



Understanding and Quantifying Heirs' Property in New York City

and Their Implications for Low- and Moderate-Income Property Owners

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The Wells Fargo logo consists of a solid red square with the words "WELLS" and "FARGO" stacked vertically in white, bold, sans-serif capital letters.

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The Center for NYC Neighborhoods is grateful to Wells Fargo Foundation for funding this ground-breaking research. Their early investment enabled a deliberate investigation to determine the scope of home value and wealth at risk of loss due to heirs property in New York State, a necessary prerequisite before developing and bringing a solution to New Yorkers.

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Executive Summary

At a glance

This research brief provides a preliminary understanding of heirs' property issues and their implications for historically underserved property owners in New York State, **filling a significant gap in New York-specific research.**

Heirs' property can prevent families from accessing disaster relief, affordable credit and home repair programs, and can increase exposure to mortgage or property tax foreclosure and predatory real estate practices.

What we found:

- The Center identified 182 likely heirs' property partition cases in New York City over five months (March 1-July 31, 2024), with a mean value of \$1,140,881 per property and the largest shares in Brooklyn (97) and Queens (51).
- 43% of identified cases were in census tracts with below-average median household income; 55% were in tracts with above-average shares of homeowners 65 and older; nearly 59% were filed in majority-minority neighborhoods.
- Roughly **350 heirs' property partition lawsuits are filed annually** in New York City, representing an estimated **\$400 million in property at risk each year under conservative assumptions. More realistic projections suggest exposure may approach \$4 billion annually.**
- From April 1-Oct. 31, 2024, researchers identified 164 likely heirs' cases and flagged 23 as likely predatory, with a common pattern in which an LLC purchases a co-heir's interest and seeks a partition and sale.

Problem

Heirs' property broadly refers to real estate inherited from a deceased relative, most commonly when a homeowner dies intestate or when a will is not properly probated, leaving title legally unresolved and multiple heirs holding fractional interests. These arrangements can create barriers to property management, financing, and sale, and can increase vulnerability to foreclosure, disrepair and predatory investors who acquire fractional interests and pursue partition actions.

Although heirs' property has been studied nationally, New York is frequently excluded because of its distinct housing stock and data limitations. Quantifying the number and value of heirs' property in New York is challenging due to informal ownership patterns in historically underserved communities and the lack of centralized data.

Methodology

The Center for NYC Neighborhoods' research team used a mixed-methods approach to quantify likely heirs' property instances and assess impact and risk. This data collection included:

- **Court filing analysis (NYSCEF)**

Five months of claims (March 1–July 31, 2024) for partition cases involving heirs' property, identifying 182 likely cases and estimating property values.

- **Neighborhood and demographic analysis**

Cases were analyzed across four variables — median home value, median household income, share of homeowners 65 and older, and share of nonwhite homeowners — using American Community Survey (ACS) 5-year estimates (2017–2022).

- **Attorney interviews**

Interviews with estate planning attorneys serving homeowners across New York City to understand caseload patterns and barriers to prevention. The Center discovered that approximately 30 to 40 percent of cases handled by our network partners are related to estate planning or tangled title issues.

- **Method assessment**

A literature review evaluating how existing methodologies that estimated heirs' property instances in the United States can be applied to estimating such properties in New York.

- **Predatory case assessment:**

Additional NYSCEF analysis (April 1–Oct. 31, 2024) using indicator phrases and corporate markers (e.g., LLCs) to flag likely predatory cases and identify common patterns.

Key findings

1) The scale of heirs property instances is substantial — and likely undercounted.

Court filings suggest meaningful volume and high property values at risk. In the March–July 2024 sample, the Center identified 182 likely cases across New York City, with an estimated mean value of \$1,140,881 per property; Brooklyn and Queens accounted for the largest shares.

Because only a small percentage of heirs' property matters reach court, filings alone do not capture the full scale of the issue; the report estimates about 350 heirs' property partition lawsuits annually in NYC, representing about \$400 million in property at risk under conservative assumptions, with a more realistic estimate approaching \$4 billion.

2) Likely cases cluster in communities facing compounding drivers that create more vulnerability.

Identified cases are concentrated in census tracts with below-average median household income, higher shares of homeowners 65 and older, and majority-minority neighborhoods.

3) Standard national methods do not translate cleanly to New York City.

New York's housing stock (including co-ops and condos) and data structure complicate parcel-based identification approaches. The report notes a discrepancy between the projections of heirs' property instances made by on-the-ground legal service providers and those produced by academic methodologies, and concludes that existing methods likely undercount the scale of heirs' properties in New York City.

4) Prevention requires earlier engagement—and trusted messengers.

Attorney interviews suggest a substantial share of service demand relates to estate planning and tangled title issues, and that the greatest impact can be achieved by integrating estate planning and education into foreclosure prevention and pre-purchase counseling, where trusted counseling relationships already exist.

5) Predatory patterns persist even after legal reforms.

In the April–October 2024 analysis, researchers identified 23 likely predatory cases, often involving LLCs acquiring fractional interests and seeking a partition and sale. Continued predatory activity underscores the need for education, expanded legal capacity and access to affordable capital.

Recommendations and Best Practices

The report emphasizes combining statutory protections, community resources, and capital to protect homeowners and heirs:

1. Pair legal services with affordable, flexible capital to resolve cases at scale.

Heirs are often excluded from traditional credit markets due to tangled title and inequitable credit practices. Flexible capital can help consolidate fractional interests, refinance a deceased owner's mortgage, address arrears, and clear title so families can stabilize ownership and preserve intergenerational wealth.

2. Expand access to free legal assistance, estate planning, and community education.

Homeowners and heirs need trusted, free access to legal services that address estate planning, probate and title clearing — paired with community education on heirs' property risks, common fraud tactics and available safeguards. An attorney in the report suggested the integration of estate planning services and education into foreclosure prevention and pre-purchase housing counseling touchpoints to achieve the greatest impact.

3. Complete a statewide analysis of partition actions since the UPHPA took effect.

Further study is needed to evaluate partition actions since enactment of the New York UPHPA in 2019.

Purpose

This research brief provides a preliminary understanding of heirs' property issues and their implications for historically underserved property owners in New York State. This brief aims to fill a gap in research on heirs' property in New York. In particular, this research brief investigates the following questions:

Research questions

- How do we quantify the number of heirs' properties in NY?
- How do we quantify the total value of heirs' property in NY?
- What is the value of the total number of partition lawsuits?
- What are the consequences of heirs' property issues in NY? Who is impacted?
- How do we reach homeowners? What are the distribution channels?

Quantifying the number of heirs' properties in New York can be challenging due to the nature of heirs' property arrangements, the informal ways in which historically underserved communities own homes,¹ and the lack of centralized data. This research brief will define heirs' property, examine the challenges with different methodologies in estimating the total value of heirs' properties, and discuss the best practices and systems in place to help new interventions succeed.

Understanding Heirs' Property

*What is Heirs' Property?*²

Heirs' property broadly refers to any real estate inherited from a deceased relative. The term is most commonly used to describe property owned by multiple individuals who acquired their interests through intestacy—when the original owner passed away without a valid will or clear succession plan—or when a will was not properly probated, leaving the title legally unresolved. In such cases, each heir receives a fractional interest in the property under state intestacy laws, often resulting in complex co-ownership structures that can create barriers to property management, financing, and sale. The dynamics and uncertainties surrounding joint ownership and the property's co-heirs, including identifying legitimate co-heirs, present significant challenges for the property's rightful owners. Many homes are lost due to mortgage or property

¹ Dobbs, G. Rebecca. (2023). How Much Heirs' Property is There? Using LightBox Data to Estimate Heirs' Property Extent in the U.S. Oak Ridge Institute for Science and Education.

² Note: Tangled title and heirs' property are often used interchangeably. They are a distinctive phenomenon and thus should be distinguished: tangled titles are situations in which the deed to a property bears the name of someone other than the owner. Source: Hincken, Garrett (2021). How 'Tangled Titles' Affect Philadelphia. The Pew Charitable Trusts.

tax foreclosure, often because of unresolved estate and ownership issues. Additionally, properties can be lost to disrepair when families are denied access to disaster relief, affordable credit, or home repair programs due to an inability to prove clear ownership.

Historical Context

The issue of heirs' property in the United States has a long history, dating back to the era of slavery, the post-Civil War Reconstruction period, and the land-use and housing policies that characterized the urbanization of the early to mid-twentieth century.

