

#### RALLY WORKSHOP D14

Get Set for Success: Tips and Guidance for Avoiding Common Mistakes When Applying for Accreditation





#### **Road Map**

- Accreditation Basics How the Process Works
- Words of "Wisdom" Tips & Guidance
- Common Mistakes How to Avoid Them
- Resources & Support Where to Find Them
- Q&A Throughout & At the End

# **Accreditation Basics**





About the Commission



**Application Process** 



Requirements
Manual vs
Standards



First-time vs Renewal

#### **Land Trust Accreditation Commission**

An Independent Program of the Land Trust Alliance

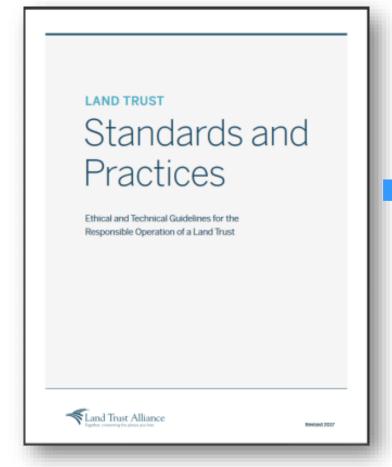


#### **Commissioners:**

- 19 volunteers from around the country
- Expertise in various areas of conservation
- Collectively volunteer nearly 5,000 hours each year

