

# COMMUNITY LAND TRUST REPORT

**Bronx Borough President Ruben Diaz Jr.**  
December 2020

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# INTRODUCTION

As rents in New York City rise, it is becoming more difficult for institutions to afford to remain in their current spaces and residents to stay in their current homes. In conjunction with socio-economic conditions that are resulting in a high concentration of poverty and limited disposable income for tenants of all kinds, this signals that The Bronx is facing an impending displacement crisis.

Within the complex and highly commodified New York City-real estate landscape, there is immense pressure placed on tenants and subsequently an urgent need to find creative solutions to combat rising rents. Monthly rent payments and a rent burden where the majority of a household's income is devoted to rent are increasingly restrictive to financial freedom, social mobility and quality of life. To address this, there is an opportunity to repurpose land for communal benefit in order to help individuals in our communities. This opportunity would ensure that communities could benefit from reinvesting into their own property and economy and that of their neighbors. There is a pressing demand and governmental obligation in The Bronx to ensure balanced, accessible amenities and resources for communities.

This is not to say that development, expansion and growth are bad. In fact, development is necessary to realize the vision of a vibrant and thriving Bronx community. Rather, our community has aspirations higher than the bare minimum or simply livable standards that the status quo has offered over the last several decades. The emphasis must instead be on promoting resilience and maintenance for those that already live here, on providing assets that the community can harness and utilize to improve their own quality of living and on creating a better environment to establish a foundation of success for vulnerable populations.

To better support healthy and sustainable community growth in The Bronx, the city must continue to prioritize the protection and strengthening of land for community use. This report highlights why a **Community Land Trust** is an invaluable tool to help promote and establish a more egalitarian society within The Bronx in order to yield positive outcomes for the borough's most disadvantaged residents and to improve their quality of life. This approach will enhance and support growth among Bronx residents. A community land trust (CLT) is a nonprofit, community-based organization designed to ensure community stewardship of land. This model reasserts power in the hands of the community and the public instead of the private sector and developers. It allows residents of these communities to keep pace with perpetually rising rents and the monetized housing industry, by preserving affordability while also simultaneously promoting home- or general land-ownership and incubating entrepreneurial skills. This report will focus on certain opportunities that a CLT can leverage in order to help refocus priorities to equity across several areas:

1. Facilitating land-occupants to become landowners in order to protect tenant-rights and preserve important local uses of land amid large-scale development,
2. Incubating nonprofit organizations that are facing increasing landlord pressure and are therefore severely at risk of losing their space due to their financing structure and limited funding, despite the important services that they provide, and
3. Empowering small businesses and local commercial venues that promote entrepreneurship and economic advancement which may face extinction from speculation with lease renewals, corporate expansion and a push for increased density.

## STATEMENT OF THE ISSUE

The housing landscape is changing – new pressures levied on homeowners and tenants are mounting to an inescapable degree. Likewise, restrictive political policies are continuing to limit market flexibility and the ability to reframe planning and development in order to enact change, instead favoring maintenance, preservation and the status quo. To the individual tenant or homeowner, the housing market can seem abstract and beyond their control or influence. Despite the presence of Uniform Land Use Review Procedure (ULURP) and the inclusive representation of Community Boards, many residents feel as though their voice is unheard or their specific needs unmet. Mortgage rates, property values, rezonings and housing policies can feel regulated and pre-determined, challenging the technical or notional understanding of the average resident. This general complexity serves to perpetuate a clouded housing and land system that inhibits benefits for disadvantaged citizens. This, coupled with issues of supply and demand, allow power and money to continue to circulate in the same controlling hands, while residents are left to face the external pressures. Individuals are often left feeling the reverberating effects of policies and decision making meant to affect broader populations.

Developers and real estate professionals too, face the need to continuously posit and amend their strategic approaches following the approval of Housing Stability and Tenant Protection Act of 2019,<sup>1</sup> which provides a series of changes to New York State rent regulation laws across a variety of different fields, including stabilization, regulation, unit/building conversion and expense allocation. While this act helps to promote further affordability preservation, it also places capital and eviction restrictions on landlords and diminishes incentives for maintenance and upkeep, further complicating the housing climate. While these new regulations are certainly significant, their residual impact is still undetermined.

