



## Season 1 Episode 6 — Mapping the Future of Heirs Property: Part 2

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Jamie Mardis

Your live with “On the Heir” or the airwaves are buzzing with stories of land, legacy and lineage. I'm your host, Jamie, and today we're continuing our conversation with Doctor Thompson. Last time we got the lay of the land. Now it's time to take a closer look at the real impact of conservation efforts and community driven solutions. Let's jump back in.

Jamie Mardis

On the same wavelength of success. Have you come across any grassroots efforts or success stories where communities have been able to secure their land? Now you work a lot with the Gullah Geechee, are there any happy endings there?

Ryan Thomson

I'm so lucky as a white outsider to get to work with such an amazing people. They taught me so much. Queen Kwed, the elder council, Rep Simmons Jenkins I think so highly of them because they get a very on the ground applied approach. And at the community level, they're trying to hold together, a nation of people who have a unique language, a unique culture, a unique way of life.

Ryan Thomson

How do you do that when you simultaneously have some of the most valuable land in the southeast? The predation coming at them is ten times what we're seeing in much of Alabama right now. So, what they've managed to do out of Saint Helena has been honestly, truly miraculous. I can't believe what they've managed to do. Not only have they kept most of the families on the exact same parcels they had 200 years ago, but they've they fought off wave after wave of aggressive developers doing things that honestly should be criminal.

Ryan Thomson

And yeah, there's been some losses. Don't get me wrong, but the fact that a majority of the island is still controlled by Gullah Geechee and they're just across Port Royal Sound from Hilton Head, which is development on development on development, can't even get to the beach without paying a real estate, resort. So, their defeat of Bay point last year was probably the biggest.

Ryan Thomson

It was a six-and-a-half-year fight, and they managed to save a whole island. And now what they did is they aligned with conservation groups and bird organizations and all sorts of groups that I would not be expecting to be in the property fight and managed to get a status renewed. So, no giant hotel went up on this beautiful coastal island.

Ryan Thomson

So that one's been great. The North Florida Gullah Geechee Land Trust has started to bring people together. Where, hey I got to get into a home. Can we save this for a Gullah coming up, coming back? So, there's a thoughtfulness going into how to keep a community afloat. And what they've done is, honestly, some of the most inspirational things I've seen.

Ryan Thomson

In that same vein, there are urban movements starting to take place. Jacksonville, Lisk and Three Rivers Legal Services has gone into the densest concentrations of heirs property in the country. Gone door knocking house to house, got titles cleared. Got it. Public education. Got new roofs on every single house. They've brought back whole neighborhoods that were thought to be demolished, that were historically black and underserved just 20 years ago.

Ryan Thomson

How they've managed to do this in such an incredible rate is it's like watching a whole side of a city come back to life, and I think we got to keep looking for these success stories because we're never going to win the larger issue if it's a lot of doom and gloom. And so, from the rural to the urban, I think there's a lot to be looking forward to.

Jamie Mardis

Okay. Well, let's get a little personal to close us out here. Through your research, you have you had any moments that have changed the way you see the issue in heirs property?

Ryan Thomson

There's been so many "aha!" moments.

Ryan Thomson

There's been, a moment we walk. My colleague Jaycee Fisher and I walked into a church, and it was a historically black church in a predominantly black city. And it was kind of confusing at first because almost like a third of the audience was white, with lifted trucks coming down from the north part of the state.

Ryan Thomson

And it was the yeoman farmers up north who were driving multiple hours to come to this church to get basic education. And it's heirs properties been historically presented as a black community issue, Latino community issue. I'm starting to not see it this way. I can find just as much, if not more, white church property in the United States by sheer raw total than anything.

Ryan Thomson

I mean, you go to Appalachia. It's like every other parcel there too, what we see in the hollows of Appalachia and what we see down in the black belt, what we see over in the Mississippi Delta or the freedom colonies out in Texas. It's the same story over and over again across all these racial categories. It's about access to legal services, trust of the tax and law system, and an unwillingness to write wills.

Ryan Thomson

And so, I'm not seeing it as a strictly race based thing. It has been presented that way. But it affects all, even upper-class people have it. Death is oftentimes unplanned. And as a result, you do see these problems. I think, I think moving beyond a strict framework of, oh, that is a this race from groups problem is the way to go forward because family property rights affects everybody.

Jamie Mardis

Right. So, if you could see one major policy shift or community action in the next, let's say five years, that would make a difference, what would it be?

Jamie Mardis

Like pain in your hand.

Ryan Thomson

Picking one.