These problems have contributed to the socioeconomic wealth and homeownership inequities in the US today.³ Additionally, many Americans who own homes do so informally and may lack access to estate planning and other legal resources and services. This creates ownership and property succession complications, where family members are not included on the deed or title, and where owners die intestate.⁴

Historically marginalized neighborhoods have also been subject to discriminatory lending and property practices, such as redlining. These practices created artificially depressed property values and prevented impacted households from obtaining mortgage loans. The rapid gentrification of the 1990s and 2010s increased real estate speculation and drove up prices and property values across NYC, especially in neighborhoods that had been artificially suppressed in the past.⁵ As a result, many owners of heirs' properties are "house rich and cash poor." Heirs' properties today have significant equity—sometimes in the millions—and often have no mortgage lien. Many of these homes are still occupied by one or more heirs, which makes them susceptible to predatory speculators and investors. These predatory actors exploit intrafamily conflicts and take advantage of heirs who do not live in the home and may be unaware of or uninterested in the value of their share. Additionally, the lack of access to affordable, high-quality legal counsel and limited financial resources further increases their vulnerability.⁶

³ Zinn, Amalie. (2023). What Is Heirs' Property, and Why Does It Matter for Equitable Homeownership? Housing Matters: an Urban Institute Initiative. See also Center for Agriculture and Food Systems, an initiative of Vermont Law School. (2024). Heirs' Property.

⁴ Dobbs (2023).

⁵ Kohanowski, K. Scott. 2022. "Taking the Uniform Partition of Heirs Property Act (UPHPA) Out of the Rural Context and Strengthening It: The New York Experience and a Framework for UHPA Advocacy." Pp. 39-50 in Heirs' Property and the Uniform Partition of Heirs Property Act: Challenges, Solutions, and Historic Reform, edited by Thomas W. Mitchell and Erica Levine Powers. Chicago, IL: American Bar Association.

⁶ Kohanowski, K. Scott. (2022).

The New York Uniform Partition of Heirs' Property Act

In 2010, the Uniform Law Commission proposed the Uniform Partition of Heirs' Property Act (UPHPA), which was created to address the practice of some real estate investors who use deceptive and fraudulent tactics to purchase fractional interests in real property owned by family members who inherited a share of the property or estate (as tenants-in-common). The UPHPA is one of the most successful uniform laws to have been created, adopted by 26 states and introduced in 5 others⁷ (as of August 2025). New York State adopted a heavily modified version of the law in December 2019, adding critical protections for heirs' property in the urban context, specifically for family homes (as opposed to a focus on rural lands).

The predation the UPHPA addresses is when a real estate investor targets one co-tenant to convince them to sell their share of the property at a fraction of the value,⁸ thereby enabling the investor to force a partition sale at a below-market price, ultimately appropriating the family's inherited wealth.⁹ In the urban context, these speculators disproportionately target 'house-rich, cash-poor' homeowners in gentrifying neighborhoods, who often lack access to estate planning and legal support. The New York State version of the UPHPA seeks to preserve intergenerational wealth and the home's value for the next generation by adding additional safeguards to protect a decedent's heir(s) from a potential predatory forced partition action.

The New York State UPHPA addresses issues in the then-existing partition law, which made it challenging for tenants-in-common to stop a court-ordered auction of the property, leaving co-tenant heirs exposed to predatory real estate practices and potential displacement.¹⁰ First, the unmodified UPHPA defines heirs' property as "real property held as tenants in common with no tenancy in common agreement and where at least one of the co-tenants acquired their interest from a relative, among other limitations."¹¹ The New York State version expands that definition to include any inherited co-owned property in which an heir occupies the home. Second, the New York State UPHPA mandates a settlement

⁷ Uniform Law Commission. (2025). Partition of Heirs Property Act. <https://www.uniformlaws.org/committees/community-home?CommunityKey=50724584-e808-4255-bc5d-8ea4e588371d>.

⁸ New York City Bar. (2019). Support for the Uniform Partition of Heirs Property Act. <https://www.nycbar.org/reports/support-for-the-uniform-partition-of-heirs-property-act/>.

⁹ New York City Bar. (2019).

¹⁰ Id. (2019).

¹¹ Specifically, the New York Uniform Partition of Heirs' Property Act defines heirs' property as: (i) there is no agreement in a record binding all of the co-tenants which governs the partition of the property; (ii) at least one of the co-tenants acquired title from a relative, whether living or deceased; and (iii) (A) twenty percent or more of the interests are held by co-tenants who are relatives; (B) twenty percent or more of the interests are held by an individual who acquired title from a relative, whether living or deceased; (C) twenty percent or more of the co-tenants are relatives of each other; and/or (D) one of the co-tenants who acquired title from a relative resides in the property.

conference modeled after foreclosure settlement conferences for the tenants-in-common to negotiate in good faith for a mutually agreeable resolution considering equitable factors like how the investor acquired its interest or the heirs' connection to the home.¹² Good faith, mutually agreeable resolutions may include a tenancy-in-common agreement, a co-tenant buyout, a partition in kind (a division of the property itself rather than a sale), or an open market sale.¹³ Third, the court is required to send timely notices to the parties advising them of the time and place of the settlement conference. Fourth, the New York State UHPA requires the court to determine the property's fair market value, unless the co-tenants agree on the property's value or another method of valuation, and then offer the co-tenants the option to buy out the interests of all of the co-tenants who requested the partition action. Buyouts will prioritize heirs who reside in the property, followed by non-occupant heirs. Finally, New York State's UHPA allows the court to order an open-market sale if the parties agree on a real estate broker; otherwise, the court can appoint an independent broker. This open-market sale is done to avoid a sale through a judicial auction.¹⁴

¹² New York City Bar. (2019). Support for the Uniform Partition of Heirs Property Act.

<https://www.nycbar.org/reports/support-for-the-uniform-partition-of-heirs-property-act/>.

¹³ Uniform Partition of Heirs Property Act, Real Property Actions & Proceedings (RPA) Chapter 81, Article 9. § 993 (2019).
<https://www.nysenate.gov/legislation/laws/RPA/993>.

¹⁴ New York City Bar. (2019). Support for the Uniform Partition of Heirs Property Act.
<https://www.nycbar.org/reports/support-for-the-uniform-partition-of-heirs-property-act/>.

Key Findings

Quantifying Heirs' Properties in the New York City Context

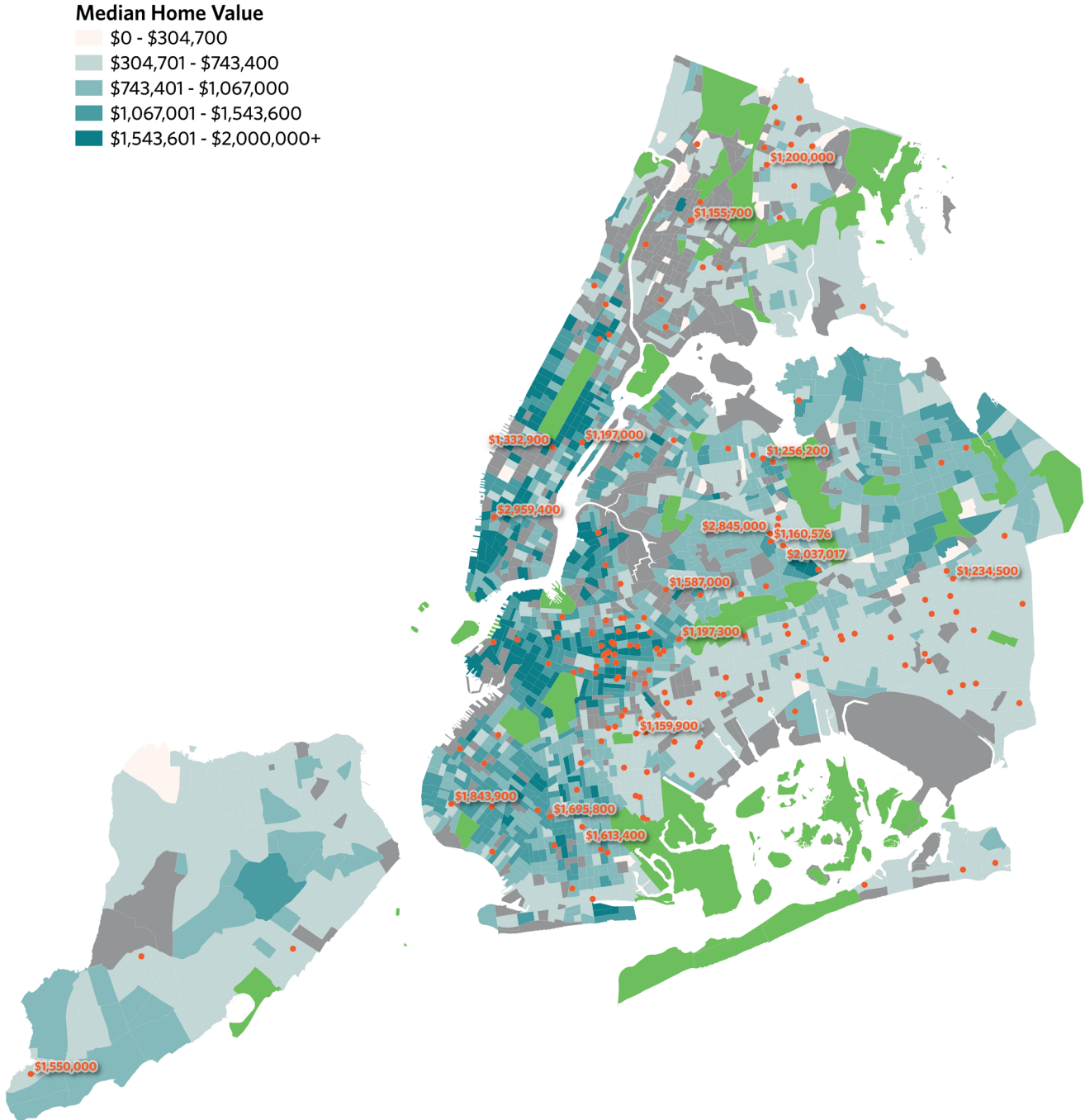
Analysis of the Scale of the Heirs' Property Issue

