

# LOUISIANA PRESS ADVISORY

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## ACT No. 81 PROVIDES RELIEF TO THOUSANDS OF LOUISIANA HEIR PROPERTY OWNERS

BATON ROUGE – Governor Bobby Jindal signed into law on June 18 a bill that will provide relief to many of the thousands of Louisiana residents living in homes without clear title.

Senate Bill 184, now Act No. 81, drafted and introduced by Senator Edwin R. Murray with the help of nonprofit public interest group **Louisiana Appleseed**, will lower the costs of title-clearing for many low-income homeowners and protect heir property owners from land loss, affording them better disaster recovery options, and increasing access to the wealth generating tools commonly associated with home ownership. Representatives **Neil C. Abramson, Charles R. Chaney, Gregory Ernst, Walker Hines, Fred H. Mills, Jr., and Thomas P. Willmott** introduced the bill in the House of Representatives.

"This Act will reduce the costs of clearing titles to inherited property for thousands of families throughout the State, especially for families who have inherited homes of modest value and who cannot afford the expenses of a full-blown succession procedure," said Murray.

In 2005, hurricanes Katrina and Rita revealed many low-income people throughout Louisiana had trouble qualifying for federal disaster relief funds because they lived in homes for which they did not have clear title.

"Thousands of people throughout Louisiana live in homes that have been passed down through several generations, outside of the legal system" said **Christy Kane**, executive director of Louisiana Appleseed. "This results in unclear title, which can cost thousands of dollars to resolve. Many Louisiana residents just don't have that kind of money." This type of ownership is often referred to as heir property.

In addition to problems associated with obtaining federal disaster recovery funds, families who lack clear title face a heightened risk of losing their property and often have trouble accessing low-interest loans.

Recognizing the problems associated with ownership of heir property, Louisiana Appleseed recruited a team of attorneys, led by **Malcolm A. Meyer** of *Adams and Reese, LLP*, to streamline state title-clearing processes and other succession-related laws. "Nowhere else in the United States is the real estate recordation system more transparent and the rules governing property rights clearer than in Louisiana," said Mr. Meyer, "but through careful analysis, we were able to

identify ways to improve the system, enabling thousands of families to clear title to their homes.”

Louisiana Appleseed’s efforts have garnered national and local attention – featured on National Public Radio and in the local news. Louisiana Appleseed hopes that these changes will serve as a model for other states with a need for reform in this area.

The passage of this law is an important step towards protecting heir property owners from land loss, affording them better disaster recovery options, and increasing access to the wealth generating tools commonly associated with home ownership.

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*Louisiana Appleseed is part of a network of 16 public interest justice centers in the U.S. and Mexico. Louisiana Appleseed is dedicated to building a society in which opportunities are genuine, access to the law is universal and equal, and government advances the public interest. Louisiana Appleseed’s program areas are designed to ensure that all residents of Louisiana have equal access to justice, education and opportunity.*