Ryan Thomson

I'm torn between two.

Jamie Mardis

Well, give us both.

Ryan Thomson

There are some new versions of the UHPA coming out, and I'm working my best Latin here. Again, I'm not a lawyer, but the New York version that just passed this past year. I mean, the UHPA is in 23 states now, but the New York version in particular has a provision written into it that doesn't let outside family members, companies, real estate firms initiate sales at all.

Ryan Thomson

If you are not related to the family, you don't get to dictate what happens to the property. I think that's impressive because that is one of the strongest pieces of family property rights I've seen yet. And that one was my intent. And where they got the idea is my second answer.

Ryan Thomson

And this is so all these states have different approaches. I think the two strangest and most unique approaches in the United States is Hawaii and Puerto Rico. Hawaii still has blood law on the book, meaning you got to be related to the mother maternal to make claim to a piece of property. It's kind of like native American law.

Ryan Thomson

But we went down to my team, of trainers with the Southern Rural Development Center, went down to Puerto Rico to start working there and helping them develop resources and translate to Spanish and especially post-Maria, trying to get things going right. And Park partnered with a group called Victus who does amazing work. But halfway through they said, well, there's the United States law.

Ryan Thomson

Now let's do the Spanish law. And I thought they were talking about switching language. Half of the law still on the books in Puerto Rico comes from Spain. It's called the Civil Code. And they're in based on the civil code from Spain. Corporations are not allowed to buy land from private individuals or families. There is no private.

Ryan Thomson

You have to go through a series of hoops and approvals to get the whole area rezoned. It's not a big island. There's only so many things you can do. But essentially corporations cannot buy up the most valuable or what they deem the most beneficial land. That's families, and it's generally stays in families as a result, and it keeps the intergenerational wealth going.

Ryan Thomson

I think that's a beautiful thing. So, between the New York version and the really, really old way from Spain, Puerto Rico's approach, those two, I think, have given families a lot more property rights than what we see in a lot of other states.

Jamie Mardis

Absolutely. Okay, so last question here and I will let you go on your way. How can our listeners get involved or support the work being done to protect heirs property?

Ryan Thomson

We have a movement now. Of people working on this issue. And it's so much more than it was ten years ago. And I think that's a beautiful thing. The we have now have 600 plus extension agents across the South. So, getting in touch with your local extension office, starting to develop a collaboration there if you need support.

Ryan Thomson

Telling people there are resources available at your extension offices, particularly through HBCUs and the other, 1860 land grants. I think a lot of people just don't know those resources are there that are relatively new. In the last year or two. So, if people have need go to where you can get those resources. The centers I mentioned and other states, with the exception of Alabama.

Ryan Thomson

Get in touch with them. There are resources available now, some that are very, very accessible. So, we are no longer operating blind for a lot of these people saying, well, what do I do? And then you get stuck up reading dead Latin. So, the first is get informed, educate others around you as you see the problem emerging.

Ryan Thomson

The second is working on your own family. I know that sounds kind of obvious. But we were training extension agents last year only to see 12 of them realize they had it in their family.

Jamie Mardis

Wow

Ryan Thomson

They were there to help others, not knowing that it was.

Jamie Mardis

Them that needed the help.

Ryan Thomson

They stood up, grabbed their phone, started calling their grandma and ran out of it. Now, one more, uplifting note to go out on here. I've gotten to work with some families and get the original deeds pulled, and investing all the information out of the courthouse books that go back to the 1800s. When a family gets to see their great great grandparents signature legacy becomes real.

Ryan Thomson

I think doing your own family work, getting it ready, figuring out who in your family has needs can be something that brings a family together, rather than everyone getting into a hard disagreement over which acres should go to who. I think the unifying feature and that gesture of love where a grandfather might give away several millions of dollars' worth of land to his great grandson, just to clear the title, is some of the most uplifting and beautiful things I've ever seen.

Ryan Thomson

And so, get your house in order. The best thing that we can leave to those who come behind us in our heirs is a well, it's a well-planned estate plan. So, get your house in order. Know where resources are and help those when they start to express these concerns.

Jamie Mardis

Wow. That sounds like some work to be done, but some easily attainable work. Ryan, this has been an incredible conversation. Thank you for sharing your insights with us today.

Ryan Thomson

Thank you for having me.

Jamie Mardis

Listeners, if you want to learn more about Doctor Thompson's research, we'll have links in the episode notes. Until next time. Remember, our land is our legacy. Keep it strong. Keep it in the family and keep it tuned in to "On the Heir".

Jamie Mardis

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