



## **Community Land Trusts as Holistic Tools for Shared Equity**

New York City Community Land Initiative (NYCCLI) is pleased to provide information about community land trusts as a holistic shared equity model of nonprofit and collective land ownership by a community. We understand that New York City (“NYC” or “the city”) has analyzed and is providing support to CLTs through the lens of the city’s existing affordable housing programs. However, this response sets out a framework of CLTs as a more comprehensive shared equity model rooted in housing, economic and social justice -- one that allows the communities that are most impacted to exercise agency over land development and stewardship not for profit but for the long-term stability of their neighborhoods. That long-term stability is the key to building community wealth.

In this response, we will provide the following:

- Key components of CLTs as a comprehensive shared equity model of nonprofit land ownership;
- An outline of the CLT model’s roots in racial justice, collective control and community wealth;
- An overview of the NYC CLT movement as a reflection of the CLT model’s ability to meet pressing housing and non-housing community needs; and
- Recommended actions NYC can take to support holistic CLT models.

Throughout this response are hyperlinks and footnotes to more information and resources about the CLT examples and municipal initiatives referenced.

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### **I. The Key Components of Community Land Trusts**

A community land trust is a shared equity model of nonprofit land ownership. A CLT is incorporated as a nonprofit organization that is democratically governed by community stakeholders on behalf of the community that it serves. The CLT is also a landholding entity that stewards the land that it owns for the public good. While many CLTs across the country have been created to enforce permanent affordability of housing, the

flexibility of the model enables shared equity through ownership and stewardship of land for a myriad of community assets – including affordable and/or cooperative commercial spaces, community facilities, urban gardens and farms, and more.

At their core, CLTs are holistic models that abide by principles of community decision-making, shared governance and development without displacement. They are formed in direct response to identified community needs and kept accountable to addressing those needs.

The key components of a CLT are laid out below:

Shared Equity/Community Control: For CLTs in NYC, shared equity does not just mean limited equity in housing. While housing and homeownership opportunities are important features of CLTs, and features that the city has started to invest in, the city must also deepen its understanding of CLTs as a shared equity tool for: (1) building broader community wealth through collective ownership over community assets; (2) creating the power to plan and build local systems that address community needs as identified from the ground up; and (3) fostering collective agency over land.

Section 1.B. of the Shared Equity RFI notes that the city is interested in learning about shared equity strategies that advance one or more of the following goals:

- Preserve or create long-term affordability for housing and/or community assets
- Promote racial and social justice
- Support wealth accumulation for individuals and communities
- Address housing insecurity and/or promoting equitable development
- Promote community stability by preventing displacement
- Support individual or community resiliency, preparedness, and recovery in the face of environmental, economic, or social shocks and stresses
- Build and sustain community power and facilitating community-decision making
- Offer alternative forms of sustainable ownership for individuals and communities

The CLT model is not a panacea, but its ability to develop hyper-local and cooperative solutions to community needs from the ground up allows the model to achieve one or all of these goals at a given time.<sup>1</sup> Through the CLT model, residents and local organizations are empowered to identify preservation opportunities that a city entity might otherwise miss, and subsequently implement a range of projects for community benefit.

Democratic Board Governance: CLTs promote democratic governance and community decision-making over development through both their board structure and ongoing organizing. Most CLT boards strive for a balance of people who live or work on CLT land, members of the surrounding community, and public or other stakeholders aligned with the CLT's mission. This governance structure accomplishes 3 goals: (1) balances resident interests with broader community interests; (2) maintains accountability to community needs and CLT principles; and (3) enables community control of CLT land.

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<sup>1</sup> See the CLT examples in Sections II. and III. of this response.

Model Flexibility: CLTs are flexible. The model is broadly rooted in equitable land management and works to directly respond to the most pressing needs and preservation opportunities that the community has identified. Those needs may include preservation of multifamily rental housing, multifamily cooperative housing, or single-family housing with deed and resale restrictions. Those needs may also include community-cultivated green and open space, community-owned solar, below-market commercial opportunities, cultural institutions, and more. In 2017, when HPD released its Request for Expressions of Interest for CLTs, the Request focused primarily on housing uses. While that RFEI led to funding and other support for CLTs, it also narrowed the scope through which community groups could lay out a more holistic vision for CLTs with non-housing uses and limited the ways in which city agencies could coordinate to support more holistic efforts.

