

Background

The Land Trust Accreditation Commission has established the following requirements to aid in verifying that each accreditation applicant and all accredited land trusts meet the accreditation indicators and program requirements and to help ensure the integrity of the accreditation seal.

- [Additional Information on Related Entities](#)
- [Additional Information on Combinations](#)

Related Entities

Related entities, for the purposes of accreditation, include corporations, partnerships, LLCs, LLPs, or other affiliated entities “whether for profit or nonprofit, supporting or not. Related entities do not generally include co-hold relationships, fiscal sponsorships, or community foundation agreements. However, the Commission reserves the right, at its sole discretion, to determine that such a relationship needs additional investigation in order to determine the applicant’s compliance with the accreditation indicators.

If an organization operates under multiple corporate structures, each related entity that holds (or intends to hold) conservation properties or conservation easements will be required to provide application information at the basic or intermediate level, as determined by the Commission’s executive committee. The Commission’s executive committee, at its sole discretion, may decide on a case-by-case basis that information is required for other entities or that information in addition to that requested for the basic or intermediate level is needed.

Potential applicants operating with multiple corporate structures are encouraged to contact the Commission as early as possible in the accreditation process (preferably before registration for first-time accreditation or renewal) to provide information about the related entities and to seek a determination about the level of information required.

In making the determination, the Commission’s executive committee will consider the following: whether the related entity meets all of the eligibility requirements, how many properties and/or conservation easements the related entity holds, when its last fee property or conservation easement acquisition was, whether the related entity acquires properties and/or conservation easements for transfer, and what is the relationship between the applicant and the related entity. It may take several weeks for a determination to be made.

Corporate/Land Asset Combinations

Combinations, for the purposes of accreditation, include the following:

- Merging one or more organizations;
- Affiliating with another organization; and,
- Other forms of corporate combinations where land assets or corporate entities are brought together, generally under a formal agreement.

If an organization has combined with another entity the Commission may require information about the combination at the time of application or via the compliance confirmation process. Applicants or accredited land trusts that have combined with another entity must contact the Commission to determine if application or compliance confirmation information is needed.

Additional Information on Related Entities

Levels of Related Entity Application Information

Basic

The basic level of information will generally apply to related entities that hold land (or intend to hold) land or conservation easements but do not meet the accreditation eligibility requirements or may not be in the regular business of acquiring and stewarding land. The purpose of the review of these related entities is to evaluate compliance of the primary applicant; related entities supplying basic information will not be awarded accreditation and are not licensed to display the accreditation seal. Specific application requirements are found in the Commission’s Addendum for Multiple Corporations: Basic Level. Project documentation, while not generally supplied at the basic level, may be required at the Commission’s sole discretion.

Intermediate

The intermediate level of information will generally apply to related entities that meet the eligibility requirements and that are supporting organizations or are a wholly controlled subsidiary of the primary applicant. Each applicant must comply with each accreditation indicator, but evidence of shared compliance may be demonstrated through formal agreements as specified in the Commission’s Addendum for Multiple Corporations: Intermediate Level. Accreditation, if awarded, will be awarded jointly and both organizations will be licensed to use the accreditation seal with the provision that the related

entities retain substantially the same relationship during the accredited term. Specific application requirements are found in the Commission's Addendum for Multiple Corporations: Intermediate Level. Project documentation is required, with generally at least two projects evaluated in each category – fee title and conservation easement.

Fees for Related Entity Applications

Applications from related entities must each pay a fee as described below.

- Each related entity that provides information at the basic level requires an additional \$500 fee at the time of application.
- Each related entity that provides information at the intermediate level will receive a 25% discount on the total fee that would apply to the related entity (see the Commission's fee schedule) but with a minimum of \$2,500 for each entity.
- A fee of \$1,000 per related entity to cover additional administrative costs, in addition to the fees above, may apply if an applicant fails to disclose an intermediate level related entity by the time of pre-application. The Commission reserves the right, depending on when the related entity is disclosed and the degree to which it affects the accreditation review, to not award accreditation to an applicant and to retain all fees paid to date for failure to disclose.

Process for Related Entity Applications

Registration

An applicant should register the primary organization and provide data relevant to that organization. Only one registration fee is required. The applicant should provide information on all related entities where requested on the registration form. Related entities providing information at the intermediate level must comply with all registration requirements.

Pre-application

The intermediate level requires information to be provided about the related entity as part of the pre-application process using the applicable pre-application form for related entities. No separate pre-application is required for the basic level.

Application

As noted above, each related entity will be required to submit additional information at the time of application. The primary organization completes the standard application and attachments. The related entity will complete the applicable application addendum.

Additional Information on Combinations

Combinations Prior to First-time Accreditation

If a combination occurs within five years of applying for first-time accreditation, the Commission will generally request information about the nature of the combination and the assets transferred as part of the first-time application process.

- The applicant will need to include notes on its Land Conservation Project List to indicate which projects were initiated by which entity; monitoring and inspection data can include information from the prior holder/owner. The Commission may request project documentation from projects acquired through the combination.
- Applicants should expect to provide a statement with the following type of information:
 - When, why and how the combination took place and whether or not land or financial assets were combined.
 - The process used by the board(s) of the combining entities to review the benefits and risks of the combination and to approve the final combination.
 - If financial assets were transferred to the new/combined entity, the process used to evaluate the original donors' intent with respect to the funds transferred before classifying the funds as unrestricted, temporarily restricted or permanently restricted.
 - If land assets were transferred to the new/combined entity, how title was investigated for the conservation easements and/or fee properties transferred.

Combinations Involving Accredited Entities

An accredited organization is required to notify the Commission if it changes its organizational structure or operation, including combinations. The Commission evaluates these changes under its Compliance Confirmation Policy. The sections below provide more information about the compliance confirmation process for various types of combinations.

Two Accredited Land Trusts Combine

If two accredited land trusts combine, the Commission will generally ask for information about the nature of the combination via its compliance confirmation process to determine whether the organizations' listing on the roster of accredited land trusts should change and what the renewal schedule will be for the remaining entity. The accredited land trust will generally need to provide a brief description of the combination (including the purpose of the combination, the legal/corporate status of the entity or entities combined, and whether any land and/or financial assets were combined), any combination agreement,

and any revised articles of incorporation or bylaws. The Commission may ask for additional information about the transfer of land and/or financial assets at the time of compliance confirmation or at renewal.

Accredited Land Trust Combines with Non-Accredited Entity

General

If an accredited land trust combines with a non-accredited entity and retains its corporate status, its license agreement will remain in effect and the Commission will examine information about the combination via its compliance confirmation process. The information will be used to verify that the accredited land trust continues to meet the Standards and program requirements. The accredited land trust will generally need to provide a brief description of the combination (including the purpose of the combination, the legal/corporate status of the entity or entities combined, and whether any land and/or financial assets were combined), any combination agreement, and any revised articles of incorporation or bylaws. The Commission will use this preliminary information to determine the additional information needed; the extent of additional information varies depending on the type of combination.

Affiliates

If an accredited land trust enters into an affiliate relationship with another entity that would likely be required to supply related-entity information at the intermediate or complete level, the Commission will generally require the affiliated entity to apply as a first-time applicant. Upon the conclusion of the application review, if the Commission determines that the affiliate meets the accreditation requirements, the Commission may make a decision to amend the accredited land trust's license agreement to reflect the affiliate's status and to permit it to sublicense the accreditation seal to its affiliate.

Dissolution

If an accredited land trust dissolves its corporate status and is combined into another entity the license agreement to use the seal will generally be revoked and the non-accredited entity will have to apply for first-time accreditation.

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