

Leasing Farmland in Virginia A Compendium Agricultural Lease Resources

With nearly half of the agriculture land in Virginia rented, it is important for landowners and farmers who lease land to recognize the importance of a well-written lease agreement. Where a handshake was enough in many cases in the past, the nature of farming today is more complicated, and the necessity of having a well-designed legal agreement is paramount.

A written lease agreement benefits both landowner and tenant. Each party can outline their responsibilities, rights, desires, and needs ahead of the growing season, so there are no surprises that could compromise the good nature of the agreement. A written lease can also clarify and provide a path for long-term planning for soil and water conservation and profitability. As anyone who has ever dealt with a difference of opinion could attest, proactively avoiding potential issues ahead of time can save time, money, and a great deal of headache for both parties involved.

The resource is a compendium of tools, publications, and sample lease options and conservation provisions to help landowners and tenant farmers create a lease. This resource is intended for educational purposes and is not a substitute for expert legal advice tailored for your specific circumstances. Landowners and farmers are encouraged to consult an attorney before entering into a lease agreement.

Get Started

These resources will help you determine your goals and vision for the future of your land. They will also help you evaluate the type of agricultural production best suited for the land under possible zoning restrictions and for its soil type.

Guides to leasing land

- Agricultural Conservation Leasing Guide (University of Maryland Extension)
- A Landowner's Guide to Leasing Land for Farming (Land for Good)
- <u>Lease Agreement Guide for Landowners and Farmers</u> (Land Link Vermont & University of Vermont Extension)
- Agricultural Conservation Leasing Guide (University of Maryland Extension)

Leasing your land to a farmer

- <u>Farmland Owners: Leasing Your Land to a Farmer</u> (American Farmland Trust & Land for Good)
- <u>Finding the Next Generation for Your Farm</u> (American Farmland Trust & Land for Good)

Non-farming landowner webinars

<u>Farmland Advisors Webinar: Non-Farming Landowners</u> (American Farmland Trust & Land for Good)

Landowner tenant relationships

- Managing Landlord Tenant Relationships: A Strategic Perspective (Ohio State University Extension)
- Agricultural Conservation Leasing Guide (University of Maryland Extension)
- Draft a Lease: Questions for Farmers and Landowners to Ask (Farm Commons)
- Agricultural Conservation Leasing Guide, Appendix B: Landowner/Farmer <u>Communication Worksheet</u> (University of Maryland Extension)

Find Farmland

There are public and private organizations that connect land seekers with landowners.

Farm Link Program

Virginia Farm Link

Land Grant Universities

- Virginia Tech University, Agricultural Sciences
- Virginia State University, College of Agriculture

Agricultural Organizations

Agricultural organizations may maintain free online or print listings of farm opportunities.

- Virginia Department of Agriculture and Consumer Services
- <u>Farmland Protection Directory</u>, <u>Virginia</u> (American Farmland Trust)
- <u>Find a Land Trust, Virginia</u> (Land Trust Alliance)

Develop a Good Farm Lease

A written agreement can help clarify the goals and expectations of landowners and farmer as well as help ensure that both understand the terms of the lease.

Publications and Resources

- Elements of a good lease (American Farmland Trust & Land for Good)
- <u>Farmland Assessment Checklist</u> (Penn State Extension)
- <u>Determine Rental Rates</u> (American Farmland Trust & Land for Good)
- Farm Rental Agreement Checklist (Ohio State University Extension)
- <u>Leasing Land: Farm Lease Terminology</u> (American Farmland Trust)
- Farm Leasing & Purchasing Agreements (PASA)
- Agricultural Conservation Leasing Guide (University of Maryland Extension)
- <u>Fixed and Flexible Cash Rental Agreement for your Farm</u> (North Central Farm Management Extension Committee)
- <u>Crop Share Rental Agreements for Your Farm</u> (North Central Farm Management Extension Committee)
- <u>Pasture Rental Agreements for Your Farm</u> (North Central Farm Management Extension Committee)
- Rental Agreements for Farm Building and Livestock Facilities (North Central Farm Management Extension Committee)
- <u>Purchasing and Leasing Farm Equipment</u> (North Central Farm Management Extension Committee)
- <u>Beef Cow Rental Agreement for Your Farm</u> (North Central Farm Management Extension Committee)

Sample Leases

- Sample Lease Provision for Popular Conservation Practices, Agricultural Conservation Leasing Guide (University of Maryland Extension)
- Model Short-Term Lease (Land for Good)
- Model Multi-Year Lease (Land for Good)
- <u>Model Agricultural Ground Lease</u> (Pennsylvania Association for Sustainable Agriculture)
- Leasing Land: Lease Agreements with Option to Purchase (American Farmland Trust)
- <u>Farmland Leasing and Rental Forms</u> (Illinois Department of Agriculture and Consumer Economics)
- Cash Farm Lease (North Central Farm Management Extension Committee)
- <u>Crop Share Farm Lease</u> (North Central Farm Management Extension Committee)
- <u>Pasture Lease</u> (North Central Farm Management Extension Committee)
- <u>Livestock Rental Lease</u> (North Central Farm Management Extension Committee)
- <u>Farm Building or Livestock Facility Lease</u> (North Central Farm Management Extension Committee)
- <u>Multi-Year Leases and Conservation Co-Investment Strategies</u> (Food in Trusts & The Nature Conservancy)