Many of these dynamics rang true in New York City before being struck by the COVID-19 pandemic – an obstacle further complicating existing issues of rising rents, payments due and subsequent foreclosures. COVID-19 compounds this issue for many tenants and property owners alike by leaving so much unknown on both sides of the housing transaction – be it dwindling resources, inability to make payments, new regulations or otherwise. Unfortunately for the many, time is of the essence and clarity seems even further away. For vulnerable populations, this is literally a matter of life or death.<sup>2</sup>

Amid all of this, issues<sup>3</sup> of systemic racism, historical prejudices and intolerance against Black, Brown and other populations complicates the picture as well. Redlining and other discriminatory practices have disenfranchised residents of The Bronx by establishing long-term obstacles around areas of land ownership and tenant acceptance. These suppressive policies have led to perennial disinvestment and stigmatization for communities that instead need acknowledgment and support. As a result, residents of these neighborhoods of The Bronx now disproportionately<sup>4</sup> face displacement, segregation and homelessness, and very real barriers in gaining entry to the homeownership market, which is for the primary method of creating and preserving familial wealth in this country. Historical exclusion from these opportunities has left these residents inherently vulnerable<sup>5</sup>.

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<sup>1</sup> <https://www.nysenate.gov/legislation/bills/2019/s6458>

<sup>2</sup> <https://www.vox.com/2020/4/11/21217040/coronavirus-in-us-air-pollution-asthma-black-americans>

<sup>3</sup> <https://unhp.org/pdf/NowhereToGo.pdf>

<sup>4</sup> [https://b3cdn.net/nycss/a23ae9f6e242bf99bc\\_wbm6bav5d.pdf](https://b3cdn.net/nycss/a23ae9f6e242bf99bc_wbm6bav5d.pdf)

<sup>5</sup> <http://bronxboropres.nyc.gov/2020/01/12/a-place-to-call-home-pathways-to-homeownership-preservation-and-opportunity-in-new-york-city/>

Commercial and retail uses are not immune to this either. Many of the local shops, delis and convenience stores that Bronxites frequent daily are facing the same issues of solvency, rent spikes and eviction. Additionally, community facilities that offer services and shelter to seniors, youth and disabled individuals and that provide neighborhoods with guidance and healthy outlets for extracurricular activity all face the same quandary of making rent payments. Displacement is not strictly a housing phenomenon and all community amenities are at equal risk of termination.

Reclaiming land for public benefit through a CLT is one way for communities to create value for themselves when other opportunities are not available. It allows communities to be able to make decisions with the necessary foresight and prudence to establish a sustainable and inclusive model of growth. As infrastructure ages and deteriorates while designs and technology continue to be updated and improved upon, the value of development does not always lie in the buildings themselves but the land that they are sitting on. Reinfusing this value into the community's financial portfolio can be instrumental in raising the bar for perpetually distressed communities that are not able to overcome generations of poverty and oppression.

CLTs can also help combat the ills that Bronx residents deal with on a daily basis, in addition to instilling newfound economic viability. Finding a fit for development that is both affordable and attractive is becoming increasingly difficult. There is a pressing need to adapt to modern conditions and empower communities who otherwise feel left behind, trapped and disincentivized. Formulating innovative strategies to establish and further maintain commercial and residential affordability must be a citywide priority. Amid the land-shortage crisis that the city is also facing, coupled with a growing population and urbanization, finding ways to inherently link community benefit with maximizing the use of available land is of the utmost importance. This is especially true in The Bronx, where land is at a premium even given the general unavailability across the city, where low-income, minority populations compose the majority of the Borough's population and where real estate prices are gradually rising. This is especially significant where the community is made up of individuals who overwhelmingly feel disenfranchised and forgotten by the government.