#### **8 Commission Staff**





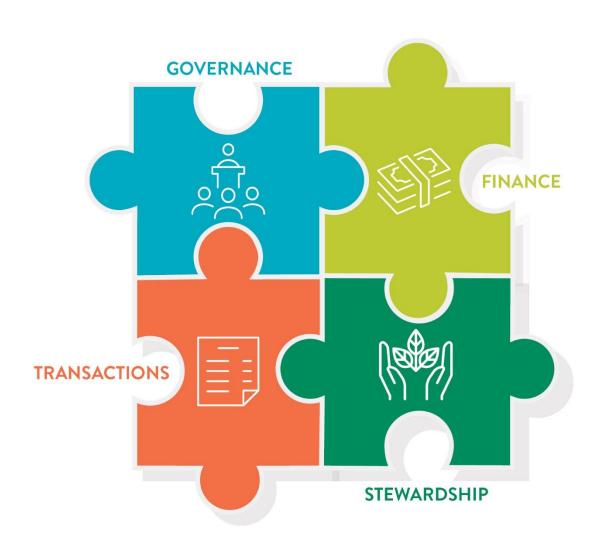


#### Accreditation Requirements Manual

March 2023





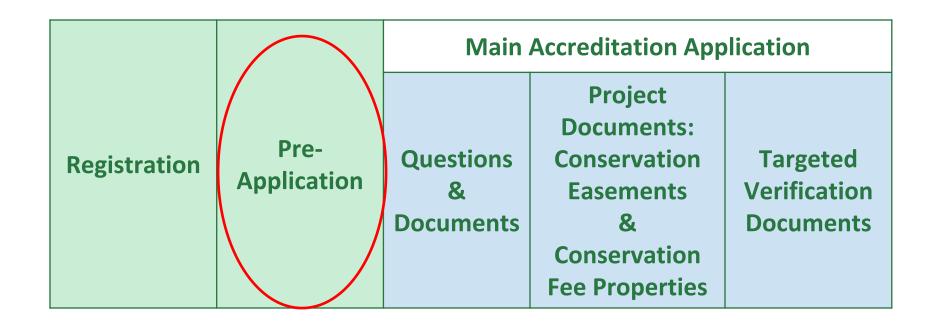


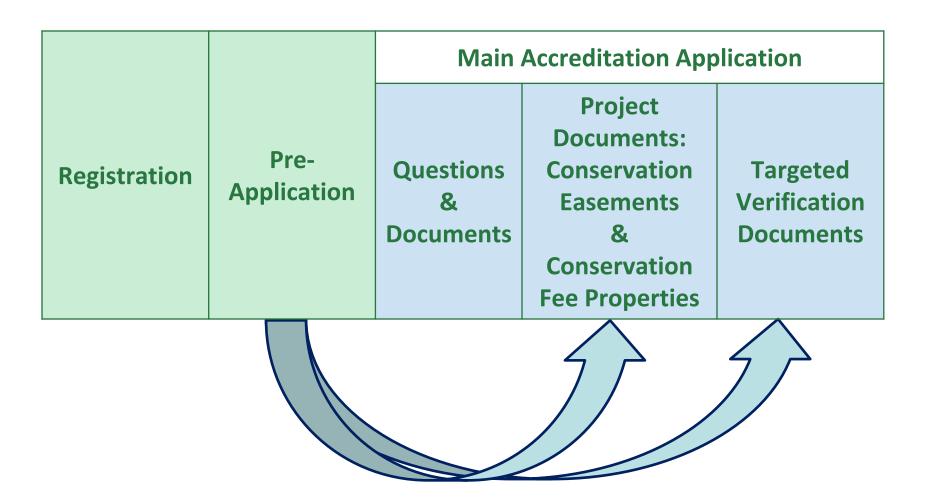
#### **Application Overview**

		Main Ad	Review Process		
Registration	Pre- Application	Questions & Documents	Project Documents: Conservation Easements & Conservation Fee Properties	Targeted Verification Documents	First-Time: Applicant Call & Additional Information Request  Renewal: Additional Information Request

#### **Example: Title Investigation Update**

- 9F1. Prior to closing and preferably early in the process, have a title company or attorney investigate title for each property or conservation easement the land trust intends to acquire
  9F1(a). Update the title at or just prior to closing
- Title investigation by title company or attorney identifies ownership and encumbrances? for each project.
  - (<sup>?</sup>Includes mortgages, severed mineral rights, severed water rights, tax liens or judgments, easements, use agreements, covenants or other restrictions. If mineral rights are excluded from the title investigation, then a risk analysis of the potentially severed mineral rights.)
- 5. Title investigation updated by title company or attorney within 30 days before closing.





## Project Documents: Conservation Easements and Conservation Fee Properties

#### Transactions

#### Project Due Diligence<sup>8B2, 8C1, 9F1, 9F1(A), 9F2,9F3, 9H1,9H2</sup>

- Evidence of title investigation (such as a title report, title insurance commitment, title insurance policy)
- If the title investigation was completed early in the transaction process: evidence the title investigation was updated within 30 days prior to closing by a title company or attorney (such as with an updated title search or title insurance commitment, a title insurance policy, a written communication from an attorney or title examiner that the title investigation was brought current at closing, written escrow or closing instructions requiring the closing agent or title company to bring the title investigation current)



#### Words of "Wisdom"

Tips & Guidance for Your Application



#### Many Hands Make Light Work

- Share accountability for maintaining accreditation readiness
- Build an accreditation team
  - Ensure accreditation contact is up-to-date with Commission





## "The time to repair the roof is when the sun is shining."

#### Learn more about the process





#### Accreditation Requirements Manual

March 2023



### Reread the *Requirements Manual*

Requirements AND introduction



#### **Detail of Review**

The words used in the requirements are another key to understanding how a risk lens is used and what level of detail the application reviewers will use when evaluating the application documents.

➤ If a requirement uses the word "exists," this means the application reviewers will simply verify if the document is present or not. Application reviewers will skim the document to make sure there are no high-risk concerns; on the rare occasion that something is flagged as high-risk, the land trust may be asked for clarification, additional documentation, and/or corrective action.

For example, in the "Stewardship: Conservation Easement Enforcement and Amendment Policies" section, there is a requirement: "Violation policy and/or procedures exist." Each



# Conduct an organizational assessment & identify big hurdles

#### LAND TRUST

#### Standards and Practices

#### **INTRODUCTION TO**

#### Assessing Your Organization

#### **Organizational Strength** 2017 Standards STANDARD Ethics, Mission and Community Engagement meeting this practice? Land trusts maintain high ethical standards and have a mission 1 = not currently meeting committed to conservation, community service and public benefit. ? = don't know 1. Adopt a written code of ethics and/ or values statement and adhere to it in implementing the land trust's mission, in its governance and in its operations · Has the board adopted an ethics statement or a statement of organizational values? o If yes, does the statement address how the land trust will address transparency and uphold the public interest? 2. Adopt a written whistleblower policy that protects individuals who come forward with information on illegal practices or unethical behavior Has the board adopted and implemented a written whistleblower policy? 3. Do not knowingly participate in transactions that are potentially fraudulent or abusive . What are the land trust's specific policies or actions that ensures it avoids participating in potentially fraudulent or abusive transactions?