Permanent Affordability: CLTs obtain and own land with a mission of permanently stewarding it for community benefit, while the structures on top of the land are individually owned or rented through a 99-year renewable ground lease. This split ownership takes land off of the speculative market, while the 99-year ground lease guarantees permanent affordability and lays out resale restrictions, as well as other provisions that regulate occupancy around the CLT's mission.

## II. CLT Roots in Racial Justice, Collective Control & Community Wealth

CLTs have a long history rooted in racial justice, land justice and collective control. Cooperative stewardship over land dates back to Indigenous approaches to collective land use, as well as land reform movements around the world in India, Latin America, and Africa. The modern CLT model in the U.S. began in Georgia with [New Communities, Inc.](#), which grew out of civil rights organizing in the 1960s, as a means of developing collective land ownership and asset-building for Black farmers. That collective ownership was not just limited to housing, but to transit, health and education systems and agriculture.<sup>2</sup> The organizers realized the model's ability to empower marginalized communities to not only envision, plan and create better futures, but to steward properties and spaces in ways that specifically draw from and benefit their communities.

Since then, a number of CLTs have developed at the intersection of racial equity and community ownership based on the ability of the model to “give communities the space and security to develop neighborhoods according to their needs rather than the demands of the market.”<sup>3</sup> [Dudley Street Neighborhood Initiative](#) (“DSNI”) was formed in the 1980s, in direct response to a Black and Brown community experiencing systemic disinvestment in the Roxbury neighborhood in Boston. The community came together to address illegal dumping in their neighborhood and develop affordable housing within the

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<sup>2</sup> Weingarten, Debbie, [How a Black Farming Community Found Justice](#), YES! Magazine (July 18, 2019).

<sup>3</sup> A 2020 report by Harper's magazine noted, “with a renewed emphasis on social justice principles, CLTs are reemerging not as mere tools for affordable housing but as launchpads for egalitarian communities. Some are using the trusts to support the grueling, capital-intensive work of farming, at a time when rural land consolidation is squeezing small farmers, food deserts are stifling poor urban communities, and the COVID-19 pandemic is disrupting food chains.” Lim, Audrea, [We Shall Not Be Moved: Collective ownership gives power back to poor farmers](#), Harper's Magazine (July 2020).

vacant lots. Even though housing affordability could have been achieved through deed restrictions and other covenants, the establishment of a CLT enabled community land ownership and agency over community development.<sup>4</sup> DSNI eventually obtained eminent domain power, which enabled them to obtain and develop land for the CLT, which is still active. Today, DSNI specifically uses place-based strategies to foster development without displacement, harness local voices and collaborate on comprehensive community development initiatives.

[Africatown CLT](#), founded in 2016 in Seattle, Washington, is similarly grounded in racial justice and community ownership. The CLT works to “acquire, develop and steward land in Seattle’s Central District to empower and preserve the Black Diaspora community.” Last year, the CLT completed its first project in the historic [Liberty Bank Building](#), providing 115 units of deeply-affordable housing and three commercial spaces for Black-owned businesses. For Africatown, the CLT model is not an end, but a means for building a just present and future for Black communities. In an exchange with members of the NYC Community Land Initiative (“NYCCLI”), K. Wyking Garratt, President of the Africatown CLT, asked, “When have we really had time to plan communities–built environments–that are centered around our well-being?” He noted, “we could have a statue, we could have a plaque, or we could have a place that facilitates future lives.” The CLT has also developed racial equity principles to guide CLT projects, striving for meaningful community participation, self-determination and ownership throughout *all* stages of a project—from predevelopment to contracting to the ownership structure itself. Any proposal for a CLT project has to “tangibly chart how it’s going to move the Black community toward equity on a realistic timeline,” said Isaac Joy, Africatown CLT Board Member.

The [South Baltimore Community Land Trust](#) (“SBCLT”) is another one of the many community-based organizations around the country that have expanded the lens through which community ownership can center equity and remove obstacles that have plagued Black and low-income communities for decades using the CLT model. SBCLT was “developed out of a decade of grassroots and youth-led organizing to understand and resist a development process that routinely sacrificed [the community’s] fundamental needs for a healthy environment, quality housing and a dignified role in decision making.” They were recently awarded \$750,000 from Baltimore’s Affordable Housing Trust Fund to help seed their first project, which includes eight new energy-efficient housing units that will be sold to people in the Curtis Bay neighborhood with roots in Baltimore City, who earn less than 50 percent of the area median Income.<sup>5</sup>

These examples represent just a cross-section of the over 270 CLTs across the country<sup>6</sup>, and highlight the ways that communities are using the CLT model as a shared equity tool to both repair the harms wrought by discriminatory public policies and private practices and promote racial justice and land justice through collective control.

