

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 12-13, 13-14, and 14-15, the LLPP achieved \$1,953,798 in debt relief, loan modifications, and awards for clients across its practice areas. In fiscal year 14-15, the LLPP preserved homes, land, and farms with a total tax value of \$1,813,601, 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 2015

Number of legal matters handled	406
Number of N.C. counties in which assistance was provided (based on client location)	78

Legal Matters Handled Calendar Year 2015

Served	Legal Area
146	Lending/finance-related including debt restructuring; consumer; foreclosure defense including bankruptcy
86	Real property (example: adverse possession, boundary disputes, heir property)
37	Agricultural business issues; rural economic development; incorporation; tax-exempt status; land use; environmental; miscellaneous matters (example: tenancy)
26	Civil and other individual rights (e.g. issues involving the U.S. Department of Agriculture)
111	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 2015

- The LLPP represented a client in litigation to correct an error in a deed conveying the client's father's interest in family heir property in rural Bladen County to a third party. The conveyance was in conflict with the client's future interest in the property that was willed to her by her grandmother. At stake was 55 acres of leased farmland. The LLPP was successful in having the court undo the erroneous fee simple transfer and preserved the client's remainder interest in the property.
- The LLPP successfully prosecuted a quiet title action in Pender County in which an individual was using a lot owned by the client to put a trailer on and rent to another person, claiming ownership of the land that was previously deeded to the client by a family friend. The LLPP achieved removal of the trailer and a quitclaim deed to the client, executed by the party who tried to claim ownership of the parcel, in settlement of the litigation.
- 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 how an agreement might be structured 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.