## COMMUNITY LAND TRUST AS A TOOL

To address issues of land shortage, unaffordability and a need for more local decision making amid a backdrop of complexity and convulsion, there needs to be a paradigm shift and a new conceptualization of property and the role that tenants play in this process. Communities should claim ownership in the development of their neighborhoods by employing practices and initiatives that can repurpose land for the community itself to use and create a new solution for a problem that has been difficult to solve. This is why Community Land Trusts are a unique strategy that organizations in The Bronx are beginning to explore, and why the city must further assess and promote this model.

CLTs empower communities to decide what their neighborhoods need and what uses of property would best serve the broader region. This flexibility allows CLTs to be used for residential, commercial or institutional purposes, as well as for gardens and open space to best suit whatever the community feels is pertinent or lacking. CLTs provide the opportunity for projects to create new assets that a community lacks or needs more of, by allowing communities to take on the responsibility of lead developer and originator to guide their own design. Similarly, CLTs allow communities to address issues that they are directly dealing with on the ground and in a specific fashion. A top-down approach tends to amalgamate communities more broadly as statistics with rigid criteria rather than individual entities that may have different needs at different times, on a neighborhood-by-neighborhood basis. CLTs can also facilitate the preservation of assets that are seen as a communal strength, local institution or simply a small but integral component of the neighborhood. Furthermore, they promote self-sustainability and self-governance, which allow for independence and a gradual shift away from reliance on government support. A community taking more control over its destiny can pay not only economic dividends for the neighborhood but can also provide a sense of empowerment to a traditionally disenfranchised population.

The first Community Land Trust was established in rural Georgia, based on the land leasing concepts of the Jewish National Fund in Israel. It was an attempt by black farmers during the civil rights movement in the 1960s to combat Jim Crow era policies, by establishing self-sufficient ownership opportunities that did not otherwise exist.<sup>6</sup> There are certain parallels between the circumstances that minority populations face then and now. The fight for social justice and equitable policies continues, rooted in these concepts of self-sustainability through communal support. Allowing land to serve the people would be a step towards progress and equality.

CLTs create opportunity for low- and moderate-income residents to build equity and re-establish our borough's fleeting homeownership opportunities. CLTs further safeguard communities by prioritizing affordability through relatively permanent long-term and renewable ground leases, often up to 99 years. This is significant and advantageous compared to other lease-affordability-preservation tactics such as LIHTC requirements, which normally only sustain 30-year terms, but at times can be extended up to 50 years.

***CLTs empower communities to decide what their neighborhoods need and what uses of property would best serve the broader region.***

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<sup>6</sup> <https://www.newcommunitiesinc.com/about.html>

Across the country, and in terms of housing specifically, CLTs are already making a quantifiable difference.<sup>7</sup> They have created thousands of new units that are being utilized and owned by residents that otherwise would not be able to meet the requirements of being accepted for a mortgage. Of CLT residents across the country, 79 percent are first-time homebuyers and 82 percent are residents with income less than 50 percent of the area median. Furthermore, over 31 percent nationally are non-white, a figure that would indicate a much larger effect in The Bronx where there is a much higher concentration of non-white residents relative to the country as a whole. This is concrete progression and legitimate opportunity creation that would help put Bronxites on a path towards self-sustainability.

**79%**  
of CLT residents are first-time homebuyers

Much of the planning and development strategy of the Bronx Borough President’s office involves promoting development and growth to provide our Bronxites with the same amenities, luxuries and housing opportunities that the other parts of the region enjoy. It is crucial, however, to allow local residents the ability to harness the opportunities that growth and development can offer, without having to face subsequent negative effects such as gentrification and land speculation.

The crux of this strategy is to ensure that local residents who already live in The Bronx and compose the social fabric of this borough are the ones who reap and share the benefits of new development and improved infrastructure. This is the basis of equitable development and why CLTs can serve as such a critical component to bridge opportunity gaps for vulnerable populations in The Bronx.



