



UNITED STATES VIRGIN ISLANDS

Economic Development Authority

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TESTIMONY BEFORE THE COMMITTEE ON DISASTER RECOVERY, INFRASTRUCTURE AND PLANNING

**“Heirs Property, Prolonged Probate, and Vacant & Abandoned Historic
Properties in the U.S. Virgin Islands**

JANUARY 29, 2026

1 Good day Senator Marise C. James, Chairwoman, committee members, senators of the
2 36th Legislature, the legislative staff, the Virgin Islands Economic Development Authority team,
3 and the listening and viewing public. I am Wayne Biggs, Jr., Chief Executive Officer of the U.S.
4 Virgin Islands Economic Development Authority (hereafter referred to as “EDA” or “the
5 Authority”).

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7 I would like to thank the Committee Chair and members of the Committee on Disaster
8 Recovery, Infrastructure and Planning for inviting me to provide testimony at today's hearing
9 regarding the challenges associated with unresolved heirs property and prolonged probate,
10 particularly where such delays contribute to vacant, abandoned, and deteriorating historic
11 properties, and to identify practical legal, administrative, and policy solutions.

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13 **Virgin Islands Economic Development Authority (USVIEDA)**

14 The USVIEDA is the umbrella organization which assumes, integrates, and unifies the
15 functions of the following subsidiary entities: the Economic Development Bank (“EDB”), the
16 Economic Development Commission (“EDC”), the Enterprise Zone Commission (“EZC”), and the
17 Economic Development Park Corporation (“EDPC”). It is a semi-autonomous governmental
18 instrumentality responsible for the development, promotion and enhancement of the economy
19 of the U.S. Virgin Islands.

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21 EDA promotes the development and diversification of the Territorial economy and
22 creates opportunities for the gainful employment of residents. It also promotes access to capital,

23 contributes to the development of the educational system, and preserves the environment,
24 beauty, and natural resources of the Territory. We are a customer service-based organization
25 that creates positive public/private sector partnerships to promote economic growth, meet the
26 challenges of the global economy and serve the needs of the business community, while
27 embracing our unique heritage and preserving our pristine natural environment.

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29 Under the direction of the governing board and hard work of our EDA team, the Authority
30 through its four (4) main pillars: the EDB, the EDC, the EZC, and the EDPC, facilitates economic
31 growth, job creation and retention, and wealth generation.

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33 The Committee's invitation requested that the Authority provide its "assessment of how
34 vacant and abandoned historic properties affect economic revitalization, small business
35 development, heritage tourism, and housing supply, as well as barriers heirs face in qualifying for
36 EDA programs due to unclear ownership." Additionally, Committee expressed its" interest in how
37 unresolved property title and prolonged probate prevent property owners from accessing
38 economic development incentives, financing, and redevelopment programs."

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40 **1. What are the challenges associated with unresolved heirs' property and prolonged**
41 **probate, particularly where such delays contribute to vacant abandoned and deteriorating**
42 **historic properties?**

There are several challenges that contribute to vacant, abandoned and deteriorating historic properties as a result of unclear property title because of unresolved and/or prolonged probate:

(a) The Inability to Secure Funding for Maintenance and/or Repairs: Even if some heirs are willing to invest, they often cannot obtain loans or grants for necessary repairs or improvements because they do not possess clear, singular ownership of the property. This financial barrier is a major reason why historic buildings, despite potential interest from some owners, remain unfixed and deteriorate.

(b) The Exponential Increase in the Number of Heirs: Over generations, the number of heirs can grow from a couple to a few to several to dozens or even hundreds. It makes it difficult to locate and notify heirs. And if you are able to locate and notify, it makes achieving consensus on property management, repairs, or sale virtually impossible, leaving historic properties in limbo and susceptible to decay.

(c) The Impact on Community Revitalization and Heritage Tourism: Vacant and abandoned historic properties directly hinder efforts to revitalize distressed communities and detract from the aesthetic and cultural value of historic districts. This negatively impacts heritage tourism, which relies on the preservation and appeal of these unique historical assets.

(d) The High Upfront Costs of Probate: Probate itself is not cheap, and if an estate is not liquid, family members or the executor often have to pay upfront for the costs and the attorney's fees. This financial burden can deplete resources that might otherwise be used for property maintenance or as an initial investment required for redevelopment programs.