The Center for New York City Neighborhoods' (the Center) in-house research team analyzed five months of claims submitted to the New York State Courts Electronic Filing System, from March 1, 2024, to July 31, 2024, for partition cases involving heirs' property. The researchers identified 182 likely cases during this period, with an estimated mean value of \$1,140,881 per property (or an estimated combined property value of \$201,936,006). Of the 182 likely cases, 97 properties are located in Brooklyn, 51 in Queens, 24 in the Bronx, seven in Manhattan, and three on Staten Island.

The cases were analyzed across four variables: median home value, median household income, percentage of homeowners aged 65 or older, and percentage of non-white homeowners, to illustrate the populations most affected by the issue of heirs' property in New York City. Figure 1 presents the median home value of properties across the City by census tract, alongside the identified cases. According to the American Community Survey (ACS) 5-year estimates from 2017-2022, the median home value in New York City is \$884,268. Nearly 48 percent of heirs' property cases are in census tracts with above-average median home values. Figure 2 displays the median household income of homeowners across the City, with a median household income of \$107,626.

Forty-three percent of the identified heirs' property cases are located in census tracts with homeowners who have a less-than-average median household income. Figure 3 presents the percentage of homeowners aged 65 years or older. On average, approximately thirty-three percent of a census tract's homeowners are over 65 years of age. Fifty-five percent of the identified heirs' property cases are located in census tracts with an above-average percentage of homeowners who are 65 years and older. Finally, Figure 4 represents the range of non-white homeowners in the City by percentage, with nearly 59 percent of the identified heirs' property claims filed in census tracts that are in majority-minority neighborhoods (i.e. an above-average percentage of non-white homeowners).

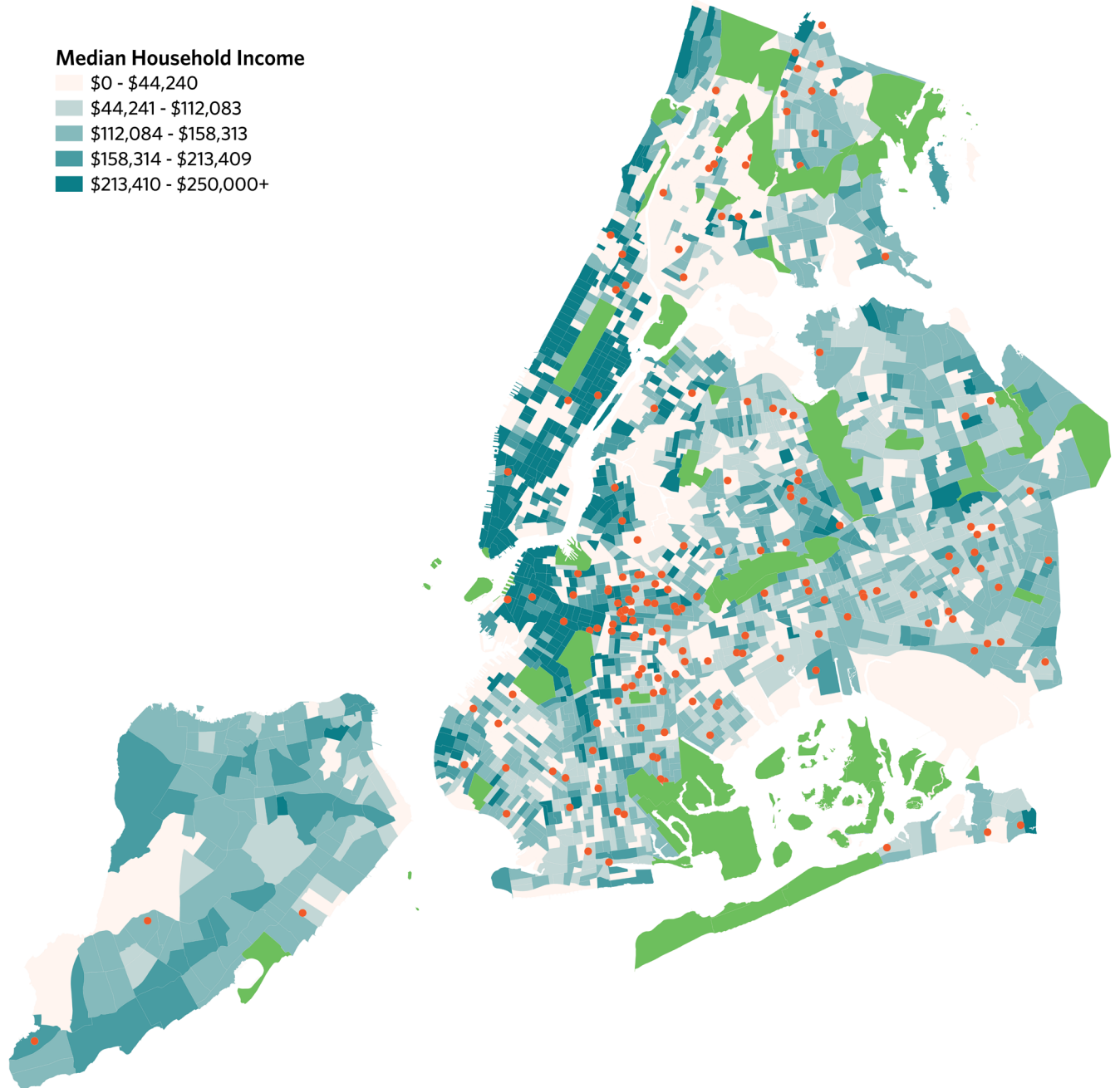
Median Home Value and Heirs' Property



Note: Filings were submitted to the New York State Courts Electronic Filings System from March 01, 2024 to July 31, 2024. Property values were sourced from a number of real-estate company websites, including Zillow, StreetEasy, and Redfin. Census data were sourced from the 2017-2022 American Community Survey (ACS) 5-year estimates.