#### Find out what you will need to provide and when





#### Start gathering information

- Over past five years (first-time)
- Over term (renewal)
- How you met any EFIs (renewal)
- Above-appraised value purchases
- Conservation easement violations
- Fee ownership challenges
- Conservation easement amendments
- Conservation easement extinguishments
- Conflicts of interest (financial and land/easement)



# Any job worth doing is worth doing well

- Required Policies
- Insider Transactions
- Gift Acknowledgement Letters
- Financial Evaluations
- Monitoring & Inspection Reports
- Baseline Reports
- Title Update
- Financial Reports



#### **Finance: Board Oversight**

- II.3 Board reviews financial reports periodically through the year that include the following:
  - a. Net assets? without donor restrictions, with board-designation, and with donor restrictions (?Net assets are the difference between total assets and total liabilities on the balance sheet. Report must list each of the three categories of net assets that applies to the land trust.)
  - b. Statement of expenses and revenue that shows the following:
    - i. Actual year-to-date operating revenue? and total expenses as compared to budget. (Excludes grants and contributions restricted by donors for specific purposes, other sources of funds that are not intended for use in operations, and grants and contributions not yet released from donor restrictions. Report should include operating revenue when restrictions are released on grants and contributions. Grants for land and conservation easement acquisition should be reported in (ii).)
    - ii. Schedule of restricted gifts/grants activity showing donor-restricted money received and released during the reporting period (if any), with level of detail appropriate to the scale of the land trust's financial activities

#### Balance Sheet (Statement of Financial Condition) as of September 30, 2021

as of September 30, 2021		
		30-Sep-21
ASSETS		
Bank Accounts		
Checking	\$	20,658
Savings		49,618
Money Market		150,801
Investments	_	597,383
Sub-total		221,077
Accounts Receivable		33,440
Prepaid Expenses		6,309
Fixed Assets		
Furniture & Equipment		853
Land	_	1,756,414
Sub-total		1,757,267
TOTAL ASSETS	\$	2,615,476
LIABILITIES & NET ASSETS		
Liabilities		
Accounts Payable		940
Notes Payable	_	3,667
TOTAL LIABILITIES		4,607
Net Assets		
Without donor restrictions		1,826,551
Board designated		200,000
Total Net Assets without donor restrictions		2,026,551
Net Assets with donor restrictions (perpetual)		584,318
TOTAL NET ASSETS		2,610,869
		,,
TOTAL LIABILITIES & NET ASSETS	\$	2,615,476



:													
	Sample Land Trust												
ŀ	Budget Comparison - Revised												
:	Sentember 30, 2021 Year-to-Date Annual YTD Percent												
ŀ		YTD Percent											
ŀ		Budget	of Budget										
:	Operating revenue		6.500		FF 000		50.000	, ,,,,					
Ŀ	Member contributions Grants - released from	\$	6,500	\$	55,000	\$	60,000	92%					
ŀ	restriction		80,000		90,000		115,000	78%					
:	Foundations		-		5,000		5,000	100%					
ŀ	Investment income		560		3,910		4,000	98%					
ŀ	Project fees		4,000		15,000		20,000	75%					
:	Stewardship - released from												
ŀ	restriction		3,750		11,250		15,000	75%					
:													
:	Total support and												
ŀ	revenue		94,810		180,160		219,000	82%					
ŀ	F												
:	Expenses Salarias and wages		85,792		127 652		150,000	85%					
ŀ	Salaries and wages Payroll taxes		1,298		127,653 19,125		150,000 22,500	85%					
ŀ	Office supplies		514		1,300		1,200	108%					
ŀ	Travel		892		5,000		6,500	77%					
:	Professional services		6,000		13,000		15,000	87%					
ŀ	Insurance		3,574		6.481		16,500	39%					
ŀ	insurance		3,374		0,401		10,500	3570					
:	Total expenses		98,070		172,559		211,700	82%					
ŀ			,										
ŀ	Operating surplus												
:	(deficit)	\$	(3,260)	\$	7,601	\$	7,300	_					
i		• • • •					•••••	<del>-</del>					
	Other income, gains, and												
ı	losses					- 1							
	Grants - restricted		110,000		112,675								
	Releases from restriction		(90,000)		(00,000)								
	(grants) Stewardship contributions -		(80,000)		(90,000)								
	restricted		10,000		15,000								
	Releases from restriction		,										
	(stewardship)		(3,750)		(11,250)	-							
	Change in net assets	s	32,990	5	34,026								
		_	,		,	-							





# Can't judge a book by its cover

- Tell your story
- Context matters





Honesty is the best policy

7. Did your land trust have an instance when it was not able to show compliance with the requirements in the Transaction section over the accredited term?

