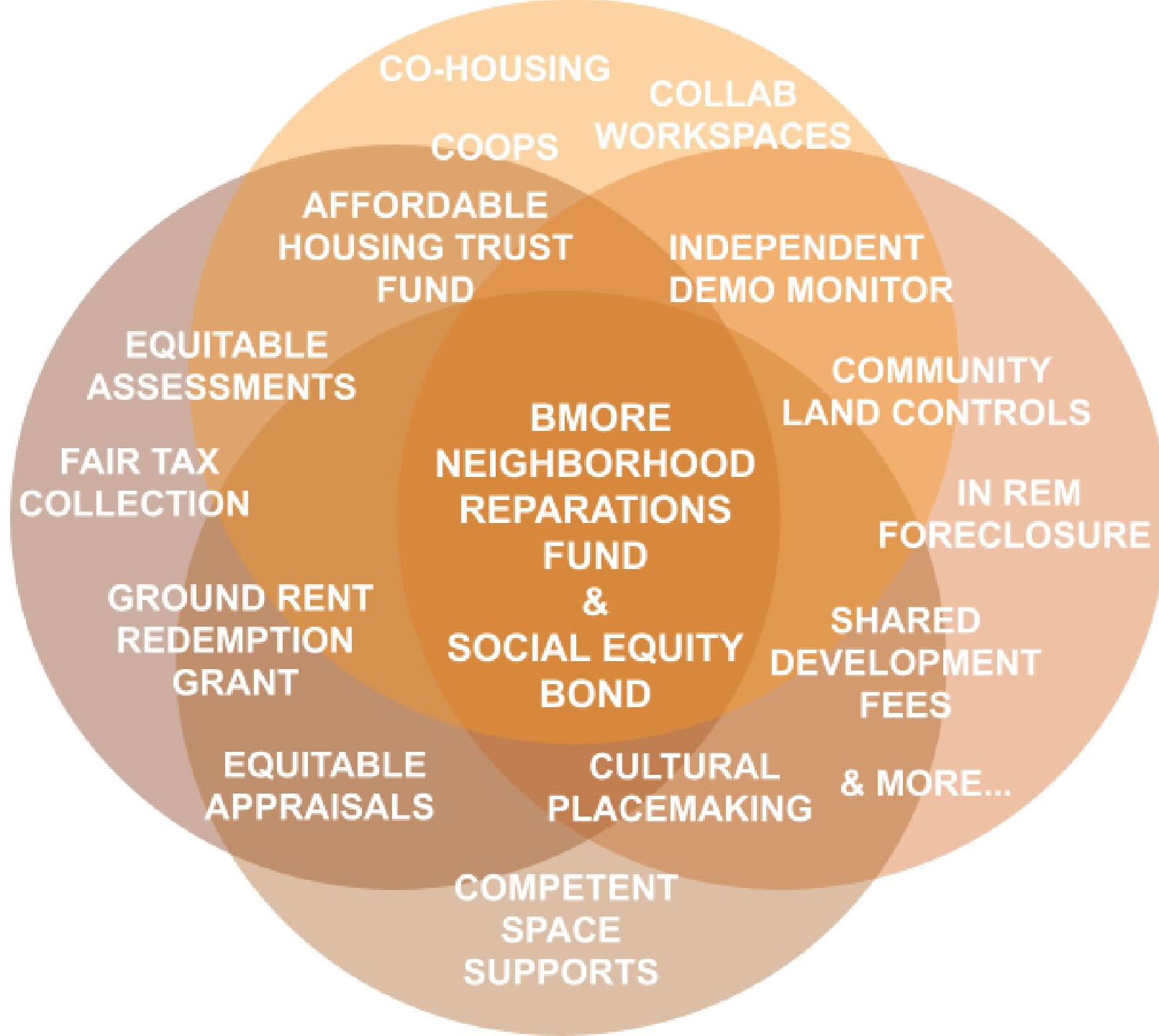


\$45K raised
to keep elders and
low-income
families in their
homes during
COVID

THE HOW

- Erosions of Black property rights
 - By law, policy & regulation
 - Ground Rent
 - Contract Lending
 - Zoning/Land Use
 - Housing/Building Code
 - Condemnation/ Demolition
 - Property Tax
 - Debt Collection

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What Is Estate Planning

- Putting planning documents in place for unexpected life events
 - Health
 - Finance
 - Death

Why Do Estate Planning

- Peace of mind
- Family Unity
- Keeping assets in your family

Estate Planning Myths

- One document will take care of all needs
- I don't have a lot of money or property, so I don't need to do estate planning
- I can write down or tell someone my wishes
- Attorneys should not be trusted

Effective During Lifetime – Advance Medical Directive

- It goes into effect when a doctor determines you can't make decisions, like if you are unconscious
- There are two parts:
 - First, it lays out your **Living Will**—or what your preferences are in end of life situations. This part is optional.
 - Second, it appoints a '**Healthcare Agent**', or someone who can handle your health decisions if you can't communicate



Effective During Lifetime – Financial Power of Attorney



- The person you appoint can make decisions about what happens to your property, assets and insurance while you are living
 - Caution: as soon as you make this document it goes into effect, unless you specify otherwise (like in the case of disability)
 - Power of attorney lasts until your death, or if you decide to change it
 - Document ends at death

Effective After Death – Will



- It names someone to handle your estate (personal representative)
- It names the guardians of any minor children
- It says where and to whom your assets will go
- If you have the resources, it will authorize payment of funeral expenses

What happens if I have no will?