Figure 1. Median home value and heirs' property cases

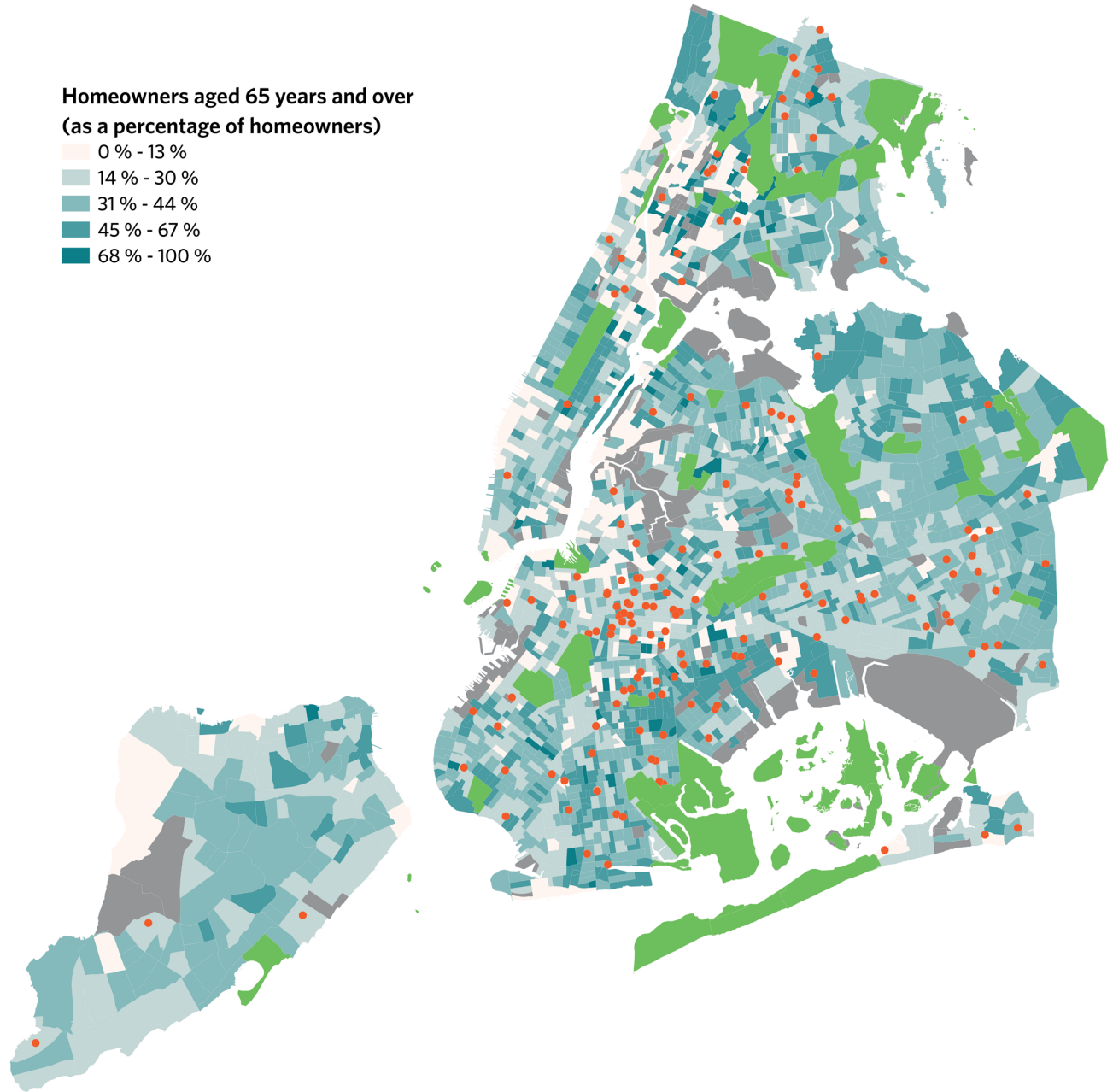
Median Household Income of Homeowners and Heirs' Properties



Note: Filings were submitted to the New York State Courts Electronic Filings System from March 01, 2024 to July 31, 2024. Census data were sourced from the 2017-2022 American Community Survey (ACS) 5-year estimates.

Figure 2. Median household income and heirs' property cases

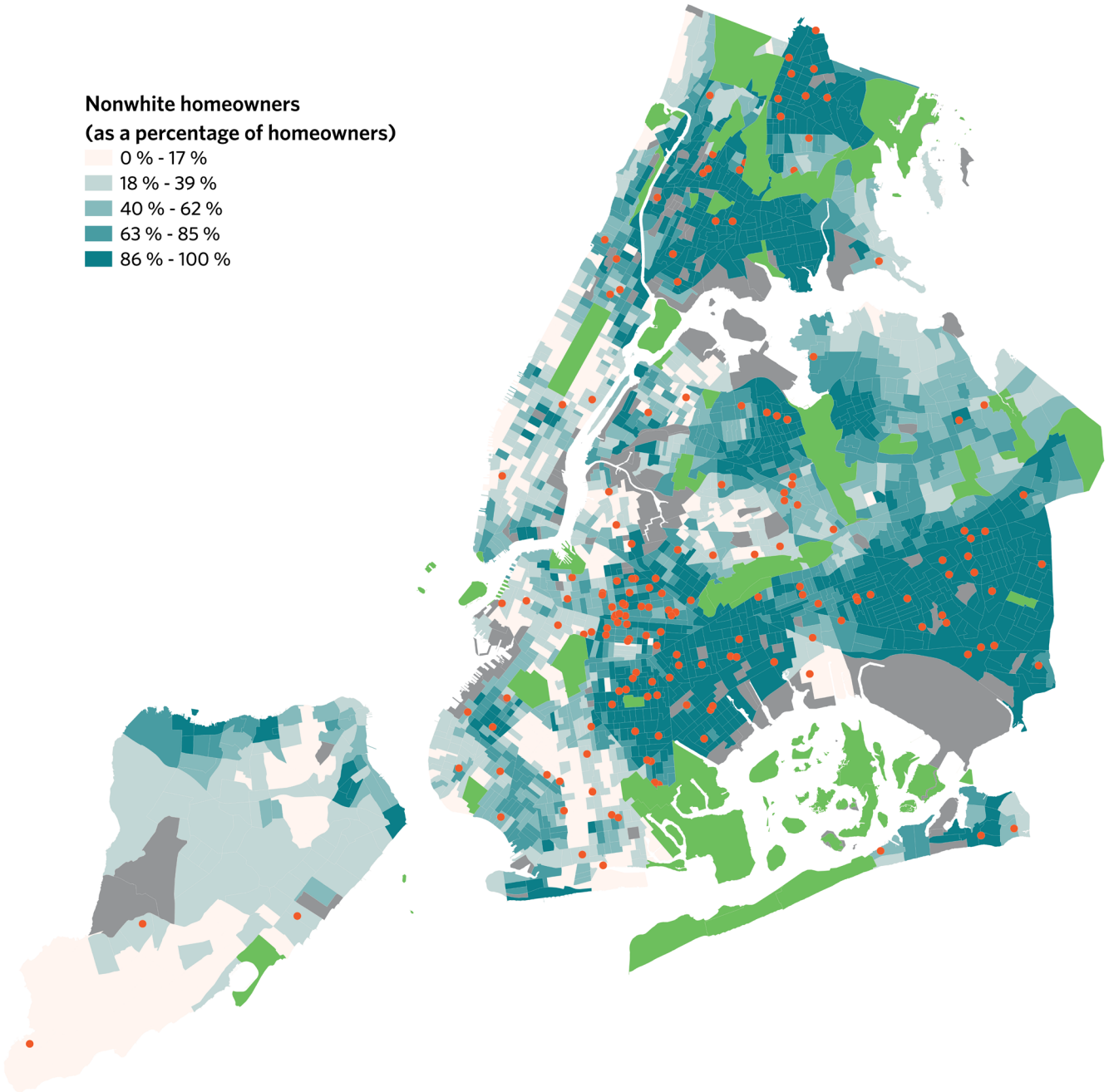
Homeowners Aged 65 Years Plus and Heirs' Property



Note: Filings were submitted to the New York State Courts Electronic Filings System from March 01, 2024 to July 31, 2024. Census data were sourced from the 2017-2022 American Community Survey (ACS) 5-year estimates.

Figure 3. Percentage of homeowners aged 65 years or older and heirs' property cases

Nonwhite Homeowners and Heirs' Property



Note: Filings were submitted to the New York State Courts Electronic Filings System from March 01, 2024 to July 31, 2024. Census data were sourced from the 2017-2022 American Community Survey (ACS) 5-year estimates.

Figure 4. Percentage of nonwhite homeowners and heirs' property cases

Interviews with Estate Planning Lawyers

To better understand the scope of heirs' property issues in New York City and New York State, the Center also interviewed estate planning attorneys who provide key legal services to homeowners across New York City. The Center's researchers surveyed the literature on heirs' property to determine the extent to which previous research methodologies or strategies can be applied to the NYC and NYS contexts, particularly regarding the obtaining and analysis of real estate documents.

Through the attorney interviews, the Center discovered that approximately 30 to 40 percent of cases handled by our network partners are related to estate planning or tangled title issues.

For example, the Center interviewed Charles Harris, an attorney at Grow Brooklyn, and Michael Corcoran, Deputy Director of the Homeownership & Consumer Rights Project at Queens Legal Services (QLS). Harris shared that 75 percent of his clients are low-to-moderate-income people of color. Corcoran, meanwhile, reported similar figures and further communicated that QLS receives between 100 and 150 cases annually that entail estate issues. Additionally, the interviewees emphasized the challenges of persuading individuals to engage in estate planning to avoid the creation of heirs' property. They noted that although people acknowledge the need for estate planning, it is difficult to prompt them to take action, especially before someone passes away.¹⁵

To effectively address heirs' property and avoid intestate succession, Corcoran stressed the importance of legal service providers and housing counseling organizations initiating and directly engaging in estate planning with their clients. Corcoran further noted that the greatest impact can be achieved by integrating estate planning and estate planning education into foreclosure prevention and pre-purchase counseling services. Corcoran also highlighted that housing counselors are in the best position to handle sensitive conversations about planning for death and to establish trust with their clients.

¹⁵ Corcoran, Michael. (2024). Interview.