Facilitate land use adaptability and diversity



Promote affordability and ownership



Capture and internalize land value

## CLT Advantages



Establish self-sustainability



Stimulate socio-economic equity



Empower communal decision making

<sup>7</sup> <https://community-wealth.org/strategies/panel/clts/index.html>

## THE BRONX DILEMMA

The current socio-economic climate in The Bronx presents a particularly acute dilemma for residents in trying to improve their standard of living against the backdrop of unattainable home ownership and asset poverty. Although The Bronx economy has made enormous strides over the last decade, systematic disadvantages still prevent a resurgence from truly being fully actualized. The interconnectivity among economic externalities such as poverty, homeownership, rent burden and other indicators such as crime and education make these measurements indicative of the low quality of living that is present for many Bronx residents. However, this also relates to intergenerational mobility and the inescapability that poverty imposes upon them, their children and future generations. Without a foundation or stable household from which to promote health, cultivate education or incubate entrepreneurialism, it becomes extremely difficult to find openings to strive for success. It presents serious obstacles to feel empowered, leverage strengths and seize opportunities, which makes it appear as if The Bronx is in a perpetual state of turmoil.

The wealth gap and racial divide that is present in The Bronx is not an insular phenomenon. These issues are felt across the country and well beyond to the rest of the world, but Bronx residents feel them so sharply, in a majority-non-white borough and the poorest county in New York State. They feel insurmountable too, where land scarcity exacerbates and complicates the struggle. The concentration of poverty has ripple effects that can pool up and suffocate any efforts to gain financial independence. Poverty is often unsolicited and is intrinsically tied to housing and land use.<sup>8</sup> Despite the aforementioned complexities and the perpetual transformation in societal behaviors and norms, proposed solutions are often repetitive, top-down and unilateral – and they do not necessarily reach the individual neighborhoods in need of support, capacity building or capital infusion.

Robin Hood Foundation's 2020 version of their annual report,<sup>9</sup> "The State of Poverty and Disadvantage in New York City," indicates that Bronxites face uphill battles on a daily basis more than other boroughs. Robin Hood's Supplemental Poverty Measure (SPM) adds a weighted element to the poverty rate in order to accommodate for all forms of revenue intakes, geographic differences and cost of living differences, among others. According to this calculation, The Bronx had the highest percent of its population living in poverty across New York City, at a rate of 26 percent in 2018 (their most recent measurement of this indicator), up from the previous year and in spite of an overall citywide and nationwide trend of decreasing SPM between 2012 and 2018. This report depicts the same financial constraints for Bronxites when analyzing what they refer to as "material hardship," which can be equated to quality of living and ability to make "routine expenses" including all daily expenditures such as food, housing, bills and healthcare.

A similar depiction of The Bronx socio-economic struggle emerges in the NYU Furman Center's most recent "State of the City" report<sup>10</sup> from 2019, which uses American Community Survey data to show that The Bronx has what can be perceived as the highest concentration of vulnerable populations among all other boroughs in New York City. This includes the lowest median household income, the highest poverty rate, the most severe percentage of rent crowding and the highest proportion of severely rent burdened households. Furthermore, according to a separate, recently released<sup>11</sup> data brief by the Furman Center, there is an

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<sup>8</sup> <https://blueprint.cnycn.org/>

<sup>9</sup> [https://www.robinhood.org/uploads/2020/02/PT\\_2019\\_ANNUAL\\_2.21.pdf](https://www.robinhood.org/uploads/2020/02/PT_2019_ANNUAL_2.21.pdf)

<sup>10</sup> <https://furmancenter.org/stateofthecity/view/citywide-and-borough-data#bx>

<sup>11</sup> [https://furmancenter.org/files/publications/NYUFurmanCenter\\_TrendsInHousingCourtFilings.pdf](https://furmancenter.org/files/publications/NYUFurmanCenter_TrendsInHousingCourtFilings.pdf)



overwhelming prevalence of evictions in The Bronx, steadily increasing every year since 2010. In fact, The Bronx comprises more than a third of total eviction filings in New York City, at 38.5% across the Borough.<sup>12</sup> This trend is particularly concerning because eviction filings are down citywide and have seen decreasing rates across all other boroughs each year during the same time span. Issues of landlord harassment, eviction including coerced eviction and displacement are steadily rising in The Bronx.