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<sup>4</sup> Medoff, P., & Sklar, H. [Streets of hope: The fall and rise of an urban neighborhood](#). South End Press. (1994).

<sup>5</sup> Brey, Jared, [Baltimore Land Trusts Plug Away at Vision for Development Without Displacement](#), Next City (April 6, 2021).

<sup>6</sup> Boone, Christopher & Roseland, Mark, [What Community Land Trusts Can Do for Racial Equity](#), Yes! Magazine (September 17, 2020).

### III. New York City CLT Roots & Momentum

Despite the model's success across the U.S., until recently, there was only one CLT in NYC that was fully functioning as such: Cooper Square CLT. Now, there are more than 15 CLTs using the model as a strategy to curb speculation, foster community decision-making over development and preserve the city's vital affordable housing stock in low-income and gentrifying neighborhoods across all five boroughs.<sup>7</sup> The city already has a great deal of information about Cooper Square CLT and other CLTs with which it has entered into regulatory agreements. In this section, we highlight the breadth of CLTs that have organized throughout NYC in direct response to systemic inequities affecting their neighborhoods, including city policies that favor profit over people. CLTs in NYC are being formed by community-based organizations and local activists that have been organizing around land, economic and racial justice for several years. Their interest in CLTs are varied, but stem primarily from the need to promote community decision-making over land and development without displacement.

The examples below illuminate CLTs as shared equity models that the city has not fully supported through strategic planning nor funding. We provide recommendations for addressing these issues in Section IV. of this response.

#### *CLTs for Deeply Affordable Housing*

**East Harlem El Barrio CLT** started organizing in 2012 as a pilot project of the [New York City Community Land Initiative](#) after several years of research, planning and organizing with members of Picture the Homeless. The goal was to establish a CLT that could serve as a model for CLTs to prevent speculation, displacement and homelessness. In 2014, the CLT incorporated with a mission to develop and preserve community-controlled, truly and permanently affordable housing, commercial, green and cultural spaces in East Harlem/El Barrio, prioritizing households of extremely low to low incomes. In November 2020, the CLT and developer partners Banana Kelly Community Improvement Association and Community Assisted Tenant-Controlled Housing (CATCH) successfully closed on a preservation project to significantly rehabilitate and convert four city-owned properties into permanently-affordable and community-controlled housing, with community and commercial spaces that will prioritize local community-serving businesses. This was a major accomplishment for the CLT and a milestone for the CLT movement, made possible by years of organizing and city support.

However, due to a lack of deeper investments -- namely, increased rehabilitation and operating grants, and guaranteed rental subsidies -- the project could not reach the deeper affordability levels for which the CLT had planned. Of the 36 apartments preserved, the project achieved deep affordability for almost half of the units, but not all. Here, the CLT was able to acquire land but unable to secure appropriate financing to achieve their mission. We offer and cite recommendations in Section IV. as ways that the city should address these gaps in furthering its support for CLTs like East Harlem El Barrio CLT.

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<sup>7</sup> NYC Community Land Initiative, [NYCCLI CLT Initiatives Map](#) (November 2020).

## CLTs for Mixed Use

**Mott Haven-Port Morris Community Land Stewards** (“MH-PM CLS”) was established by South Bronx Unite members that had been organizing for years against environmental injustices. They recognized the power of the CLT model “to promote pathways to meaningful self-determination for, and to combat deterioration in the Mott Haven-Port Morris community.”<sup>8</sup> They saw long-term residents and community organizations being priced out, all while the city was promoting harmful forms of development on public land -- through subsidies for diesel-truck intensive businesses like Fresh Direct, renewal of permits to operate four fossil fuel power plants, and increases to the capacity handled at two waste transfer stations. In response, the CLT facilitated community asset-mapping sessions to locate spaces that could improve health outcomes through community ownership. One such location is the Lincoln Recovery Center -- a 27,750 square foot building with historical significance as a formerly community-activated acupuncture clinic that helped community members recover from cocaine and heroin addiction. Since 2011, that building, which is currently owned by the Department of Health, has been vacant and in disrepair despite deep community planning and organizing for community ownership and use of the property. A number of community visioning sessions lead to consensus around its use as a Health, Education and Arts Center (H.E.ARTS) to address the health and education disparities in the South Bronx and acknowledge the South Bronx’s status as a pioneer in the arts and music.<sup>9</sup> The NYC Health & Hospitals Corporation granted a license to MH-PM CLS to conduct a feasibility study ([available here](#) and [summarized here](#)), and the project has received letters of support from elected officials, including Councilwoman Diana Ayala.