(e) Other challenges include disinheritance of Virgin Islanders from heritage properties (opposite of wealth building), higher level of crimes of opportunity, homeless squatting, etc.

2. How does vacant and abandoned historic properties affect economic revitalization, small business development, heritage tourism, and housing supply, as well as the barriers heir face in qualifying for EDA programs due to unclear ownership.

(a) In a survey conducted in the enterprise zones during the summer 2025, it was found that of the _____ properties reviewed, 92 buildings were in need of full rehabilitation and many others are in need of some form of maintenance or rehabilitation.

(b) The presence of vacant buildings hinders the revitalization of those areas and the positive growth of the economy that the EDA aims to achieve. More directly it hinders the ability for business and residential activity to take place in our historic districts due aesthetics of the buildings/area from the lack of investment in those properties.

3. What are the existing EDA tools that could support adaptive reuse of historic properties once the title issues are resolved?

(a) Enterprise Zone Commission (EZC) Initiatives: The EZC's core mission is to revitalize distressed communities and get vacant buildings active again. The EZC can provide tax incentive benefits to property owners and/or businesses that rehabilitate historic buildings. Depending on the EZC qualifying program, EZC tax incentives can be in the form of tax credits and/or tax reduction.

(b) EDB Initiatives: The EDB core mission is to provide access to capital for small businesses. Small business owners can use qualifying loan funds to finance the rehabilitation, the retrofit, or the purchase of a historic building to house or that houses their business.

(c) EDC Initiatives: The EDC core mission is to attract investment and create jobs throughout the Territory. EDC Beneficiaries can and do purchase historic properties and rehabilitate them to locate their business within the buildings, thereby creating renewed activity within the area.

(d) VI Slice Program: The VI Slice Program core mission is to provide gap financing to first time homeowners. This program could potentially offer financing or support for redevelopment efforts for residential activity.

(e) Quest 360 Program (An EDA collaboration program of the EDB's Incubator Program and EZC's Accelerator Program): This program provides technical assistance to support small business to grow.

4. What has the EDA & EZC done to resolve issues in heirs' property prolonged probate and vacant and abandoned historic properties?

EDA-EZC have undertaken several initiatives to address the challenges posed by heirs' property, prolonged probate, and vacant/abandoned historic properties. Their efforts primarily focus on education, community engagement, and advocating for solutions.

(a) Conference. The EZC has organized and relaunched free estate planning conferences to share invaluable information about estate planning options and the probate process in the U.S. Virgin Islands. These conferences aim to educate the public, especially residents and business owners within enterprise zones, on the importance of planning the transfer of personal and real property. These conferences have been held in multiple locations, including St. Thomas and St. Croix, and have been livestreamed on Facebook and broadcasted on radio to reach a wider audience. At these conferences, legal counsels discuss probate issues and provide expert information to attendees, including indebt discussion on trusts versus wills.

(b) Webpage. The EZC has created a page on the EDA's website, www.usvieda.org, that allows anyone to enter a question and get a response based information provided by the legal counsels at the EDA's Estate Planning Conferences. This gives someone a starting place in a private space to start their journey of dealing with this difficult process.

(c) Direct Assistance. Through a pilot program funded by a grant from the Department of Interior, the EZC has directly assisted several families in resolving their estate planning /probate issues. These will be presented as potential best practices on how to look at certain issues.

(d) Rejuvenations. In the past 12 months the EZC has completed 11 rejuvenations.

(e) Grants. Grant funding secured by the EDA team supports key areas such as business expansion, entrepreneurship, job creation, and long-term wealth-building across the Territory, positioning the Authority to deliver sustained impact and opportunity for Virgin Islands residents.

Through these multifaceted efforts, the team at the EDA is working to empower property owners and heirs with the knowledge and potential resources needed to resolve title issues,

148 navigate probate, and contribute to the revitalization of historic properties and distressed
149 neighborhoods.

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151 Thank you for the opportunity to provide testimony on the assessment of how vacant and
152 abandoned historic properties affect economic revitalization, small business development,
153 heritage tourism, and housing supply, as well as barriers heirs face in qualifying for EDA programs
154 due to unclear ownership. I am available to answer any questions you may have related to my
155 testimony.