**38.5%**  
of total NYC eviction  
filings are in The Bronx

The socio-economic struggle for Bronx residents extends into threats that they face in housing as well. This is particularly significant as housing and shelter are central to providing safety and comfort for residents, but also possess wide-reaching impacts in the aforementioned economic externalities. Stable housing is a prerequisite to a healthy quality of life and in perpetuating a cycle of socio-economic security. Studies such as Habitat for Humanity's Shelter Reports<sup>13</sup> clearly highlight the direct correlation between housing and public health. This problem is profound in The Bronx specifically, where current conditions are not only substandard but present a landscape where local residents are at risk of losing their housing opportunities altogether.

An analysis<sup>14</sup> from The Association for Neighborhood & Housing Development released in 2020 suggests that "Bronx tenants are facing dire housing conditions and struggling to pay rent while simultaneously being displaced by increasing prices and gentrification," citing the most extreme peaks of percent change in average price per square feet of residential change (between 2017 and 2019). This indicator strongly signifies worrisome levels of housing speculation and spikes in land costs and rent. This becomes especially problematic when paired in conjunction with an unstable housing backdrop featuring diminishing protections of affordability. The same analysis determined that The Bronx had the highest share of one- to four-unit non-bank home purchase loans, high levels of six or more-unit buildings with serious housing code violations as well as high levels of LIHTC units eligible to expire, among other risks. This combination of socio-economic and housing threats is a strong predictor of gentrification, with displacement becoming a very real outcome for many tenants in The Bronx. With minimal affordability protections and little control over the land on top of which they live, work and raise their families, the onset of an "expiring-use-crisis" for residents in The Bronx is increasingly worrisome. Put another way, every day that passes more affordable housing and more affordable leases for commercial or institutional purposes are at risk of disappearing and therefore more of the people and things that residents love about the community. This is a problem compounded each day that it goes unaddressed and each day that people do not hold stewardship and influence over their own daily lives, decision-making and land.

For a population that is vulnerable and primarily made up of minority residents, maintaining the status quo is dangerous for the social fabric of The Bronx. The Bronx is at a pivotal moment in the shaping of our communities' future and in the effort to achieve basic levels of equity and humanity. CLTs are a natural and seamless combatant to evictions, foreclosures and displacement without also discouraging external investment and development.

CLTs are especially constructive and efficient in their ability to connect local, vulnerable residents to homeownership opportunities, which is an especially prominent important

<sup>12</sup> <https://furmancenter.org/stateofthecity/view/eviction-filings>

<sup>13</sup> <https://www.habitat.org/about/advocacy/resources/shelter-report-archive>

<sup>14</sup> <https://anhd.org/report/how-affordable-housing-threatened-your-neighborhood-2020>

component of fostering long-term economic viability. Earlier this year, the office of the Bronx Borough President released a report entitled “A Place to Call Home: Pathways to Homeownership Preservation and Opportunity in NYC.” According to this report, homeownership in The Bronx is at 19 percent, by far the smallest percentage in New York State and the second smallest percentage of any county in the United States. Likewise, the borough’s homeownership rate is decreasing at the sharpest rate across the city. This report further demonstrates the bleak state of homeownership in the borough, which can be an “opportunity for wealth accumulation,” as well as having many other economic and health benefits for the homeowner. Homeownership has additional positive effects on education, stability, mobility and ultimately quality of life – all of which are generationally residual as well. This report goes on to explain the inverse relationship between minority population and homeownership in The Bronx despite its minority-majority population, and compared to those same figures both citywide and nationwide. This disparity makes Bronx residents even more vulnerable and denies them the opportunities that others are afforded, all of which has a direct correlation with the aforementioned quality of life factors. This parallels inequity in land value capture rates across different populations in general, as they pertain more broadly to property ownership for any zoning use. Without the same homeownership opportunities, this obstruction prevents Bronxites from boosting their socio-economic infrastructure that would help bridge the wealth gap and create opportunities for intergenerational success.