Governance
Finance
Stewardship

If your land trust has an ins
compliance with the require
accredited term: Statement

If your land trust has an instance when it was not able to show compliance with the requirements in the Transactions section over the accredited term: Statement and/or related documentation explaining a) the circumstances, b) the alternative steps your land trust took to meet the intent of the requirement and/or mitigate risks associated with the non-compliance and c) how your land trust typically complies with the requirement (The Commission will review the information to determine if the instance was isolated and rare and risks were

If your land trust was not able to show compliance with the requirements in this project: Statement and/or related documentation explaining a) the circumstances, b) the alternative steps your land trust took to meet the intent of the practice and/or mitigate risks associated with the non-compliance and c) how your land trust typically complies with the requirement



# What's done is done

Actions speak louder than words...

Document, Document, Document







# Patience is a virtue

#### **Application timeline**





#### **Common Mistakes**

#### **How are Requirements Created?**



LAND TRUST ACCREDITATION COMMISSION









An independent program of the Land Trust Allian

#### Summary of Changes to the 2023 Requirements Manual

#### Overview

The Requirements Monuol (Manual) helps land trusts understand how the Land Trust Accreditation Commission verifies that a land trust meets Land Trust Standards and Practices (Standards). The Manual also helps land trusts be successful in the accreditation process. The Commission looks at the requirements annually to

When deciding whether to revise or add requirements, the Commission considers consistency with the Standards and professional sources; equity among land trusts; feasibility of implementation and verification; and the level of risk to land trusts and the land trust community. The goal is to have clear requirements informed by land trust community feedback that are the basis for fair and consistent decisions.

Land trust community feedback is gathered by having commissioners who represent accredited land trusts, receiving comments from land trusts throughout the year, and having public comment periods. An open call for comments was held in May 2022 and a request for comments on specific changes was held in Fall 2022. The Commission appreciates the forty responses that were received in response to this second comment period. These comments helped improve and inform the final requirements.

This document is a companion to the full Requirements Manual and provides more in-depth information on the changes.

A version showing revisions to the requirements is also available on the <u>Commission website</u>.

Have additional questions?
Please contact Valerie Roof at the Commission: vroof@landtrustaccreditation.org | 518.587,3143

#### What is Different?

Most requirements have not changed. Some have been modified slightly to improve consistency and clarity and respond to land trust feedback. Below is a summary of the four major changes along with an explanation of what changed, why the change was made, and what feedback was collected from land trusts.

Applicants will not see any major changes in the application or documentation required for accreditation, but minor changes to the accreditation management system will be made to reflect the updates to the requirements.

#### Explore by Requirement

#### FINANCE

AUDIT, REVIEW, COMPILATION, **EINANCIAL REPORTS** 

#### TRANSACTIONS

APPRAISALS 5

#### STEWARDSHIP

REMOTE MONITORING/INSPECTION

https://www.landtrustaccreditation.org/help-ar resources/requirements-manual

What's new in 2023

- Audit threshold
- Financial reports
- Purchase appraisals
- Remote monitoring



#### **Land Conservation Project List**

					E THIS \ First	t-time applic	TONLY IF <i>i</i> ants, pleas	APPLY e selec	ING FC	R REN	IEWAL ne CEL	OF ACCI	T REDITATION s of each column)		
ORGANIZAT DATE COMP		:													
DATE COMP	ELTED:				C	onservation	Easement I	Land (	Conserv	ration I	Project	List		1	_
Α	В	C	D	E	F	G			Н		-,	I	J	K	L
							Monit	toring	Dates	(mm/y	y)		Complete if Form	8283	
Date Acquired (Recorded)	Project Name	Grantor	Town, City, or County	Acres	Type (D/B/P/M/O/C)	Baseline Report Date Completed (Signed)	most recent year completed	year prior	two years prior	three years prior	four years prior	Form 8283 (check if in last 5 years)		If yes to column "J," enter appraised FMV	Notes (also, if "O" or "C" selected in Column F, please describe)



