

# Black Family Land Trust

To: John Sebert, Executive Director, Uniform Law Commission  
From: Ebonie Alexander, Executive Director  
Date: 26 January 2011  
Re: Uniform Partition of Heirs Property Act

The Black Family Land Trust, Inc a 501 (C) 3 organization based in North Carolina whose mission is to *provide educational, technical and financial services to ensure, protect, and preserve African American land ownership in the southeast.* We are pleased to offer our support for the adoption of the Uniform Partition of Heirs Property Act.

Land ownership among African Americans has been on a steady decline since its peak in 1910. One of the leading causes for this decline is the issue of “heir property”. Unfortunately, many African Americans are unaware of the legal consequences of the land being held in undivided interest following the death of the ancestral deed holder of record who often died without a will, or consequences for the family for not having a will properly probated. All many of the past generations knew was that, “We been living, working and tending that land since slavery days”. Today for many of their descendants only know “I own some land that belonged to my great granddaddy’s or great grand mama’s people.”

In our work throughout the south we are confronted with indignities that many of these families face as a result of unwanted partition sales of their family’s land, heritage and in some cases, their source of income. These sales are not only devastating to the families but also equally devastating to their respective communities.

Two principal elements of the Act important to our work are: (1) the Act considers all relevant factors, such as length of ownership and non-economic uses of the property, rather than focusing completely on economic factors; and (2) it only authorizes a forced sale if a division of the property would cause great or manifest prejudice to “the cotenants as a group”. Both of these elements are critically important to stop the lost of family lands on the courthouse steps against the family’s wishes and through no fault of their own.

It is for these reasons, on behalf of the Black Family Land Trust, Inc. I encourage you to strongly support the adoption of the Uniform Partition of Heirs Property Act.

Respectfully submitted,



Lillian Ebonie Alexander,  
Executive Director