*Photo: Borough President Diaz participates in a park cleanup. CLTs can help communities harness capacity and strategize to prevent, mitigate, or adapt amid environmental risk. They can also enable cleanup strategies to help preserve and promote clean living.*

## A NEW REALITY AFTER COVID-19

COVID-19 is placing an additional, unforeseen strain on The Bronx beyond its physical health ramifications. Due to the closure of many of the borough's "nonessential" businesses and the resulting loss of jobs, many residents of The Bronx now face a new problem as well. While a CLT is not a cure-all, it does allow communities to leverage their strength in numbers and flexibility in operations. This consolidation and readiness is a vital resource to meet the needs of unprecedented problems from a position of foresight and stability rather than reaction and unpreparedness.

The Bronx Borough President's office hosted a virtual forum in April with Bronx housing organizations to discuss the immediate impacts that COVID-19 and the citywide shutdown were having on them. The dialogue focused around their own operations as nonprofit institutions and the daily lives of their constituents who live either in buildings they manage or among the population that they aim to serve. Overwhelmingly, financial health was one of their principal concerns moving forward, highlighted by issues of rent collection. In many instances, tenants were simply unable to pay monthly rent, forcing nonprofits to make difficult decisions about how to maintain their property while still serving their constituents and upholding a positive standard of living for them. Just a month into the pandemic, some said that they had begun tapping into security deposits and contingency funds just to preserve solvency and remain afloat. This issue has only exacerbated with time.

We are also seeing that residents in some wealthier neighborhoods of New York City are leaving in extreme numbers, willingly relocating to outskirts and other nearby regions that can provide a safer and healthier living environment<sup>15</sup>. While pop culture, opinion pieces lament that New York City is dying or expostulate that people fleeing are simply not true New Yorkers, one thing remains inherently true – having the ability, resources, and freedom to move is a mark of privilege. This privilege should be strived for, but it should also be equitably accessible. Nearly 5 percent of residents have left the city between March 1 and May 1 but, the concentration of this is overwhelmingly in the city's wealthiest neighborhoods such as the Upper East Side, the West Village, SoHo, and Brooklyn Heights, where residential populations have decreased by 40 percent or more in comparison to other neighborhoods. This same study determines that in general, income is a strong indicator of a neighborhood's change in occupancy levels as a result of COVID-19. While data is still being accumulated on the matter, several other studies<sup>16,17</sup> are echoing the same notion that white, affluent New York City residents have a disproportionately advantageous opportunity to leave the city when times are tough, and they are doing so. This highlights the fact that vulnerable populations are almost always left to face dire consequences in times of need or times of crisis. Those who are most endangered and unprotected are those left behind and left to fend for themselves. The socio-economic class one is born into should not be an indictment of one's life or become a death sentence during a pandemic.

Residents of The Bronx do not have the same luxury to escape the treacherous realities of COVID-19. In fact, Bronxites comprise an enormous proportion of "essential workers" that have dedicated themselves and risked their lives to help restore normalcy. In the Mount Hope neighborhood specifically, the average number of weekday commutes increased in April in

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<sup>15</sup> <https://www.nytimes.com/interactive/2020/05/15/upshot/who-left-new-york-coronavirus.html?auth=login-email&login=email>

<sup>16</sup>

<https://static1.squarespace.com/static/56086d00e4b0fb7874bc2d42/t/5ebf201183c6f016ca3abd91/1589583893816/DemographicCovid.pdf>

<sup>17</sup> <https://www.teralytics.net/mobility-and-covid-19/>

comparison to the same timeframe last year, despite citywide commutes decreasing<sup>18</sup>. Further, there are other dynamics that indicate The Bronx is comprised of a greater concentration of essential workers than any other Borough, such as pre-pandemic efforts to curb unemployment in conjunction with a heightened focus on increasing affordable housing which subsequently appealed to them. These Bronxites, who have been the lifeblood of our city's recovery, are not only providing the rest of the city with the necessary service that is required, but in the process are also putting themselves at great exposure and risk. Our local essential workers are forced to shoulder the burden that other residents have been able to leave behind at their discretion. The burden in this situation is dire, as The Bronx is facing an inordinate share of COVID-19 testing site capacity and hospital capacity. While this may be seen as an indication of The Bronx's adequacy in COVID-19 healthcare response, in actuality it highlights the excessive degree to which our borough is being relied upon in absence of further administrative and economic support. Instead of evenly distributing this responsibility across the entire city, our already vulnerable population is being dispatched to serve as frontline workers during a pandemic, simply because of the employment opportunity that it presents. Meanwhile, we are also facing an unemployment rate that has skyrocketed amid an economy that has faltered during the pandemic without substantial, external support. For Bronxites, the culmination of these different strains is the highest rates of COVID-19 cases, hospitalizations, and deaths across the city<sup>19,20</sup>.