- Start it early
- Use it (or database) to keep record of your portfolio
- Report all holdings, even at renewal



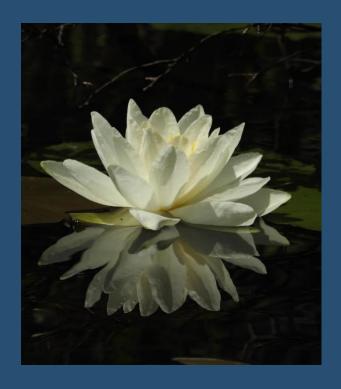
#### **Schedule of Dedicated and Restricted Funds**

Schedule of Dedicated an	d Destricted Funds						
		·					
Please see the instructions tab for a des		lumn.					
Organization Name:	Name						
Date and Source of Data:	MM/DD/YY Document Name						
FUND NAME AND CATEGORY	FUND DESCRIPTION	DOLLAR V	/ALUE AND TYF	PE(S) OF RESTR	ICTIONS		NOTES
		WITHOUT	WITHOUT DONOR RESTRICTIONS		WITH DONOR		
		RESTRIC			CTIONS		
			Board-		Restricted by Time or		
		Undesignated	designated	Purpose	Perpetual	TOTAL	
Operating Reserves							
Enter name of fund here		\$0	\$0	\$0	\$0	\$0	
Conservation Easement							
Stewardship							
Enter name of fund here		\$0	\$0	\$0	\$0	\$0	
Conservation Easement Defense							
Enter name of fund here		\$0	\$0	\$0	\$0	\$0	
Fee Land Management							
Enter name of fund here		\$0	\$0	\$0	\$0	\$0	
Fee Land Defense							
Enter name of fund here		\$0	\$0	\$0	\$0	\$0	
TOTAL		\$0	\$0	\$0	\$0	\$0	





# Your turn





## Resources

### Governance

Learn more about this group



#### **Indicator Elements - Compiled Guidance for Governance Indicator Elements**

LINK TO NARRATIVES

COMPILED FOR THIS GROUP

- 1B2. Establish strategic goals for implementing the mission, and then review and update them, as needed, at least once every five years
- **2B1.** Incorporate or organize according to the requirements of state law and maintain legal status
- The board meets a minimum of three times per year and maintains adopted minutes of each meeting
- and timely informational materials prior to each meeting to make informed decisions

