

Top 25 Questions for a Farm Opportunity

As a Farm Seeker you've got lots to discuss when meeting a Farm Opportunity before you get to a strong written agreement. Below are the top 25 questions to ask a potential Farm Opportunity and help you in finding a suitable match. These have been condensed from FarmLINK's <u>70 Considerations In Making a Land Share Agreement</u> and adapted with permission from FarmStart's publication "<u>Accessing Land for Farming In Ontario</u>".

- 1. REGISTERED OWNER: Who is the registered owner of the land and is the agreement solely with them?
- 2. LEGAL DESCRIPTION: What is the address, legal description/PID/PIN number of the opportunity?
- **3. LENGTH**: How long (season, months, and years) are you anticipating this opportunity would be available? Why that length? What if illness, death or other unforeseen circumstances arise for either party?
- **4. INSURANCE**: What insurance do you carry and what am I expected to be insured for?
- **5.** TAXES: Will you continue to pay property taxes?
- **6.** ACCESS: What are the access areas for vehicles, parking, bringing in equipment/supplies, etc.? What restrictions around access (time of day, day of week etc.) need to be considered?
- **7. EQUIPMENT USAGE**: Is there equipment available to use that could be included in an agreement? Is there any services (such as mentoring, mowing, tilling) you might do with your equipment?
- **8. HOUSING**: Is there housing on the property? If not, is there potential for it whether temporary (tiny home, yurt, trailer) or permanent? What about housing options nearby?
- **9. INFRASTRUCTURE**: What infrastructure is on site that could be available for my farm operation? (e.g. barns, sheds, fencing, irrigation lines, etc.) If there is, how will we address maintenance and repair issues?
- **10.** BOUNDARIES & RESTRICTIONS: What land is included? (e.g. land for cultivation, driveways, outbuildings, parking etc.)? Any limitations with those spaces? Are there sensitive areas such as wetlands to consider?
- **11.** WATER: Can we identify all potential sources of water? What is currently in use and what could be developed (e.g. pond, well, public utility hookup etc.) if anything?
- **12. SERVICES**: What services to the property (including electricity, water) do I have access to?
- **13.** MAINTENANCE: What expectations does the land owner have around maintenance and repairs?
- **14. AESTHETIC EXPECTATION**: Recognizing that normal farm activities cannot be restricted, what "housekeeping" standards do you expect will be adhered to?
- **15. CERTIFICATIONS**: Do you have any certification, regulatory or contractual constraints that I should be aware of? If so, are these to be continued and can you offer support/guidance to help me honour them?
- **16. STEWARDSHIP:** What practices/stewardship standards do you require I follow?
- **17. BUILDING & PROPERTY INVESTMENTS**: Can I build any non-moveable infrastructure? If so, how can we address investments made into the property?
- **18. TERMINATION**: If necessary, how can the agreement be terminated before its agreed expiry date and by whom? If I have a crop/flock in process will I be able to see that through?
- 19. SALE: If you decide to sell, would you consider providing me the right of first refusal, or option to buy?
- **20. AGRICULTURAL SUPPORTS**: How far from the property are hardware stores, feed suppliers, mechanics, hired equipment operators or other support businesses or services?
- **21. ACTIVITIES**: What do you see the business activities here being? Are there any activities that are not acceptable to you? (e.g. fuel storage, use of pesticides) Can I tell you more about what my plans are?
- **22.** AG AWARENESS: On a scale of 1-5, how much familiarity do you have with this type of farm business?
- **23.** USER ACCESS: In your opinion, who may I bring onto the land (e.g. apprentices, staff, volunteers, and friends) and for what purpose?
- **24.** FAIRNESS: What do you feel would be an exchange of fair value (not solely monetary) for what you are giving in this relationship? Can I share with you my thoughts about this?
- **25. COMMUNICATION COMMITMENT & CONFLICT RESOLUTION:** What type and frequency of communication could you commit to? If a disagreement occurs what steps for resolution do you anticipate committing to so we could work thing through?