Assessment of Previous Methods' Ability to Estimate Heirs' Properties

The Center's in-house research team conducted a literature review and evaluated the methodologies of existing reports that estimated the number of heirs' properties in the United States. The researchers examined reports from the Pew Charitable Trusts, the Housing Assistance Council, and Rebecca Dobbs to understand the methods used to estimate the number of heirs' properties across the United States and to apply similar approaches to estimate these properties in New York.

The Pew Charitable Trusts Report: How 'Tangled Titles' Affect Philadelphia: Why Homeowners' Names Must Appear on Official Records—and How it Hurts Families and Neighborhoods When They Don't

In Philadelphia, the number of tangled title properties started to surge in the early 2000s, with the number of owner deaths on record reaching close to 800 by 2016. A Pew Charitable Trusts' study used death records to estimate the number of tangled title properties in Philadelphia, in addition to analyzing records from the Office of Property Assessment (OPA), real estate transfers (RTT), digitized recorded deeds (PhilaDox), and the deceased suppression service.

The researchers found at least 10,407 tangled titles, affecting two percent of the city's 509,258 residential properties, collectively worth over \$1.1 billion.¹⁶ Further research could utilize Census data and data from the Court system to model the number of heirs' property cases by neighborhood. This approach could be used in other jurisdictions beyond Philadelphia, including NYC.

Fannie Mae Report: A Methodological Approach to Estimate Residential Heirs' Property in the United States

In December 2023, the Housing Assistance Council (HAC) published a report for Fannie Mae that quantified the scope of heirs' property in the US using data from ICE Mortgage Technology, Inc. Unfortunately, data from New York State were omitted from this study. The Center spoke with Natasha Moodie and Dr. Keith Wiley, two leading researchers for this report, to understand why New York was omitted.

Initially, the researchers chose not to survey New York State for heirs' property because their algorithm, which was trained on single-family detached homes, was not designed to identify different property types (apartments, condos, cooperatives, etc.). Most studies focus on heirs' property in rural areas, where larger parcels or plots of land are occupied by single-family

¹⁶ Pew Charitable Trusts. (2021). How 'Tangled Titles' Affect Philadelphia.

homes. Meanwhile, single-family homes make up less than fifty percent of New York State's housing stock¹⁷ and only 17 percent in New York City,¹⁸ according to US Census data, which partially contributes to the State's lower-than-average homeownership rate of 55.4 percent,¹⁹ and the City's rate of 32 percent.²⁰

Furthermore, HAC's research methodology focused primarily on tax assessment data to avoid counting vacant properties or dilapidated buildings, counts of which tend to vary by assessor and municipality. Specifically, ICE Mortgage Technology and the US Census differ in their data collection and analytical methodology, in addition to the classifications they use for properties, including vacancy status. According to US Census data, for example, there are nearly 8.5 million housing units in New York State, 955,437 of which (or 11.31 percent) are vacant.²¹ The count includes single apartments, cooperatives, condos, and multiple units within entire buildings.

ICE Mortgage Technology's data is based on the tax assessment of the entire building rather than individual units. To ensure data stability, the researchers relied on ICE Mortgage Technology data instead of using US Census data.

In summary, the algorithm used by Moodie and Wiley assumed that properties were detached single-family homes, which presented difficulties for collecting accurate data in urban areas due to different property types (apartments, condos, cooperatives, etc.). Their database assesses the entire building rather than individual units. Finally, in New York State and City, there is often too big a difference between the characteristics of the owner's name and property characteristics to get an accurate read on heirs' property. Regardless of these limitations, it is worth noting that HAC researchers estimate there to be 4,247,552 properties in New York State, of which 9,379 are likely to be heirs' properties (0.2 percent).

Rebecca Dobbs, Oak Ridge Institute for Science and Education: How Much Heirs' Property is There? Using LightBox Data to Estimate Heirs' Property Extent in the U.S.

Dobbs developed a methodology to automate the identification of heirs' property parcels across all 50 states and the District of Columbia, and to analyze the geographic clustering of these properties. Using a commercial parcel dataset from LightBox, which provides detailed information on spatial location, ownership, area, and value for each parcel, Dobbs identified likely heirs' properties by evaluating terms and phrases within the parcel data that suggest a property has not undergone probate or had its ownership formally transferred. Key indicators,

¹⁷ Jones, Jonathan. (2024). U.S. Cities with the Most Single-family Homes. Courtesy of Construction Coverage, a consulting firm.

¹⁸ Id. (2024).

¹⁹ DiNapoli, Thomas P., New York State Comptroller. (2022). Homeownership Rates in New York.

²⁰ New York City Housing and Vacancy Survey (NYC HVS). (2023). Selected Initial Findings, p. 7.

²¹ Channel, Jacob, Dan Shepard, and Pearly Huang, of LendingTree. (2022).

16 Million Homes Are Vacant in the U.S. — Here Are the States With the Highest Vacancy Rates.

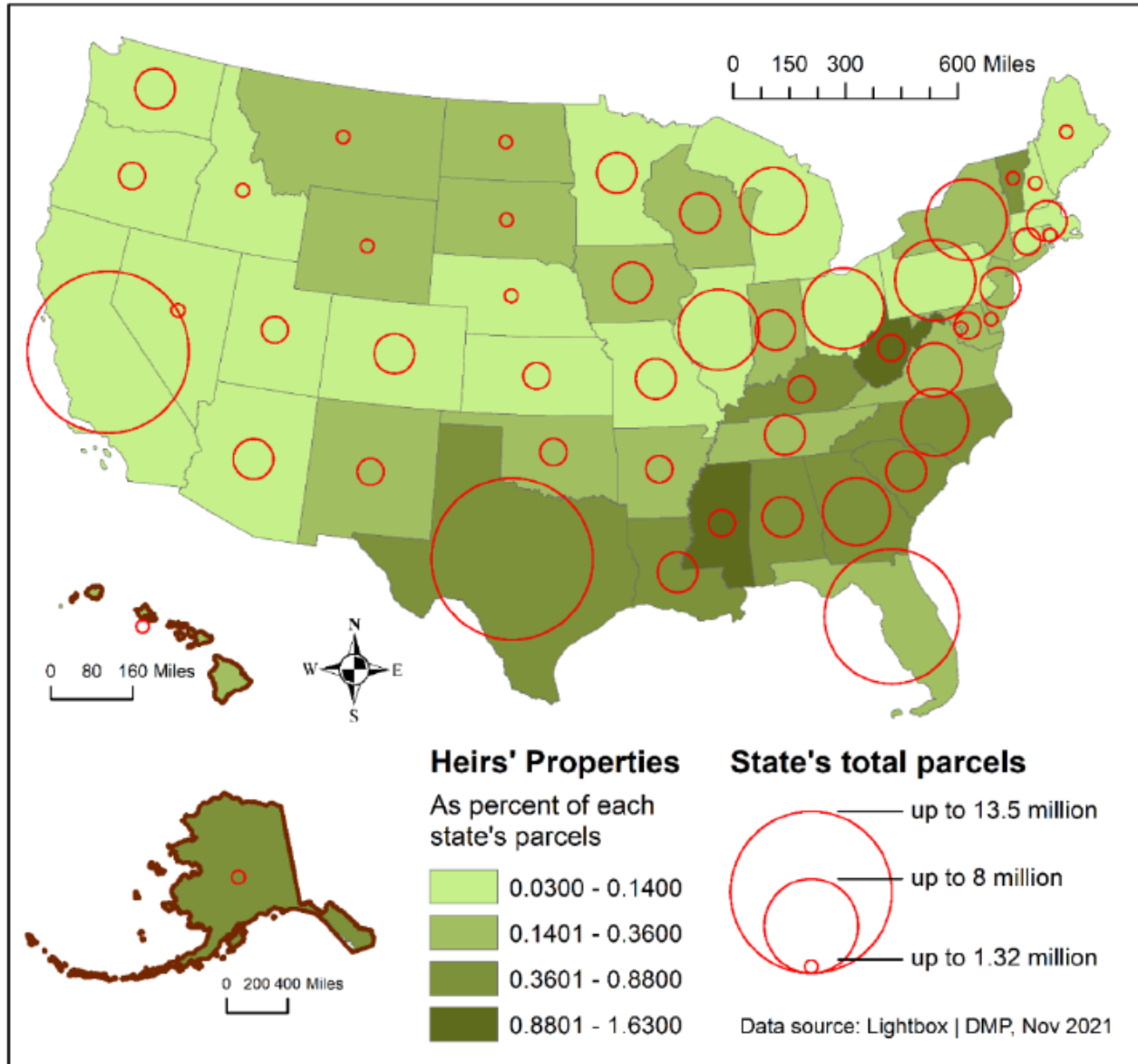
such as 'deceased,' 'family of,' 'heirs,' and 'a fraction,' were used to flag parcels with an heirs' status. This methodology produces what Dobbs considers actual counts of heirs' properties, rather than estimates or weighted probabilities of heirs' status.

