



## **Season 2 Episode 2—Natural Disasters and Heirs Property with Adam Rabinowitz**

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Jamie Mardis

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Jamie Mardis

You're live with on the Heir, where the airwaves are buzzing with stories of land, legacy and lineage. I'm your host, Jamie, and today we're tackling a topic that can impact families at any moment natural disasters and how they affect Heirs property. I'm thrilled to be joined by Dr. Adam Rabinowitz, Associate Professor and Extension economist at Auburn University. He's here to help us understand how storms, floods and fires can complicate land ownership, recovery and planning for families with heirs property.

Jamie Mardis

Adam, thank you so much for being here today.

Adam Rabinowitz

Thank you, Jamie, I'm really happy to be here, even though it's a topic that is difficult to talk about. It is certainly one that is necessary.

Jamie Mardis

Absolutely. So, let's dive right into it and start from the beginning. Can you describe the types of natural disasters that most commonly affect Heirs property in our region?

Adam Rabinowitz

Sure. And you know, you talked mentioned right at the start a little bit about, you know, floods. And we may have wind damage or even fire. You know, I will say fire tends to be one more at a community level that we don't have as big of an issue with compared to areas out West. But certainly I'd say in the southeast region here we are looking at a lot of wind events and a lot of rain type of events that can lead to to flooding, whether that be hurricanes or tornadoes.

Jamie Mardis

Right. Those disasters hit families in ways that aren't always obvious at first glance. When we think about ownership structures, things can get even more complicated. How do mixed or joint ownership structures complicate disaster recovery efforts?

Adam Rabinowitz

Sure. The idea that you may have some joint ownership structure where multiple family members have shared ownership, makes it difficult because they need to actually agree on decisions with respect to recovery, how repairs will be made, who is going to actually pay for those? And then when you start talking about the potential for government programs, you also have to start dealing with, you know, establishing the fact that you are an occupant on the land or that there's ownership on the land.

Adam Rabinowitz

And that has always been quite difficult. As part of the recovery effort.

Jamie Mardis

Sounds like having an unclear title can make things a lot tricky. So when property is damaged, what challenges arise if heirs don't have a clear title?

Adam Rabinowitz

Well, so one of the immediate challenges is how are those repairs going to be paid for? So if you're talking about a roof, it may, you know, certainly there's a question of is there insurance on the property? How does one put insurance claims? But, you know, if you need to access funds to potentially pay for those repairs, lenders are not going to lend to somebody with heirs property without having that clear title, because there's no clear ownership in terms of who's responsible for that loan.

Adam Rabinowitz

And ultimately, you know, to be able to put up the collateral of the land to secure that loan. So securing financing from a lender can be difficult. But also the challenges, as I just mentioned before, in terms of proving that ownership of the land, has always been something that, has been difficult if there is a government program.

Adam Rabinowitz

So it's a more widespread disaster. You might have FEMA that comes into play. And historically, this was very difficult, although in more recent years there have been some good changes that have made it a little bit more accessible. But, you know, still not necessarily the easiest to navigate, as if you had a clear title.

Jamie Mardis

Okay. So one of the things that we have discussed in the previous season, in our discussion, even in this season two of On the Heir is preparing for the unexpected. Preparation is key. And for families looking to reduce risk, what steps can they take to reduce the risk, before disaster strikes?

Adam Rabinowitz

So this is a great question, Jamie. It's, you know, not even relevant or is relevant beyond just, those that don't have clear title or have heirs property because anybody that owns property really needs to make sure that they have their documents available and they are prepared in advance of some type of disaster. And, you know, sometimes you have a few days of warning, like an a hurricane event.

Adam Rabinowitz

You know, sometimes where at a tornado, you really don't have any warning at all. So it's always good to be prepared, making sure that you have those important documents regarding, you know, mortgages regarding property tax records, regarding actual deeds or wills or, you know, other indicators that you have some type of ownership in the land or some type of rights to the land and the property.

Adam Rabinowitz

Having those documents together is, is one of the important preparation steps that you can do and making sure that they're accessible. You know, you never know what a storm may impact. And you know, if you don't have power, you may not be able to access digital copies at the same time, you know, a tornado can really tear things apart.

Adam Rabinowitz

And you know, that's a situation where, you know, it's you have to have these in, you know, maybe multiple locations as opposed to just a single location in one house.

Jamie Mardis

I love that you spoke on having these documents in multiple locations, because it speaks on the power of coordination and why it's essential in times like this. So how can families coordinate among multiple heirs to make sure that everyone is prepared?

Adam Rabinowitz

Sure. Well, I think the first thing is making sure that there's communication between the heirs. You know, one of the biggest challenges, I'd say, really, is the fact that, you know, sometimes you don't know who the owners are. And having that communication can be difficult, but making sure that even if you do know who they are, that you have that communication and you talk about, you know, what would happen, who's responsible for certain items.