Members of the MH-PM CLS also identified a pressing need for green space, with the recognition that their catchment area has the least amount of green space than any other community in NYC, while being overburdened by an oversaturation of highways and industrial projects on city- and state-owned land. In response, they developed the Mott Haven Port Morris Waterfront Plan for underutilized public spaces -- not for profit but for healthier outcomes through land stewardship. The plan, which includes recreational uses and strategies for climate change and flood mitigation is [detailed here](#). In 2014, the plan was prioritized as a New York State Open Space Priority Project, and in 2017, Bronx Borough President Ruben Diaz Jr., former NYC Council Speaker Melissa Mark-Viverito and Councilman Rafael Salamanca Jr. allocated \$2.7 million to start implementing the plan.

Through both of these projects, MH-PM CLS plans to build resiliency and sustainability from the ground up, which is integral to building community wealth. However, despite clear action steps, support from elected officials and funding allocations, the city has stalled in moving these projects forward. The Department of Health has not charted a path forward for transferring the former Lincoln Recovery Center to the CLT, including through release of an RFP; and the \$2.7 million that was allocated for the Waterfront Plan was designated to the wrong city agency -- Department of Transportation, rather than the

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<sup>8</sup> South Bronx Unite, [Community Land Trust - Overview](#) (last accessed July 9, 2021).

<sup>9</sup> Bagchee, Nandini, [Studio Report: Design & Advocacy in the South Bronx](#), Urban Omnibus (May 3, 2017).

NYC Economic Development Corporation. As a result, the CLT has not been able to access those funds for the purpose of this project.

[Western Queens CLT](#) has also developed out of a collaborative vision for a city-owned site. The organization -- which is made up of activists, small business owners, professors, artists, students and community members fighting for democratic and equitable land use - - incorporated last year to establish a multi-site, multi-focus CLT to help slow and eventually stop gentrification and act as a stabilizing force for communities across western Queens. They are currently working to convert an under-utilized Department of Education building located in Long Island City that was part of Amazon's planned headquarters. The CLT received a grant to conduct a feasibility study on the 638,000 square foot property and conducted a number of community visioning sessions in partnership with local community-based organizations. Needs identified by the community include truly affordable manufacturing space, nonprofit offices and community meeting space, artist studios, commissary kitchens for street vendors, a rooftop garden and a food co-op. [Click here](#) for an in-depth plan for the DOE building, which provides proposed renderings, potential financing streams and a final pro forma based on the uses outlined above. All of this groundwork has been laid by a community that has volunteered their time, driven by the need to build better and in ways that are community-led and community-centered. Now city support is needed to ensure that this public site is actually owned and used for public good, through funding for organizing, capital and operating needs.

#### *CLTs for Economic Democracy*

**The Bronx CLT**, which was formed out of decades of community and tenant organizing by Northwest Bronx Community & Clergy Coalition (“NWBCCC”) is also guided by principles of self-determination and responsible social ownership. For the Bronx CLT, the CLT model is a tool for achieving greater economic democracy, which they define as “a framework in which people share ownership over the assets and resources in their community and govern and steward them democratically for a shared purpose.”<sup>10</sup> Having fought for years against disinvestment, displacement, unsafe housing conditions, NWBCCC believes that land ownership and community control as a critical path toward neighborhood stability, better health outcomes, and shared wealth and sustainability. They have engaged over 300 community members in CLT workshops, visioning sessions, and youth-led participatory property research, and legally formalized the CLT entity in 2020 in preparation to partner with community developers and acquire identified city-owned land. [Click here](#) for more information about the Bronx CLT's vision for advancing development without displacement through the CLT model, shared governance and collective ownership.

