



Leone Equestrian Law LLC

Protecting Your Horse's Future

By Leone Equestrian Law | www.EquestrianCounsel.com

Question: What's the best way to ensure a safe future for a horse you've sold?

Answer: It's an all too common scenario. Breeders and owners lose track of a horse after they sell them, and years later they discover the horse has sadly ended up at an auction or in a terrible situation, where he's abused or neglected.

When selling your horse, you've likely done everything you can to ensure it's the perfect new home. What about if that new owner eventually decides to sell him? He could be re-sold numerous times and, worst case scenario, might even end up on a truck headed to a Mexican slaughterhouse. Once you've sold that horse, his ultimate fate is out of your hands. Is there anything you can do to ensure that a horse you've sold has a safe future for the rest of his life?



It's not always easy to protect a beloved horse once he's left your care, but there are a few things you can do to help safeguard his future.

Photo by [Jump Media](#)

As a breeder, keeping track of and taking responsibility for the horses you produce is one of the most important ways to protect them. One thing you can do is add a "right to retire" or "right of first refusal" clause to repurchase into the sales contract. This requires that the person who has bought or received a horse, under certain terms and conditions, give the seller an opportunity to own the horse again if or when the buyer wants to part with the horse. The clause can also require that you be notified when the horse is sold and will allow you to follow that horse's progress throughout his career. Therefore, when he's ready for retirement, you'll know where he is, and be able to protect him from an uncertain fate.

Microchipping is also a good way to help track a horse once he's left your ownership, especially because papers aren't always transferred with a horse during a sale, or they've become lost over the years. Most humane societies and auction facilities routinely use a microchip reader to verify the identity of horses that fall into their hands, so if your horse ends up abandoned or abused, his chip may help him find his way back home to you.

Additionally, many breeders include a sticker or writing on their horses' papers with their contact information along with a stipulation that the horse was not bred for slaughter and a recommendation to get in touch, should the horse ever need a home.

Sometimes, even after all of these precautions are taken, you cannot always protect a horse that leaves your care. If you do sell the horse, the best thing you can do is to include a written clause in your sales contract, make every attempt to keep up with the horse throughout its life, and be prepared to care for him should the situation arise.

While each situation is unique, at least if you have such provisions, you may be able to obtain legal recourse if the purchaser fails to live up to the agreement. Unfortunately, the cost of pursuing a legal option may be prohibitive. At the end of the day, it is the relationship between the seller and purchaser that is most determinative of whether a seller's right to retire or first right of refusal is meaningful.

Leone Equestrian Law is available to provide equine legal documents and contracts, including co-ownership agreements. Email info@equestriancounsel.com to request assistance with such documents or for any additional questions on this topic including how to handle stalemate situations when it comes to co-ownership and more details on forming an LLC.

Led by Armand Leone, Jr., MD, JD, MBA, Leone Equestrian Law LLC provides legal services and consultation for equestrian professionals ranging from riders and trainers to owners and show managers in the FEI disciplines on a wide variety of issues.

Visit www.equestriancounsel.com to learn more or email info@equestriancounsel.com with inquiries.

175 Rock Road - Glen Rock, NJ 07452 - 201.444.6444

