

**The Honorable Nikema Williams**  
**Member of Congress**  
**Testimony Before U.S. House Finance Services Committee Member Day**  
**November 9, 2023**

Thank you, Chairman McHenry and Ranking Member Waters, for the opportunity today to offer testimony before the Financial Services Committee.

As our Committee considers legislative priorities for this Congress, I would like to highlight a priority that not only deeply impacts my constituents in Georgia's Fighting Fifth congressional district, but also many other families around the country.

As a member of the Housing and Insurance Subcommittee, I know that we have not adequately addressed ongoing housing issues related to title theft and heirs property.

**Ending Title Theft Through the Good DEED Act**

Y'all, people are walking into county recorders offices and forging deeds all across this country, and it is not even a felony. This kind of fraud is called title theft. Criminals are purposely targeting seniors, immigrants, and marginalized individuals who lack the financial means to get their homes back through expensive and time consuming court proceedings. We cannot continue to allow something as precious and hard earned as someone's HOME, go unprotected.

For most people, their home is the biggest investment they will make in their entire life. It is an opportunity to build generational wealth that can benefit their children and grandchildren, effectively closing the racial wealth gap.

People work hard for their homes but there have been numerous instances where people are thrown out of their homes at a moment's notice due to title theft. One of my constituents arrived home in November of 2021 to find a bulldozer in her front yard tearing down her home. Her house was paid off, but a stranger who had forged a deed and stolen her home decided to bulldoze it.

This is why I am co-leading Ranking Member Cleaver's Good DEED Act, that addresses title theft by:

- Establishing a \$10 million annual grant program administered by the U.S. Department of Housing and Urban Development (HUD) to fund applications that assist in the prevention, detection, investigation, and prosecution of deed fraud.
- Mandating that States receiving funding amend State laws to require identifiable information of individuals notarizing and filing deeds – such as a fingerprint.
- Requiring HUD to report to Congress on activities funded under the grant program and to identify best practices in reducing deed fraud.
- Directing the U.S. Sentencing Commission to promulgate guidelines or amend existing guidelines to provide sentencing enhancements for offenses involving deed fraud.
- Requiring the Federal Bureau of Investigation to add a category for deed fraud to the Uniform Crime Reporting program.

The Good DEED Act will support preventative measures to stop devastating land loss from American families, provide better tools for the investigation and prosecution of those engaged in such crimes, and support victims in restoring homes to the rightful owners.

### **Addressing the Harm Caused by Heirs Property and Tangled Titles**

Another housing issue that disproportionately impacts minority communities has to do with heirs property and tangled titles. Property becomes heirs property and titles become ‘tangled’ when family homes or land pass from generation to generation through inheritance, usually without a will or formal estate strategy.

One study found that people of color were less than half as likely as their white peers to have a will. This tendency is especially problematic in Georgia because dying without a will converts a family home, land, or other property into heirs property.

A study by the Georgia Heirs Property Law Center estimated that there is “over \$47 billion in probable heirs property in Georgia.” This is especially concerning because low-income families, people of color, and other marginalized groups are more likely to be owners of heirs property, putting them in a vulnerable position.

Heirs property makes it much more difficult for families to generate wealth because every heir is responsible for paying taxes and other expenses, has the ability to transfer their stake to an outsider, and must agree to key decisions about the property. Taken together, this means that owners of heirs property are much more likely to face eviction or a forced sale.

Y’all, this is an issue that needs to be talked about. Tangled titles limit the ability of people of color to pass wealth from generation to generation, putting the American Dream even further out of reach.

I am working to create legislation with Ranking Member Cleaver to complement the Good DEED Act and to address the issues caused by heirs property and tangled titles. I hope the Committee will give it the consideration it deserves.

Together, we can address these two critical issues that impact marginalized communities' ability to generate wealth. That is the only way we can truly begin to close the racial wealth gap.

In closing, thank you Chairman McHenry and Ranking Member Waters for the opportunity to testify before you today. I am hopeful this Committee can begin to address the issues brought to y’all today. I hope to find ways to work with you all. Thank you for your consideration and your time.