To date, several more CLTs are taking root in Jackson Heights, Brownsville, East New York, Chinatown, Staten Island's North Shore and beyond. They are working hard to remove land from the speculative market and bring it into community control - not just to

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<sup>10</sup> Northwest Bronx Community and Clergy Coalition & Bronx Community Land Trust, [Fighting Forward: Advancing Development without Displacement through Community Land Trusts, Shared Governance & Collective Ownership](#) (2020).

protect affordable housing, but to ensure that housing is truly and deeply affordable for the members of their communities and to facilitate community ownership and stewardship of commercial and cultural spaces, community gardens, microgrids and other infrastructure. Groups have not only incorporated and developed strategic partnerships in preparation to receive and manage properties, but they have engaged thousands of community members; developed CLT steering committees and founding boards; and completed property research and planning. These communities have been empowered to chart a path toward community wealth, but municipal support is needed to achieve and sustain their goals.

#### **IV. How can NYC comprehensively support CLTs as a holistic shared equity model?**

We are pleased that the city has started to support the expansion of CLTs, in recognition of their proven ability to ensure permanently-affordable housing, combat speculation and displacement, and protect public subsidy. The city has done this through (1) HPD's CLT Request for Expressions of Interest, (2) the subsequent funding to support the growth of CLTs through acquisition financing and for the two-year Learning Exchange, and (3) NYC Council's passage of CLT-enabling legislation, which codified CLTs created for the purpose of affordable housing and allowed HPD to enter into regulatory agreements with CLTs.

Nonetheless, much of that support has focused on CLTs for housing and has taken the approach of fitting CLTs into the city's existing affordable housing programs, as opposed to creating new more targeted programs that specifically enable deep investments in permanent affordability and facilitate real opportunity for community control of land where CLTs have been formed. Municipal support and investment is critical to the success of CLTs, but without a comprehensive understanding of the model, that investment can undermine the vision and effectiveness of the model that the municipality is aiming to support. To date, CLT initiatives continue to face major hurdles with respect to acquiring land, securing appropriate financing, and entering into regulatory agreements with the City.

Accordingly, we have laid out a number of recommendations of ways that NYC should support CLTs in order for the model to achieve true shared equity:

- 1. Expand and sustain acquisition and operating funding to CLTs with missions to develop deeply affordable housing, using the policy recommendations outlined in [this report](#).**

Deep and permanent affordability in housing, including rental housing, are integral to shared equity. When individuals and families spend less on rent, they are able to put more towards saving or spending in the local economy. Because CLTs do not activate land for profit, but do so for public benefit, they provide pathways for building non-speculative wealth in ways that do not harm the community and future residents of the CLT. For example, Cooper Square CLT -- which stewards more than 320 permanently affordable homes for families earning

as low as 30% AMI -- allows renters to become shareholders of the limited equity cooperative for just \$250. Within the CLT, the equity that is gained through selling shares within resale restrictions is not just a tool for shared equity among residents, but is a tool for building broader community wealth. Future generations of low-income households are not priced out nor are they systematically blocked from becoming shareholders.

Despite the city's stated commitment to support CLTs and more deeply affordable housing,<sup>11</sup> the city's current dealings with CLTs have not reflected the necessary investment into deep affordability. As reflected with East Harlem El Barrio CLT, there is currently a mismatch between the city's affordable housing subsidies and New Yorkers who have the greatest need for permanently affordable housing. A 2020 report by City Council Speaker Corey Johnson highlights this mismatch, explaining that Housing New York 2.0's income targets and affordable housing development goals are not aligned with the populations that have the most significant rent burdens.<sup>12</sup> Also, a recent review by *The City* of applications to the NYC Housing Connect system also found that "of the five income categories within the lottery system, households... that are classified as 'extremely low-income' ...faced the most competition for apartments," with 650 eligible applications for every apartment. Yet, "for the apartments with the highest income limits, the competition was the least, with 123 eligible applicants for every one apartment."<sup>13</sup> This misalignment leaves much of the city's low-income and extremely low-income households with few options and on a fast-track to homelessness.

CLTs like Cooper Square CLT, East Harlem El Barrio CLT, and the Bronx CLT aim to develop and preserve community-controlled housing that is deeply and permanently affordable. Yet the subsidies available for these projects are not designed to meet low-income to extremely low-income housing production. In order to achieve this goal, CLTs currently have to cross-subsidize developments by charging market rents for commercial uses, vie for a limited supply of voucher

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<sup>11</sup> In 2017, Mayor De Blasio released [Housing New York 2.0](#), which set a goal of creating and preserving 300,000 affordable homes by 2026. Not only were CLTs cited as a model that the city would secure funding to support, but the revamped housing plan committed to creating affordable housing that would reach deeper income levels.