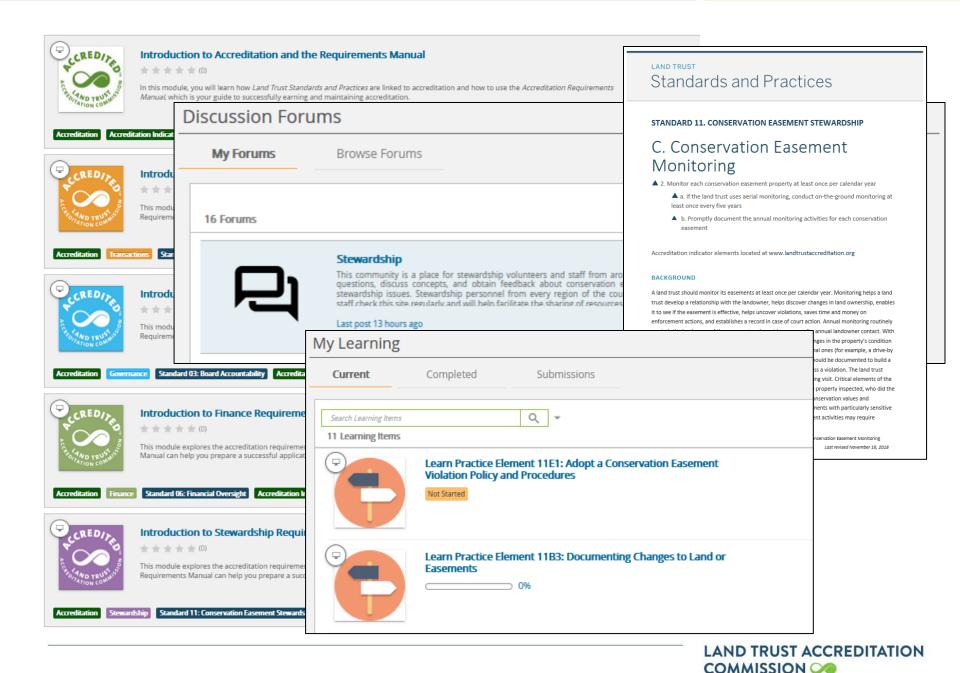
LINKS TO INFORMATION ABOUT

SPECIFIC INDICATOR ELEMENTS



Tip: Log into The Resource Center before clicking on the links.





#### LAND TRUST

#### Standards and Practices

#### STANDARD 11. CONSERVATION EASEMENT STEWARDSHIP

## C. Conservation Easement Monitoring

- ▲ 2. Monitor each conservation easement property at I
  - ▲ a. If the land trust uses aerial monitoring, conleast once every five years
  - b. Promptly document the annual monitoring easement

Accreditation indicator elements located at www.landte

#### BACKGROUND

A land trust should monitor its easements at least once per ca trust develop a relationship with the landowner, helps discow it to see if the easement is effective, helps uncover violations, enforcement actions, and establishes a record in case of cour reminds the landowner of the easement and provides a mean annual monitoring, the land trust an promptly document any relative to the easement. All monitaring activities, including ir or casual observations not done as pair of a formal monitorin record for future monitoring and in case the land trust must a should complete its monitoring report prompts, after the mo

annual monitoring report include the inspection data, name of the property inspected, who did the inspection, observations related to the property's condition and conservation values and observations related to potential easement violations. Some easements with particularly sensitive conditions or on land where a landowner is performing management activities may require

at your state laws. Twenty-six states have laws requiring charitable nonprofits to conduct an independent audit under certain circumstances. The requirement for a nonprofit to submit audited financial statements to the state is most often triggered by either the total revenue received by the charitable nonprofit during the fiscal year or the total contributions received. In some states, the threshold of contributions or income received that triggers the independent audit requirement is relatively low; in other states the threshold is higher.

For accreditation, a land trust must obtain annual audited, reviewed or compiled financial statements at the following level based on total annual support and revenue, include footnotes and disclosures and show net assets without donor restrictions, with board-designation and with donor restrictions. [Annual support and revenue excludes the value of donated properties and conservation easements. It includes support and revenue from grants and special fundraising and for the purchase of land and easements, as well as money received for another organization as part of a fiscal sponsorship arrangement.] A land trust must meet these



### www.landtrustaccreditation.org

### LAND TRUST ACCREDITATION COMMISSION (>

Already Accredited? • Need Help?



An independent program of the Land Trust Alliance

**ABOUT** 

HOME

FIRST-TIME ACCREDITATION

RENEWAL

ONCE YOU'RE ACCREDITED

**NEWS & UPDATES** 

**HELP & RESOURCES** 

Accreditation is awarded to land trusts meeting the highest national standards for excellence and conservation permanence.

Each accredited land trust completes a rigorous review process and joins a network of organizations united by strong ethical practices. Learn More