- What happens to your property will be determined by Maryland laws called “intestate succession”
 - This means that your spouse, then your children, then your other surviving family will inherit your assets
 - If you have a nontraditional family, like a partner or an unofficially adopted child, they will be overlooked
 - Minor children will be placed in the custody of whoever seeks guardianship, or the court will decide

Other planning options

- There are other ways to control what happens to your assets after you pass:
 - ‘Beneficiary designation’
 - Requires completion through each agency
 - For life insurance
 - Retirement funds
 - ‘Transfer on Death’ and ‘Payable on Death’
 - Requires completed forms through each agency
 - For bank accounts, stocks, bonds, and cars (through the MVA)



What should I have in place?

- Advance Medical Directive
- Financial Power of Attorney
- Will
- Other Planning Documents



Other planning options

- Life estate deed
 - Grants future ownership of your house or land to someone else
 - Depending on the type, it can help count for the 5 year lookback period for Medicaid
 - Caution—you may give up the ability to sell with approval from the future interest holder
 - Benefits
 - Avoid estate administration/probate
 - Avoids risks of joint ownership
 - If homeowner (and low-income), name on deed =
 - Homeowner's Property Tax Credit
 - Water Credit (Baltimore City)
 - Home Repair programs
 - Costs - Filing fees
 - Life Estate - \$115
 - Estate Administration - \$300-\$500 (or more)

Common Probate Issues

- Existing liens on property
- Previously closed estates
- Medicaid as a creditor
- Heirs

IS YOUR NAME ON THE DEED?



Join Maryland Volunteer
Lawyers Service for a remote
homeowner clinic and work
with an attorney over the
phone to preserve your home.

Tuesday, June 22 from 3 pm - 7 pm

Visit: myhomemydeed.org

Call for registration: 443-451-4082



Subscribe

Center for Community Progress

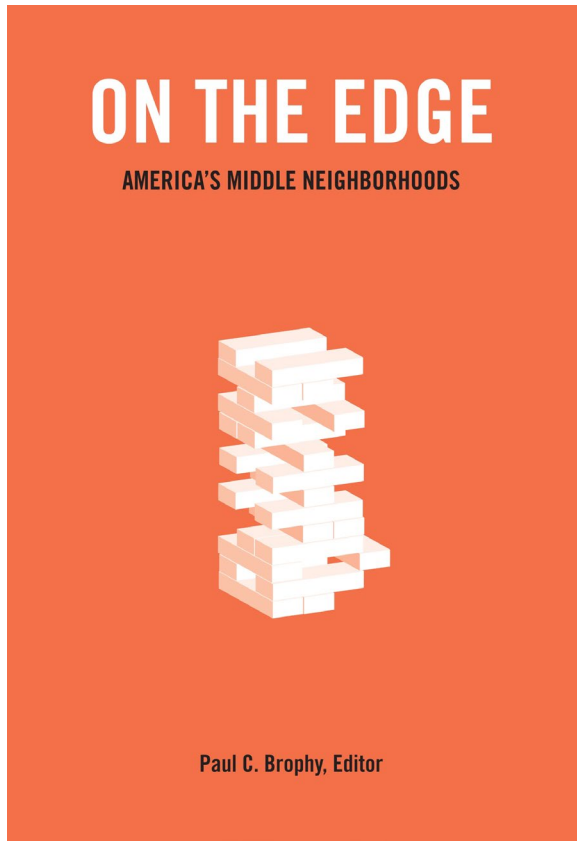
Check out: The Cornerstone Webinar Series

Tell us what
you think!

Please email us if you have ideas for webinars, case studies, news stories, etc.

Tell us about your experience today!

Questions or Ideas?



MIDDLE NEIGHBORHOODS

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Why Middle Neighborhoods Matter

In many cities, up to forty percent of residents live in middle neighborhoods, representing a major source of...

UPCOMING EVENTS

THE MIDDLE NEIGHBORHOODS CONVENING IN CHICAGO

WHEN

More information forthcoming

[Learn more >](#)

JOIN THE CONVERSATION

[Middle Neighborhoods](#)



For more Information

www.middleneighborhoods.org

Mapping Tool: <http://middleneighborhoods.reomatch.com/>

MIDDLE NEIGHBORHOODS

May 2019 Newsletter



Cleveland community celebrates opening of new bike lane in Old Brooklyn with Mayor Frank Jackson. Photo credit: Old Brooklyn Community Development Corporation.

[What We Talk About When We Talk About Middle Neighborhoods](#)

By Nelson Beckford, The Cleveland Foundation

Picture this: a rectangular table with 30 leaders from Cleveland's community development field. We were there to discuss the concept of "middle neighborhoods" and to provide a recap of the Middle Neighborhood working group meeting in Cleveland for those who weren't able to join. I didn't know what to expect. Will the group take offense to the term "middle neighborhood"? [Read more](#)