

Accredited land trusts commit to implementing the accreditation indicators during their accredited term. The Commission a) expects compliance with the express parameters of clearly worded indicators throughout the accredited term; and, b) expects compliance at least by the time of renewal with the Commission's [published requirements](#) in effect at renewal. (See examples below.)

The Commission expects that an applicant will have met any expectations for improvement received during its initial accreditation or through the compliance confirmation process. If an applicant failed to meet an expectation for improvement, the Commission may decide not to award accreditation at renewal, particularly if the expectation was clearly articulated, the failure to meet it was not isolated, and/or the failure to meet it would put the applicant or the accreditation program at risk.

If an applicant failed to implement an item identified in the Commission's current published requirements as being required at renewal, depending on the severity of the failure and ability to take corrective action promptly, the Commission may allow an applicant a limited opportunity to correct the noncompliance during the review process. If the applicant has failed to consistently maintain the initial accreditation and thereafter requirements, the Commission may make a decision not to award accreditation.

In other situations where an accredited land trust cannot demonstrate compliance with the accreditation indicators or the Commission's current published requirements, depending on the severity of the failure and the risk to the applicant and accreditation program, the Commission may issue an expectation for improvement at renewal.

Examples of Demonstrating Compliance for Specific Indicators

11B. Baseline Documentation Report (as excerpted from *Land Trust Standards and Practices*)

For every easement, the land trust has a baseline documentation report (that includes a baseline map) prepared prior to closing and signed by the landowner at closing. The report documents the important conservation values protected by the easement and the relevant conditions of the property as necessary to monitor and enforce the easement. In the event that seasonal conditions prevent the completion of a full baseline documentation report by closing, a schedule for finalizing the full report and an acknowledgement of interim data [that for donations and bargain sales meets Treasury Regulations §1.170A-14(g)(5)(i)] are signed by the landowner at closing.

- The Commission expects compliance with the accreditation indicator during the entire accredited term; i.e. a baseline (or interim data) at closing for every easement. (In evaluating this practice, the Commission may determine that an isolated or rare instance of noncompliance that has a reasoned and reasonable justification and that does not jeopardize the applicant or the accreditation program will not preclude renewal of accreditation.) As to the contents of the baseline documentation report, the Commission expects current baseline document reports to contain at renewal requirements at least by the time of renewal.

9H. Title Investigation (as excerpted from *Land Trust Standards and Practices*)

The land trust investigates title to each property for which it intends to acquire title or an easement to be sure that it is negotiating with the legal owner(s) and to uncover liens, mortgages, mineral or other leases, water rights and/or other encumbrances or matters of record that may affect the transaction. Mortgages, liens and other encumbrances that could result in extinguishment of the easement or significantly undermine the important conservation values on the property are discharged or properly subordinated to the easement.

- The Commission expects compliance with the accreditation indicator during the entire accredited term; i.e. title investigation for each fee and conservation easement acquisition. (In evaluating this practice, the Commission may determine that an isolated or rare instance of noncompliance that has a reasoned and reasonable justification and that does not jeopardize the applicant or the accreditation program will not preclude renewal of accreditation.)
- As to who performs the title investigation, the Commission expects current title investigations to meet the at renewal requirement of being completed by a title company or through a law firm to be in place by the time of renewal.

Noncompliances Not Discovered at Initial Accreditation

Land trust accreditation is based on best practices in the evolving field of land conservation. It is also a sampling process. Renewal of accreditation is designed to confirm that a land trust continues to comply with *Land Trust Standards and Practices* and accreditation requirements. As such, it is possible that noncompliances will be identified at renewal that were not discovered in the initial application review. This may mean that accredited land trusts will be asked to respond to questions or take corrective action during the renewal process on items that were not discussed during the initial review. In addition, similar to the initial accreditation process, the Commission may issue expectations for improvement for an organization to focus on during its next accredited term. These are offered to foster continuous learning and quality improvement and to ensure continued compliance with the accreditation indicators.