Adam Rabinowitz

And that may depend on who's potentially living on the property versus not living on the property. It's something that you want to have an agreement with, but then also having copies of those important documents. Like I said, in multiple locations. So it could be with multiple individuals that may live in different places. And, you know, being able to contact them then to be able to access those becomes, really critical to determine those next steps to, to recovery after a storm.

Jamie Mardis

And when disaster does strike, navigating recovery can be a challenge. How do families navigate recovery when multiple heirs own an undivided interest in the property?

Adam Rabinowitz

So when there is an undivided interest in the property you know one question is going to come up. Is there some type of agreement, something that actually stipulates. You know, who has rights to live on the land? Who is responsible for making decisions with the land? And you know what? What is that next step?

Adam Rabinowitz

What are those processes that may be in place for the family if something's been agreed upon? In the case where, you know, documents don't exist, then you start having to look at, you know, having alternative documents, depending on the government program that you might be looking for assistance from. And there's a variety of different different areas that we can talk about depending on if we're talking about actual damage to the physical structure, such as a house or potentially land.

Adam Rabinowitz

And for those that are in farming crops, or if you've got timber on the land, you know that forest land in the trees.

Jamie Mardis

Okay, let's move on to speaking a little bit about common mistakes and planning tools. Now, even with preparation, families sometimes stumble is inevitable. Sometimes. Are there common pitfalls or mistakes that you've seen that families make during disaster response?

Adam Rabinowitz

Most common pitfall, I'd say, is not having access to that documentation, right? Not having something that you can lean to to potentially prove that you are, in fact, an heir to the last known deeded individual, who's listed, for that property. Because when these government agencies start looking at the property for, determination of eligibility for assistance, they're going to look at those public records and they will see that individual's name.

Adam Rabinowitz

So having that family tree and that record that you are in fact, an heir of the individual who is listed on that public record, certainly can go a long way in terms of proving eligibility for these programs.

Jamie Mardis

Okay. Let's take a look into the the bigger picture here. Are there any planning tools or resources that heirs property owners can use to protect both their land and their legacy?

Adam Rabinowitz

So the biggest planning tool that that I would say is, you know, making sure that you're well aware of, you know, that property taxes are paid, who those heirs are on the property. And then having the right documentation, as I mentioned, in a secure multiple locations and accessible after a disaster. And, you know, we can talk about, like I said, for instance, if you've got agricultural land and you're talking about needing to, be eligible for ag programs that require, ultimately, the USDA to get involved, the Farm Service Agency, in particular, they're going to require a farm number.

Adam Rabinowitz

So do you actually have a farm number? And there are alternative documentation that the USDA does allow to get a farm number so you can access those programs. If we're talking about a house, that physical structure, you know, then we're talking about FEMA and making sure that you have the documentation that, that FEMA is looking for. There's an excellent place on their website in terms of verifying home ownership or occupancy on the FEMA website, that you can look at all the details, including the opportunity for those that have their property and specifically discussed about, you know, a self declaration statement to be able to, you know, become eligible for those disaster resources.

Adam Rabinowitz

And these are some of the changes that have been made just in recent years, to ultimately make these programs more accessible to those with heirs property.

Jamie Mardis

Awesome. Adam, today's conversation has highlighted natural disasters and how they can affect the family's land. But knowledge, preparation and communication can make a big difference from understanding your ownership structure to coordinating with heirs and exploring planning resources. Every step helps to protect your land and legacy. Before we close, do you have any final thoughts to give us, any key takeaways from anything that we've discussed?

Adam Rabinowitz

The only thing that I would just put a plug in for is if you're in Alabama listening to this, certainly the Alabama Heirs Property Alliance, is a great place to to get information and assistance on this. There is an online document on the ACES.edu website for preparing family landowners in Alabama for hurricanes. And you could think about that as being for other natural disasters as well.

Adam Rabinowitz

If you're at not in Alabama, certainly your local Extension, organization with your land grant institution would be a great place to look for resources.

Jamie Mardis

Wonderful. Thank you. As you look at your family's land, ask yourself, are we prepared for the types of disasters that could affect our property? Do all heirs understand their roles and responsibilities if disaster strikes? What planning tools or resources can we access today to reduce future risk? If you don't have the answers to any of these questions, please reach out to us at [www.aces.edu/go/heirs property](http://www.aces.edu/go/heirs%20property).

Jamie Mardis

Again that's at [www.aces.edu/go/heirs property](http://www.aces.edu/go/heirs%20property), Adam, thank you so much for joining us and sharing your expertise. And to our listeners. Thank you for tuning into On the Heir. Be sure to subscribe. Leave a review and share your thoughts. Together we'll continue to explore the world of heirs property. One episode at a time.

Jamie Mardis

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Jamie Mardis

Until next time, keep your land safe, your family coordinated, and your legacy strong.