Based on Dobbs' methodology, there are an estimated 444,127 total heirs' parcels in the US, with a combined acreage of 9,247,452 and a \$41,324,318 value. In the case of New York, Dobbs' methodology projects 12,388 likely parcels of heirs' property out of a total of 6,385,853 parcels (0.19 percent). This estimate encompasses a total acreage of 183,372, worth \$3,425,506. Figures 5 and 6 in Dobbs' report display the percentage of heirs' properties in US states and counties, respectively.

According to the Center's research, the mean assessed value of its sample of likely heirs' properties in New York City is approximately \$1.14 million—property value that is often at risk of loss or devaluation. Each year, roughly 350 heirs' property partition lawsuits are filed in the city, representing an estimated \$400 million in property at risk. Since only a small percentage of heirs' property cases ever reach court, the true number of owners in need of funding or legal support is likely in the thousands annually. The Center's research, along with that of our colleagues in the heirs' property field, confirms thousands of heirs' property cases in New York City alone—in addition to the estimated 9,000 to 12,000 cases statewide. Even under conservative assumptions, the scale of property at risk in New York City exceeds \$400 million each year, with a more realistic estimate approaching \$4 billion.

It is essential to note that, based on our discussions with legal service providers and our evaluation of other methodological approaches, a discrepancy exists between the projections of heirs' properties in New York made by on-the-ground legal service providers and those by academics. The Housing Assistance Council's methodology indicates fewer likely heirs' properties (9,379) than Rebecca Dobbs' estimate (12,388). The methodologies used by the HAC and Dobbs undercount the number of heirs' properties in New York City, partly because the majority of such properties remain in the decedent's name or have already been partially acquired by an investor operating as a limited liability company or other name obfuscating title. As a result, both methodologies provide a conservative estimate of the likely number of heirs' properties. Furthermore, the unique property types in New York City, such as cooperatives and condos, complicate the task of identifying heirs' properties, and there is no consensus on the accurate count of heirs' properties in either New York City or New York State.

Percent Heirs' Properties in US States



State shading represents heirs' properties as a percent of all parcels in the state. Red circles for each state indicate total number of parcels in the state.

Figure 5. Percent of Heirs' Properties in US States.²²

²²Dobbs, G. Rebecca. (2023). How Much Heirs' Property is There? Using LightBox Data to Estimate Heirs' Property Extent in the U.S. Oak Ridge Institute for Science and Education.

Percent Heirs' Properties in US Counties

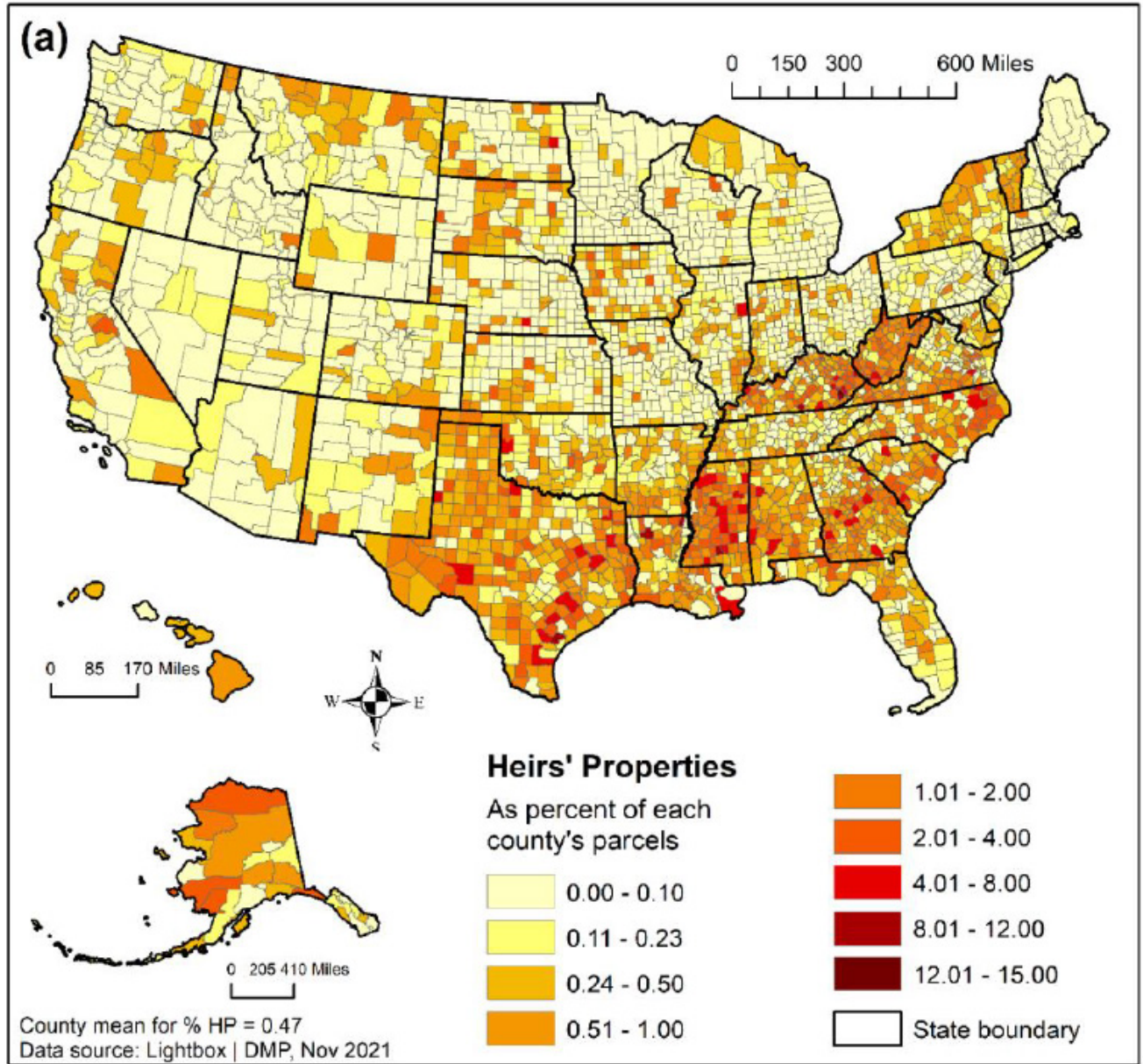


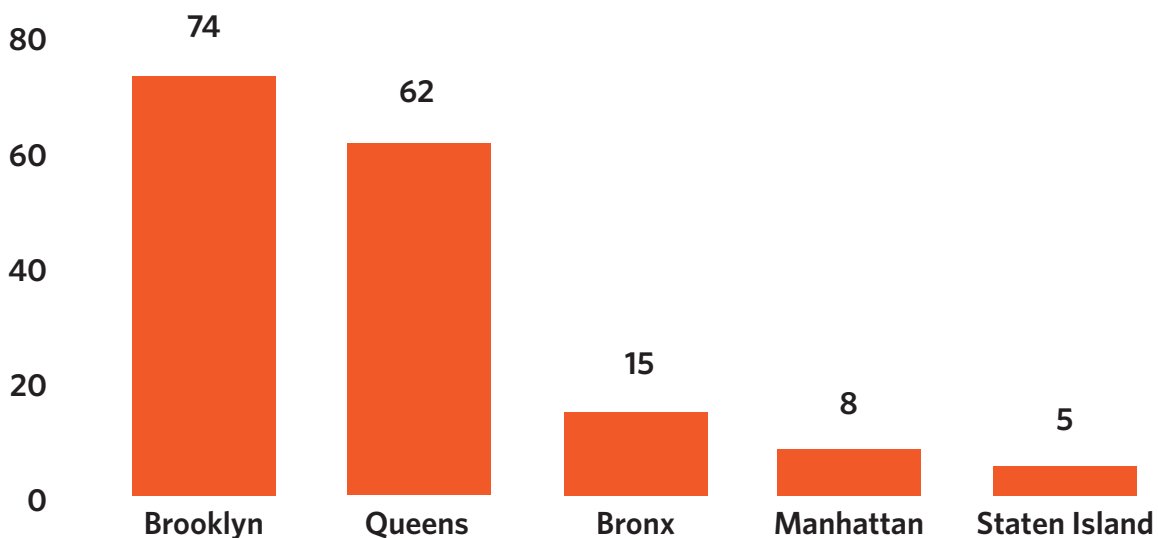
Figure 6. Percent of Heirs' Properties in US Counties (Dobbs, 2023).