**How to Become** Accredited

**Understanding the** Requirements

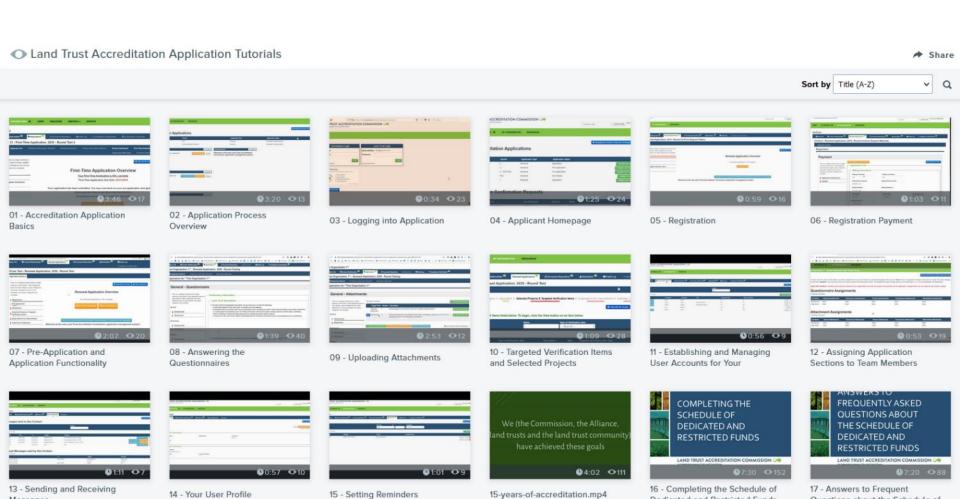
**How to Renew** Accreditation

Forms and **Publication** 



Leave a Message





https://www.landtrustaccreditation.org/help-and-resources/online-training-opportunities

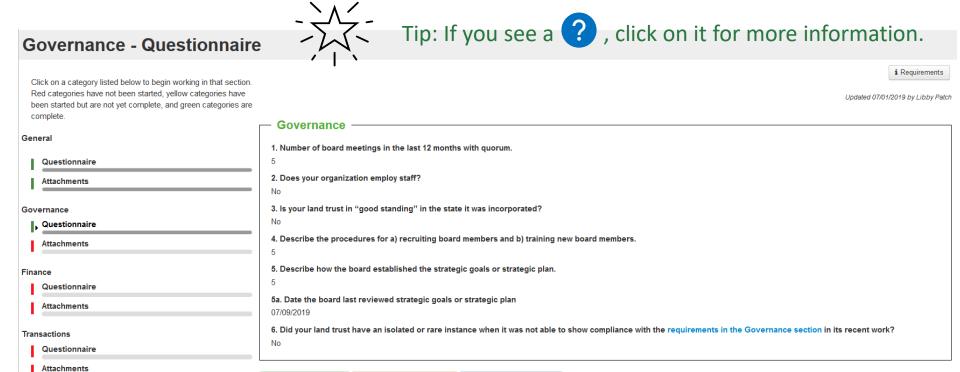
Messages



Questions about the Schedule of

Dedicated and Restricted Funds

## Online Application and System



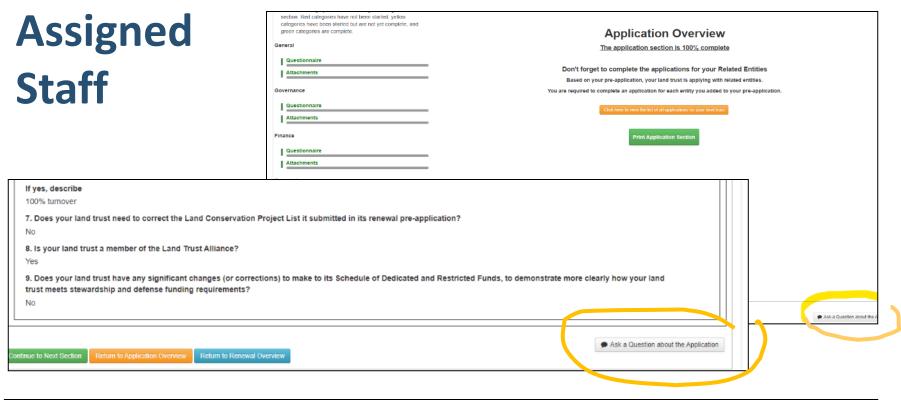
#### **Reference Copies:**

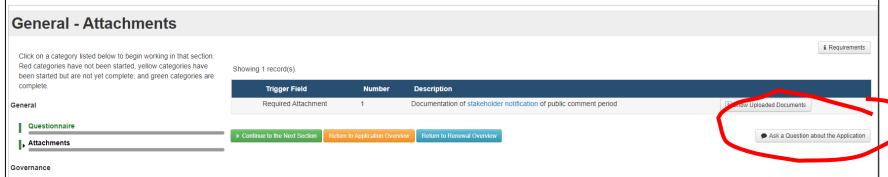
http://www.landtrustaccreditation.org/first-time-accreditation/useful-documents https://www.landtrustaccreditation.org/renewal/useful-documents





You are not in this alone!







### **Alliance Field Staff**

#### **Our Regional Programs**

Address challenges in your part of the country, with support from the land trust community.

- Mid-Atlantic
- Midwest
- New England
- New York
- Southeast
- West



### How to reach us

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# Final Questions