

July 23, 2024

The Honorable Nikema Williams  
US House of Representatives  
1406 Longworth House Office Building  
Washington, DC 20515

The Honorable Byron Donalds  
US House of Representatives  
1719 Longworth House Office Building  
Washington, DC 20515

Dear Representatives Williams and Donalds:

We, the undersigned organizations, write to express our strong support for H.R. 8127, The Heirs Estate Inheritance Resolution and Succession (HEIRS) Act of 2024. This bipartisan legislation will provide relief to the countless families across the country that are negatively impacted by heirs' property.

Heirs' property occurs when real estate is passed down after an individual's death without a will or other official document or preceding transfer of property ownership. This issue can be compounded over generations, leaving a tangled title and multiple heirs who all have a fractional stake in the property. Without clear title, owners can face many challenges that impact their ability to maintain and retain the property. The harms associated with heirs' property are wide-ranging and often exacerbated with the passage of time as it becomes harder to determine ownership. Some of the many harms include: inability to access property equity to make necessary repairs, inability to access emergency funds or grants, and potential loss of property through forced sale or tax foreclosure.

According to research by Fannie Mae and the Housing Assistance Council, "total assessed value of properties impacted by heirship issues is conservatively estimated to be over \$32B across 44 states and the District of Columbia."<sup>1</sup> Heirs' property can occur with all types of properties across the country – anywhere from urban centers to rural communities. Given the widespread prevalence of heirs' property, and its disproportionate impact on communities of color and low-income communities, Congress must pass the HEIRS Act.

The HEIRS Act will provide critical resources to families across the country that need help establishing clear title on heirs' property and help educate consumers about the issue of heirs' property and the importance of estate planning. Importantly, the HEIRS Act will incentivize states to pass the Uniform Partition of Heirs Property Act (UPHPA) which aims to help families impacted by heirs' property by creating a uniform process to establish and preserve ownership rights in a more cost-effective manner and ensuring heirs receive fair market value if a forced sale occurs, a fundamental protection that general state partition statutes don't provide. While this issue will not be solved overnight, the resources provided

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<sup>1</sup> Fannie Mae and Housing Assistance Council. "A Methodological Approach to Estimate Residential Heirs' Property in the United States." December 2023. Accessed July 16, 2024.

<https://www.fanniemae.com/sites/g/files/koqyhd191/files/2024-04/heirs-property-research-report.pdf>

by the HEIRS Act will go a long way toward aiding families across the country experiencing serious challenges associated with heirs' property.

We greatly appreciate your leadership, and we look forward to continuing to work with you and Congress to enact this legislation.

Sincerely,

American Land Title Association  
Beach Law Practice  
Center for NYC Neighborhoods  
DC Affordable Law Firm  
Earl Carl Institute for Legal and Social Policy, Inc. at Thurgood Marshall School of Law on  
the campus of Texas Southern University  
Georgia Heirs Property Law Center  
HeirShares  
Homeowner Stability Project at City Bar Justice Center  
Housing Assistance Council  
Housing Policy Council  
Initiative on Land, Housing & Property Rights at Boston College Law School  
Legal Aid Society  
Local Initiatives Support Corporation  
Louisiana Appleseed  
Mississippi Center for Justice  
Mortgage Bankers Association  
National Association of Realtors  
National Consumer Law Center (on behalf of its low-income clients)  
National Housing Conference  
Property Records Industry Association  
The KKAC Organization