



# Land Access Methods

This decision tool organizes the common and less common farmland access methods that you might consider on your path to secure land tenure into three basic categories. The essential variables for each are: the division of interests (rights) in the property; the legal instruments and arrangements; and the parties to the agreement. Most traditional and innovative land tenure arrangements will fit into one of these three categories. The purpose of this tool is to provide an organized way of thinking about and comparing land tenure methods to help you make informed decisions.

For more details, see our resources online at [LandForGood.org](http://LandForGood.org) on the Farm Seekers page under Toolbox.

## WHAT IS MY GOAL FOR ACCESSING MY FARMLAND?

### I want to own a farm now (OWNERSHIP)

### I want to own a farm in the future (PATH TO OWNERSHIP)

### I want to rent a farm (TENANCY)

## WHICH ARRANGEMENTS MIGHT WORK FOR ME?

#### Sole Ownership

Farmer acquires title to land; known as Fee Simple

- ▶ **Outright Cash Purchase**
- ▶ **Financed purchase** with conventional or alternative financing
- ▶ **Seller-financed**
- ▶ **Gift** from a family member or other
- ▶ **Inheritance** from a family member or other

#### Whole Shared Ownership Interests

A group of farmers, or farmers with non-farmers, forms a legal entity to own the farmland. Farmers run individual or joint operations on land rented from the entity

- ▶ **Cooperative**
- ▶ **LLC**
- ▶ **Corporation**

#### Partial Ownership Interests

Farmer and other entities own different interests or rights in the land

- ▶ **Ground lease** where entity owns land; farmer owns structures and rents land
- ▶ **Life estate** where non-farmer retains rights to occupy
- ▶ **Easement** where entity holds:
  - ▶ Development rights
  - ▶ Other easement

#### Path-to-Ownership Options

Farmer purchases a specific farm over time

- ▶ **Lease-to-own** with right of first refusal or purchase option
- ▶ **Land contract** (aka installment sale) where farmer pays landowner toward purchase
- ▶ **LLC, coop or corporation** within which equity in the land is gradually transferred to the farmer
- ▶ **Gift** of land over time

#### No Interests (Rights) in Land

Farmer has agreement granting permission to use the land (technically not a tenant)

- ▶ **License**
- ▶ **Permit**
- ▶ **Memorandum of Agreement**

#### Leasehold Interest in Land

Farmer (tenant) has a contractual agreement assigning use rights and responsibilities; may be written or oral

- ▶ **Short-term lease**
- ▶ **Long-term lease**
- ▶ **Ground Lease** where entity owns land; farmer owns structures and rents land

## WHO MIGHT BE INVOLVED?

- ▶ Private bank
- ▶ State/Federal lender
- ▶ Seller-financer
- ▶ Community/Alternative lender
- ▶ Family/trust
- ▶ Employer
- ▶ Other private landowner

- ▶ Other farmers
- ▶ Community members
- ▶ Investors
- ▶ Family members

- ▶ Community land trust
- ▶ Conservation land trust
- ▶ Other Non-profit
- ▶ Public agency
- ▶ Private party
- ▶ Investors

- ▶ Private landowner
- ▶ Family
- ▶ Non-profit
- ▶ Government entity
- ▶ Investors

- ▶ Private landowner(s) (individual, family or group)
- ▶ Public/Gov't entity
- ▶ Non-profit
- ▶ Other landholding entity

- ▶ Private landowner(s) (individual, family or group)
- ▶ Public/Gov't entity
- ▶ Non-profit (e.g., land trust, school)
- ▶ Investors
- ▶ Retired farmer