<sup>12</sup> Johnson, Corey. [Our Homelessness Crisis: The Case for Change](#). Office of the Speaker of the New York City Council (January 30, 2020). See also: Sosa-Kalter, Stephanie, [ANHD Report: Maximizing the Public Value of NYC-Financed Affordable Housing](#), October 2019 ("42% of the total units developed to date were for Low-Income households; 25% were developed for Very Low-Income households; and 17% were built for Extremely Low-Income households. However, these numbers are the inverse of the actual city-wide need. Very Low- and Extremely Low-Income households make up 41.4% of the City's population, while Low-Income households only make up 16.3% of the City's population.").

<sup>13</sup> Smith, Rachel Holliday, Choi, Ann & Welch, Will, [Affordable Housing Lottery Odds Worst for Those Who Can Afford the Least](#), The City (June 28, 2020).

aid and sacrifice deep affordability by raising the affordable housing ceiling for some units to 100% AMI. All of these trade-offs not only bring CLTs further from their mission, but they do not allow government subsidies to reach their full potential by ensuring that housing is truly affordable in perpetuity.

For these reasons, CLTs providing deeply affordable housing should be prioritized and incentivized in all low-income housing finance programs. In addition to the policy recommendations outlined in [this report](#), we encourage the city to explore the ways that other municipalities, including [Baltimore](#)<sup>14</sup>, [Oakland](#)<sup>15</sup> and [Seattle](#)<sup>16</sup>, have tailored acquisition funding for CLTs and deep affordability. Other strategies include:

- a. Including in the NYC Ten-Year Capital Strategy (2022-2031) a CLT financing plan that prioritizes funding for nonprofit community-controlled and community-stewarded projects within the city’s development agencies’ budgets;
- b. Sustaining the Citywide Community Land Trust Initiative in NYC’s operating budget, to support vital CLT organizing, education and technical assistance across the five boroughs;
- c. Expanding acquisition programs, like the NYC Acquisition Fund and the Community Restoration Fund, to keep land out of the speculative market, preserve long-term affordability, and keep residents in the neighborhoods they helped to build;
- d. Working with NYS to create a CLT Acquisition and Revitalization Program in the [NYS Housing Trust Fund Corporation](#) that includes

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<sup>14</sup> The Baltimore Affordable Housing Trust Fund requires that all revenue be used to help those with incomes at or below 50% of AMI and at least half of the funds be used to help those with incomes at or below 30% of AMI. The trust fund is capitalized through small excise taxes on property transfers and deed recordings, as well as a yearly allocation from the mayor’s office of at least \$2M. This trust fund recently supported the development of 26 new units of housing among three CLTs focused on deep affordability. See also: Baltimore City Council Economic and Community Development Committee, [Baltimore City Affordable Housing Trust Fund Hearing Presentation](#) (February 9, 2021) | Brey, Jared, [Housing in Brief: Rents Rise for the Poor. Drop for the Rich](#), Next City (March 26, 2021).

<sup>15</sup> The Oakland City Council seeded a municipal acquisition fund for CLTs and limited-equity housing cooperatives with \$12 million and [continues to fund](#) CLT projects dedicated to deep and permanent affordability citing the following scoring priorities: (a) a commitment to advancing racial equity; (b) a commitment to assist housing projects where the tenants are at risk of displacement and in neighborhoods experiencing heightened levels of gentrification; (c) a commitment to assist housing projects that target extremely low-income households; and (d) a commitment to assist housing projects that help to prevent the spread of and respond to the Coronavirus pandemic.

<sup>16</sup> Seattle -- realizing a need to act urgently in addressing their housing affordability crisis -- stated that they were using “all the innovative tools at the City’s disposal to ensure families can afford to continue to live and work” in the city. That included, for example, transferring surplus Seattle City Light land to the Homestead Community Land Trust, at no cost, along with \$1.5 million to house over a dozen families earning at or below 80% of Area Median Income. Office of the Mayor, City of Seattle. [Mayor Durkan Announces New Permanently Affordable Homeownership Investments at Two Seattle City Light Public Properties in Northwest Seattle](#) (Sept. 5, 2019).

community development block grants, matching grants, and low-interest and forgivable loan products; and

- e. Reallocating expense and capital funding from the New York Police Department to support community land trusts that create and preserve deeply and permanently affordable housing to reduce homelessness and ensure true community safety.

