



POLICY ON SUSPENDING OR TERMINATING A LAND TRUST'S MEMBERSHIP IN THE ALLIANCE

October 29, 2016

Introduction

While there are clear requirements that land trusts must meet in order to become members of the Land Trust Alliance, there is less definition as to when an organization may be denied membership or renewal as a member. Under the Alliance by-laws, land trust members may be terminated by the president upon his or her determination that the land trust member's continued affiliation is not in the best interests of the organization. The by-laws do not, however, define what circumstances might be deemed to meet this criterion. With the increased public scrutiny of the Alliance and its members it is important that we further clarify the circumstances under which we might deny membership or even terminate an existing membership.

Policy

The Land Trust Alliance does not have the resources or the legal authority to subpoena and review documents so it is impractical for the Alliance to establish itself as an investigative body or to review documents or transactions that might be in dispute. Further, there may well be occasions where land trusts are involved in legal proceedings that are not known to the public. Given this reality, the Alliance has chosen to allocate its resources to making organizations better and looks to the Internal Revenue Service and state attorneys general to conduct investigations and bring actions as appropriate. The Alliance will cooperate with enforcement agencies as appropriate. Within this framework the following are instances under which the President could utilize his or her authority under the by-laws to temporarily suspend membership and provide an opportunity for the land trust in question to respond to the concern.

- Reasonable evidence raised by credible individuals or in public sources that a land trust is engaging in conduct, including willful disregard of *Land Trust Standards and Practices*, that may bring the Alliance or the land trust community into disrepute;
- Reports in credible public sources that a state or federal authority has charged or alleged that the organization has engaged in unlawful conduct.

Suspended land trusts would be required to satisfactorily address the concern within a six-month period. If they fail to do so within the allotted time period, the Alliance may at any point thereafter:

- Extend the suspension period if needed to allow adequate time for legal proceedings to be completed;
- Inform the land trust that its membership would not be renewed; or
- Immediately terminate the land trust's membership.

A land trust's membership may also be terminated immediately in any of the following circumstances:

- Refusal to adopt *Land Trust Standards and Practices* or any subsequent revision;
- Revocation of 501(c)(3) status by the Internal Revenue Service;
- A state or federal legal authority has determined that the land trust has committed an illegal act.