Assessment of Likely Predatory Heirs' Property Cases

To estimate the number of likely predatory heirs' property cases, where investors or corporate entities use fraudulent tactics to purchase fractional interests and force a partition sale at below-market prices, the Center's in-house research team analyzed additional likely heirs' property claims submitted to the New York State Courts Electronic Filing System (NYSCEF) from April 1 to October 31, 2024. The researchers identified heirs' properties by searching through real property case types in the NYSCEF system and evaluating proxy indicator phrases indicating an heirs' property. The researchers used proxy indicators including "partition,"²³ "heirs," "fractional," "deceased," "intestate," and "estate."

The researchers identified 164 likely heirs' cases during this period in New York City. Of the 164 likely cases, 74 properties are located in Brooklyn, 62 in Queens, 15 in the Bronx, 8 in Manhattan, and 5 on Staten Island. The goal of analyzing additional cases was to identify potential predatory heirs' property cases and uncover patterns and trends in such cases.

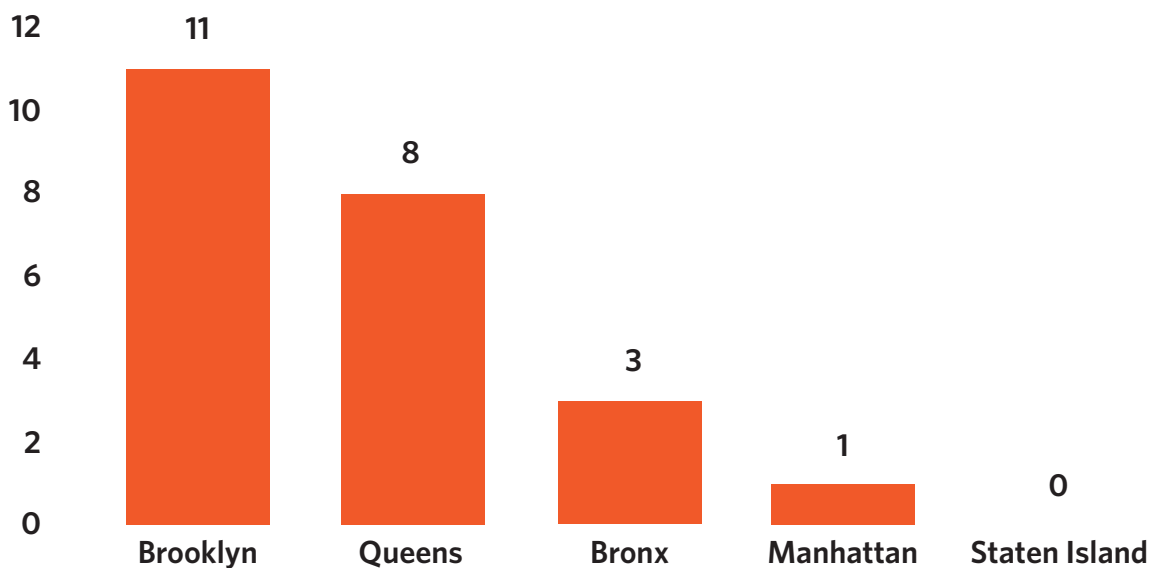
Number of Likely Heirs' Property Cases By Borough (April 1 - October 31, 2024)



²³ Note: As of 2025, the Office of Court Administration now requires plaintiffs to identify whether the type of case is "partition" so that these case types can be searched and distinguished from non heirs' property partition cases.

The researchers flagged LLCs and other corporate entity markers (e.g., 'Inc.' and 'LTD') as indicators of likely predatory heirs' property cases. Between April 1 and October 31, 2024, the researchers found 23 likely predatory heirs' property cases. Of the 23 likely predatory heirs' property cases, 11 properties are located in Brooklyn, 8 in Queens, 3 in the Bronx, 1 in Manhattan, and none on Staten Island. In June 2024, a spike in likely predatory heirs' property cases was observed, with 13 cases reported across all five boroughs.

Number of Likely Predatory Heirs' Property Cases By Borough (April 1 - October 31, 2024)



In one June 2024 case in Brooklyn, the complaint outlines that the defendants are known predatory real estate actors who use “economic coercion and strong-arm practices” to engage in predatory and fraudulent business practices involving purchasing fractional interests from heirs. The defendants had formed and used multiple LLCs and other corporate entities in numerous jurisdictions. The plaintiff, Ms. R, is a 40-year-old woman of color with a precarious financial situation. Her grandmother, Ms. F, immigrated to the United States from Trinidad in 1962, and in 2001, Ms. F passed away intestate (without having made a will). Ms. F's only surviving heir was her son, Mr. L, who did not commence Administration Proceedings to administer Ms. F's estate. The plaintiff received a phone call from the defendant, Mr. D, who told her that he could help her financial situation. Mr. D told the plaintiff that she could get money for her share in her family's estate without waiting for the Estate to be settled. In desperate need of money, Ms. R signed documents for the defendant, who gave her money. The defendant attempted to blackmail the Administrators into paying a ransom to buy out the plaintiff's interest in the Estate. The complaint alleges that the defendant was a real estate

predator attempting to exploit the plaintiff's inheritance by acquiring it at a fraction of its potential value, thereby impairing the property's value.²⁴

The researchers identified a common pattern that suggests a likely predatory action in several other cases as well. This predatory pattern occurs when an LLC, acting as the plaintiff, purchases a co-heir's interest in the property. The LLC then claims an inability to reach an agreement with the other parties regarding the property's disposition, asserting that a partition-in-kind or physical division of the property would cause significant prejudice. In these cases, the LLC, as the plaintiff, seeks a partition and sale. In other cases analyzed by the researchers, corporate entities used deceptive and fraudulent tactics, such as misrepresentation and forgery, to trick heirs into signing documents that transferred property or ownership interests to the companies, effectively excluding co-heirs from making any claims.

Further Research

To better understand whether there has been an increase or decrease in the number of likely predatory heirs' property cases since the passage of the New York Uniform Partition of Heirs' Property Act on December 6, 2019, further research is needed to identify all partition actions since then and the effects of improvements in the law enacted in 2024. The small sample of likely predatory heirs' property cases identified by the Center's researchers shows an average of three such cases per the seven months analyzed. A larger sample would provide a better understanding of the scope of the issue.

Despite the passage of the New York State UHPA in 2019, corporate entities and investors continued to approach co-heirs, either encouraging them to sell their fractional interest or using deceptive tactics to transfer ownership to themselves or the investor or corporate entity. There was limited success in the settlement conference process because the courts were uncertain how to apply the New York State UHPA, and the profit margin for the speculators was so great that they could bear the loss of some of the targeted homes. In response, New York passed the Heirs Property Protection and Deed Theft Prevention Act of 2024 in consultation with the Center.

The 2024 law bars any speculator who acquired their interest in heirs' property from an heir from commencing a partition action. It also provides a right of first refusal to heirs who want to maintain the home, permitting those heirs to purchase the fractional interests on the same terms and conditions as offered to the speculators. While the New York State UHPA introduced important safeguards to partition law in 2019, with significant improvements in 2024, the ongoing actions of these predatory actors highlight the need for greater community education about the Act, expanded access to estate planning and legal services, and a source of affordable capital for the heirs to purchase those interests offered to the speculators.

²⁴ Rochelle Phillip et. al. v. Earl R. Davis et al. (Kings County Supreme Court, June 2024). <https://iapps.courts.state.ny.us/nyscef/DocumentList?docketId=NqDCTtt/oBXI7ENVVdk/mw==&display=all&courtType=Kings%20County%20Supreme%20Court&resultsPageNum=3>.

Recommendations

Costs of Restoring Title

Heirs' property poses a serious problem, as many homes are lost due to predatory real estate practices, lack of estate planning, mortgage or property tax foreclosures, and disrepair, often driven by long legal processes and unresolved ownership issues that prevent families from accessing disaster relief or home repair programs. These challenges reduce the wealth of heirs' property owners, particularly because the legal complexities make curing title costly.²⁵ Lack of credit access, such as due to underwriting requirements, can also result in significant loss of wealth held in heirs' property. The costs associated with restoring title can include attorney fees, real estate appraisal, estate administration, court fees, and property taxes.²⁶ In a very high-cost real estate market like New York City, the value of estates tends to be high because heirs' property homes are often located in rapidly gentrifying neighborhoods like Harlem and Fort Greene. This poses challenges for low-income families who have to pay much higher Surrogate's Court fees to address heirs' property.

A Pew Charitable Trusts' study on "tangled titles" in Philadelphia estimated that the median assessed value of its sample of likely tangled title properties is \$88,880.²⁷ This median assessed value was used as the basis for calculating the cost of untangling a "simple" tangled title at \$9,198. Pew identified attorney fees (\$4,444) and inheritance taxes (\$3,450) as the two highest expenses. Pew projects that the cost for probating a simple heirs' property in that kind of market will exceed 10 percent of the property's assessed value.²⁸

According to the Center's research, the mean assessed value of its sample of likely heirs' properties in New York City is approximately \$1.14 million—property value that is often at risk of loss or devaluation. Based on research presented in this paper, even under conservative assumptions, the scale of property at risk in New York City exceeds \$400 million each year, with a more realistic estimate approaching \$4 billion.

