

Land Loss Prevention Project

WHO WE ARE

The Land Loss Prevention Project (LLPP) is a non-profit public interest organization providing comprehensive legal services and technical support to North Carolina's financially distressed and limited resource farmers and landowners seeking to preserve their farms, homes, land and rural livelihoods. The LLPP protects vulnerable landowners from land loss and environmental degradation through legal representation and outreach statewide and empowers farmers to access business resources including credit in a timely manner.

In 1982, a task force of the North Carolina Association of Black Lawyers founded the LLPP to stem the unprecedented losses of Black-owned land in North Carolina. The LLPP was incorporated as an independent entity in the state of North Carolina in 1983. In 1993, the LLPP broadened its scope to provide legal support and assistance to all financially eligible, low-resource farmers and landowners throughout the state.

In State fiscal years 13-14, 14-15, and 15-16, the LLPP achieved \$1,704,438.99 in debt relief, loan modifications, and awards for clients across its practice areas. In FY 2015-2016, the LLPP preserved land, homes, and farms with a total tax value of \$3,254,972, retaining critical assets for families in need and protecting farms and agricultural businesses.

STAFF

The Land Loss Prevention Project has seven staff members: an executive director, a team of attorney advocates consisting of the deputy director and four staff attorneys, and a program manager. Together, they participate in direct legal representation, technical assistance, outreach, and policy innovation to preserve farming operations, homes, and land; support sustainable communities; and foster agricultural entrepreneurship.

Summary of Services Provided Calendar Year 2016

Number of legal matters handled	377
Number of N.C. counties in which assistance was provided (based on client location)	71

Legal Matters Handled Calendar Year 2016

Served	Legal Area
118	Lending/finance-related including debt restructuring; consumer; foreclosure defense including bankruptcy
76	Real property (example: adverse possession, boundary disputes, heir property)
38	Agricultural business issues; rural economic development; incorporation; tax-exempt status; land use; environmental; miscellaneous matters (example: tenancy)
25	Civil and other individual rights (e.g. issues involving the U.S. Department of Agriculture)
120	Wills and estate planning

Explore how to protect the land, preserve your home, and grow your agricultural business. If you are interested in having a workshop by LLPP attorneys presented in your area, please call (919) 682-5969.

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ORGANIZATIONAL STRUCTURE

The LLPP's organizational structure consists of a policy-governing Board of Directors and two operational units – **the Litigation Unit and the Sustainable Development and Environment Unit.**

The Litigation Unit represents eligible clients in legal matters in the following areas: agricultural; environmental; real property; consumer protection; wills/estate planning; civil rights; zoning, municipal services, and related issues; bankruptcy as a last-resort alternative to foreclosures (farms and/or homes); and business/agricultural business issues. The Litigation Unit also conducts legal seminars and works collaboratively with other organizations to expand the supportive services available to farmers and low-resource landowners and homeowners.

Encompassed within the Litigation Unit is a **SmartGrowth Business Center**, an internal resource, that provides counseling and representation to farmers who need business planning services in order to sustain and fortify their farming operations/businesses. Services include business entity formation, contractual review, counseling regarding the availability of federal programs and requirements, and risk management education. The Center provides viable options to farmers in order to avoid the problems that routinely lead to farm loss.

The Sustainable Development and Environment Unit works with state, regional and national coalitions that support new agriculture practices, sustainable development, and policy innovations in the food system. This in turn expands agriculture-based partnerships creating economic strategies which benefit farmers and landowners and their rural communities. A focus of the Unit is expanding access to environmental incentive and conservation programs. The Sustainable Development and Environment Unit and the Litigation Unit share staff.

VALUE-ADDED INVESTMENT IN RURAL COMMUNITIES

The LLPP is unique, the only non-profit law firm in the state that provides both expansive direct legal assistance to farmers and landowners in a variety of practice areas while maintaining a focus on agricultural law. Land security is the cornerstone of family asset retention, community economic development, environmental sustainability, and a healthy food system.

The LLPP's statewide services benefit people in areas struggling with entrenched multi-generational poverty, including the historic Black Belt region of Eastern North Carolina.

Snapshot of Legal Matters Handled Calendar Year 2016

- The LLPP assisted a woman who had recently lost her job to save her home. The LLPP collaborated with a counseling agency in this time-sensitive matter, resolving a lingering property issue connected with a divorce and removing the barrier to receiving mortgage payment assistance.
- A family owned heir property that had been income-producing through a farmland lease and subsequently became more vulnerable when the farmer decided not to renew the agreement and the agricultural tax exemption was lost. Several family members who were not heirs to the property were living on the land rent-free. The LLPP drafted a mutually acceptable lease agreement between the heirs and the tenants that allowed the relatives (non-heirs) to keep their family living arrangements intact while making adequate provision for tax payment.
- The LLPP is assisting an African American female farmer who wishes along with her family members, also heirs, to preserve 200 plus acres of land willed to the family by her father. The family members want to protect the various tracts and create a more diversified and profitable farming enterprise. They had previously explored creating a business entity through a third party as a starting point, ultimately registering a corporation. The LLPP has provided consultation on how the corporation might operate and drafted corporate documents and deeds to facilitate consolidating the non-contiguous parcels into a beneficial entity, allowing the orderly use of the property and protecting and harnessing the tremendous capacity of the land for the next generation.