

KNOW YOUR RIGHTS: HOMEOWNERS: PROTECT YOUR FAMILY HOME AGAINST INHERITANCE SCAMS

Without a formal inheritance plan, New York State law will split ownership of your home among your heirs-at-law (next of kin). Learn how to give your home to multiple family members and avoid investor scams and tactics.

WHAT IS ESTATE HEIRS' PROPERTY?

- Estate Heirs' property is a legal term for real estate owned by two or more people who inherits property from a common family member who died without a will or someone who bought the legal interest from a descendant.

PARTITION ACTIONS AND ESTATE HEIRS' PROPERTY

- Partition Actions are a type of lawsuit between multiple owners of real estate. When two or more owners cannot agree on how to own or dispose of real property, any of the owners can file a request in court seeking to sell the property.
- Heirs' Property Partition Actions target heirs' property and frequently involve one heir selling their ownership interest for an absurdly low price to an investor. The Investor then files a lawsuit seeking to force a partition sale of the home to make a profit while forcing the remaining family members out of the home.
- Estate Heirs' Property is the leading cause of involuntary land loss, particularly among communities of color.
- Heirs' Property Partition Actions and scams are not technically illegal. However, New York State passed a law in 2019 to protect heirs and ensure a fair resolution of property rights.
- To avoid this type of problem, homeowners should plan how the family home will stay in the family through estate planning.
- Free estate planning is available for qualifying homeowners. Call (917) 661-4500 for assistance.



917-661-4500

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* The information in this factsheet does not constitute legal advice.