Unlike Philadelphia, New York City has a significantly higher-cost real estate market. While the legal expense of preserving such property may be slightly greater, the value preserved per unit of investment is substantially higher. This results in a markedly greater social return on investment, making preservation efforts in New York particularly impactful.

²⁵ Weisbord, K. Reid. (2023). Heirs Property: An Examination of Probate Costs and the Costs of Postmortem Probate Inaction. *ACTEC Law Journal*: Vol. 49: No.1, Article 10. <https://scholarlycommons.law.hofstra.edu/actec/lj/vol49/iss1/10>.

²⁶ Pierce, Hugo A. III (1973). Heirs Property the Problem Pitfalls and Possible Solutions, *South Carolina Law Review*: Vol. 25 : Iss. 1 , Article 5. <https://scholarcommons.sc.edu/sclr/vol25/iss1/5>.

²⁷ Please see Note 2 on the definition for tangled titles.

²⁸ Weisbord, K. Reid. (2023, pg. 122).

The Center's Proposal

To meet the growing and largely unmet need facing heirs' property owners across New York State, the Center for NYC Neighborhoods is seeking \$10 million to address uncaptured heirs' property challenges over time. With Wells Fargo helping to lead the development of a scalable solution, this effort is designed to unlock a statewide response to a problem that research shows places over \$400 million in housing and family wealth at risk, with the potential to reach into the billions. The Center invites corporate, government, and philanthropic partners to join in building and scaling this market-shifting approach through programmatic investments beginning at \$250,000.

With our lead and founding funder Wells Fargo, the program will launch in Spring 2026, and will address a major gap in the current lending market, where heirs' property owners are often excluded due to tangled titles and inequitable credit practices.

The program will recycle funds to heirs in need via two new lending products developed by the Center that will permit heirs to consolidate ownership, refinance mortgage loans of their deceased loved one, pay housing expense arrears, and access disaster relief, home repair, and other benefit programs when otherwise barred from doing so. Based on a sampling of cases provided by our network, we estimate that for every \$1 lent to a borrower resolving a tangled title or heirs property issue, between \$13 and \$15 in wealth is preserved today. This estimate does not account for near term nor longer term appreciation of property values.

The great amount of wealth held in heirs property in New York, and New York's state-of-the-art legislation, creates a multifold opportunity to achieve meaningful impacts through a scaled-up solution for addressing heirs property issues. First, instead of purchasing back a share for its current market value of \$50K or \$500K, heirs can now do that for a fraction of the cost - the same \$5K or \$50K that the "investor" paid. That allows our dollars to go farther and help more New Yorkers. Second, our lending products will recycle loan capital for the next heirs property owner in need, multiplying the impact per dollar. Third, most impacted homes are unmortgaged, so there is significant wealth to be preserved through the consolidation of ownership.

All told, this is a deeply impactful opportunity for leading partners across New York State to support the Center in this solution, knowing that securing homes now means securing wealth for generations to come. As more partners invest in bringing this product to homeowners across New York State, we will help more families save millions of dollars in expenses and in preserved wealth.

Anticipated Impact

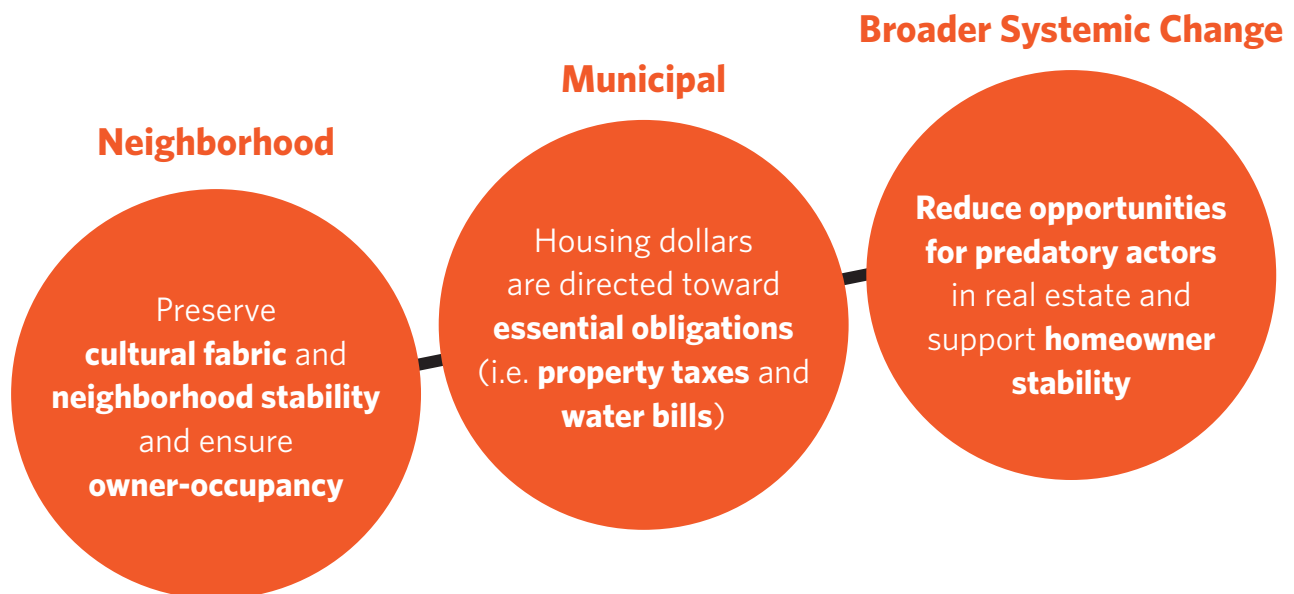
The Center's research shows that median home prices across New York City boroughs range from \$640,000 to \$1.65 million, and the average moving cost is \$1,100, in addition to down payment costs, broker fees, and closing costs. For example, an heir who loses rights to a family property in Jamaica, Queens, could face upfront costs of approximately \$165,000—including a down payment and legal fees—and would likely need to take on an additional \$620,000 in debt to purchase a comparable home, structured as a ~\$4K monthly payment for the next 30 years - all while losing any value accumulated in the family home. The difference that the Center's proposed heirs' property solution can make is therefore between a homeowner securing an already existent \$785K in wealth versus losing that wealth and going into further debt. In essence, this funding can mean the difference between preserving intergenerational wealth and falling deeper into debt.

The impacts of this intervention extend beyond individual households to both the neighborhood and municipal levels. Retaining multigenerational residents helps preserve the cultural fabric and stability of neighborhoods, while ensuring that homes remain owner-occupied rather than being acquired by investors.

At the municipal level, our solution ensures that housing dollars are directed toward essential obligations—such as property taxes and water bills—instead of being diverted to attorney fees or predatory investor defense.

Finally, the intervention supports broader systemic change. By reducing opportunities for predatory actors in the real estate market, it fosters greater homeowner stability and strengthens trust between financial institutions and the communities they serve.

Anticipated Impacts of the Proposed Intervention



Appendix

Best Practices for the Success of New Interventions

In New York City, there are [over a dozen organizations](#) that provide free legal services to homeowners who may be at risk of foreclosure or other home loss. These organizations include Grow Brooklyn, Bronx Legal Services, the NY Legal Assistance Group, Queens Legal Services, JASA Legal Services, Brooklyn Legal Services, Queens Legal Aid, and the City Bar Justice Center. These legal services organizations are ready to provide free estate planning and settlement services to address the issue of heirs' property and tangled titles.

The following best practices are necessary to ensure the success of any new heirs' property intervention or program:

- **Expand** financial assistance to homeowners, especially to provide help with legal and deed recording fees
- **Provide** capital in the form of low-cost loans for heirs to consolidate fractional interests and cure defaulted mortgage loans following the homeowner's death, especially for a demographic that is locked out of traditional credit markets
- **Continue** community education about free legal services and resources available to homeowners and heirs
- **Conduct** community education to encourage people to engage in estate planning
- **Identify** existing heirs' property and conduct outreach to heirs to clear title
- **Expand** language translation support for legal services
- **Complete** research on all partition actions commenced since the enactment of the New York State UHPA in December 2019
- **Connect** with existing clients and engage them in estate planning
- **Incorporate** estate planning services and education in foreclosure and pre-purchase counseling
- **Train** "first referrers," especially attorneys, to be equipped to have hard conversations about planning for death with homeowners of color
- **Partner** with housing counselors to speak with clients about estate planning



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