**2. NYC must direct public land to CLTs that commit to (a) deep and permanent affordability and (b) meaningful tenant and community control.**

Since the Giuliani administration, the City has prioritized for-profit developers when disposing of public land for affordable housing and other development. In recent years, roughly 75% of affordable housing projects on City-owned land-- and the vast majority of public subsidies--have gone to for-profit developers, even though they are less likely than nonprofits to develop deeply- and permanently-affordable housing.<sup>17</sup> Strategies include:

- a. Ensuring effective interagency coordination among HPD, EDC, and other City agencies to identify and transfer properties suitable for affordable housing, commercial and retail space, community gardens, arts and education facilities, and mixed uses. The city can achieve this by, for example, designating a Deputy Mayor or office responsible for facilitating, implementing and monitoring an integrated plan for shared equity models, working in close and ongoing consultation with shared equity organizations. This coordination will facilitate the success of mixed-use projects like the ones that Western Queens CLT and Mott Haven Port Morris have proposed through increased efficiencies, transparency and comprehensive funding. Targeted oversight also will ensure that frameworks are put in place that reflect and support the key elements that make CLTs successful: flexibility, local control, deep community engagement, and community stewardship.
- b. Adopting a temporary moratorium on public land disposition to for-profit developers.<sup>18</sup>
- c. Giving CLTs site control over public properties in their catchment areas, in cases where the CLTs have completed feasibility studies and engaged community members in planning processes, as in the case of Mott Haven-Port Morris Community Land Stewards.<sup>19</sup>

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<sup>17</sup> Stein, Sam, Community Service Society, *Assessing De Blasio's Housing Legacy: Why Hasn't the "Most Ambitious Affordable Housing Program" Produced a More Affordable City?*, pp. 12-15 (February 2021).

<sup>18</sup> See [this article](#) for information about Buffalo's temporary moratorium on the transfer of vacant lots in the historic Black Fruit Belt neighborhood. That moratorium gave Fruitbelt CLT the time it needed to organize, incorporate, research properties and line up resources necessary to acquire and develop its first properties for affordable housing in 2018.

<sup>19</sup> See [this announcement](#) by Seattle's Department of Neighborhoods about its transfer of a decommissioned fire station to Africatown CLT and coalition partners in their [King County Equity Now](#) campaign, which was created to advance Black equity solutions in Seattle. [Click here](#) for context for the city's cited "urgency behind making bold investments in the Black community and increasing community ownership of land in the Central District." [Click](#)

- d. Prioritizing CLTs and other mission-driven nonprofits for development of City-owned property, through expansion of legislation such as [NYC Intro 2197-2021](#), to direct public land to CLTs and qualified nonprofits that are committed to permanent affordability and community control.<sup>20</sup>

**3. Give CLTs tools to acquire and remove land and housing from the speculative market.** Lack of State and City action against speculative purchases during the 2008 crisis resulted in widespread displacement and extraction of wealth in BIPOC communities--the same communities that are now hardest-hit by pandemic-related housing insecurity. Moreover, since Mayor Giuliani began the sale of tax liens in 1997, the City has rarely taken tax-delinquent property into public ownership, far reducing the amount of public land and housing that it could make available for social ownership. Strategies include:

- a. Passing the NYC Community Opportunity to Purchase Act (Intro 1977-2020) and supporting passage of the Tenant Opportunity to Purchase Act (S.3157/A5971), to give CLTs and other qualified entities a first right to purchase residential properties that go up for sale, and creating dedicated funding for property acquisition and rehabilitation.
- b. Abolishing NYC's tax lien sale and replacing it with a system that preserves affordable housing and utilizes CLTs, as outlined in the NYC Community Land Initiative's [2020 report](#).
- c. Creating a community-governed NYC land bank to acquire and rehabilitate distressed properties for social housing and other community needs, in partnership with CLTs, through an expanded version of [Int 0118-2018](#).

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[here](#) for information about the government funding, through Seattle's Equitable Development Initiative, that made this project (which will provide small business assistance, skills training and celebrate Black/African American culture and history in the Central Area) and other projects led by and serving people of color possible.

<sup>20</sup> For a statewide example of this policy recommendation, see the [California Surplus Land Act](#), which requires all local agencies to prioritize affordable housing, parks, and schools when disposing of surplus land. This act specifically requires local jurisdictions to send a notice of availability of surplus public land to affordable housing developers, park agencies, and school districts before offering it to private developers.