*Photo: Borough President Diaz distributes food and PPE at a free event in September 2020, one of many hosted over the course of the COVID-19 pandemic.*

It is probable that the gravity and acuteness of this trauma in The Bronx was heightened due to an accumulation of pressure on vulnerable populations over time, and the concentrated reaction is much like a bubble bursting. It is also possible that more autonomy over land use decisions,

<sup>18</sup> <https://www.nytimes.com/2020/06/16/nyregion/mount-hope-bronx-coronavirus-essential-workers.html>

<sup>19</sup> <https://anhdnyc.carto.com/builder/016623c6-ae80-4b73-b34a-534078dda49f/embed?state=%7B%22map%22%3A%7B%22ne%22%3A%5B40.80653332421558%2C-74.00648117065431%5D%2C%22sw%22%3A%5B40.89573795330024%2C-73.77164840698244%5D%2C%22center%22%3A%5B40.85115065100181%2C-73.88906478881837%5D%2C%22zoom%22%3A13%7D%7D>

<sup>20</sup> <https://www.nytimes.com/2020/05/26/nyregion/bronx-coronavirus-outbreak.html>

more flexibility to adhere to unforeseen crises and more intentional local organizing could have helped address the COVID-19 response in a more prompt and effective approach. It could have allowed localities and communities on the ground to more adequately respond to their pressing and specific needs.

There will be a lasting impression on our borough's economy and commercial sector as well. For example, for businesses around the otherwise bustling 161<sup>st</sup> Street near Yankee Stadium, the consequences of the pandemic may be permanent. Some businesses are as far as \$60,000 behind on rent and may never break even again. The full extent of what COVID-19 is causing among vulnerable populations is exemplified in the secondary implications. The closure of anchor tenants and regional economic drivers further affects the closure of smaller local businesses too. In this region specifically, many of the local businesses are dependent upon patrons who are going to games and concerts at Yankee Stadium, and by court employees and visitors at nearby Bronx courthouses. Losing these sources of revenue is devastating to local businesses and their cash flows. While there may be a temporary eviction moratorium, annual property taxes are still being collected in addition to rent. These deficits inhibit recovery, bankrupt families and mar the foundation for future generations.

Furthermore, CLTs can help safeguard against impending speculation resulting from rapidly dropping land values due to COVID-19. This is a similar backdrop to the subprime mortgage crisis of 2008<sup>21</sup> and the subsequent foreclosure crisis in which the most severe disruption in the housing market across our country since the Great Depression.<sup>22</sup> This included a deluge of people losing out on the American Dream, as well as the stability and growth opportunity of land ownership due to the forced shift towards renting. Predatory lending practices left less fortunate and already vulnerable populations susceptible to further setbacks and crippling losses without the financial stability to endure.

There are numerous recovery stories regarding homeownership and investment throughout the country, but this is unfortunately not a reality for many vulnerable populations. This was not realized by residents of The Bronx, however, who have minimal options to own property due to lack of available inventory, high rates of ineligible credit scores and overall financial distress. For much of The Bronx's population, times of crisis are literal.<sup>23</sup> Instead, with property values diminished, the crisis precipitated local displacement and gentrification in many neighborhoods resulting from speculation and hyper-investment.

With this in mind and facing a similar crossroads, dropping land values can still be opportunistic and development, with targeted investment, can still be vessels for positive change, but first the city must reinvest in our communities and protect the people and institutions that call The Bronx home. By utilizing CLTs as a safeguard on the heels of COVID-19, Bronx communities can prioritize themselves and start building a better future.

Throughout my tenure, we have utilized intentional and participatory planning to promote local growth and development focused on improving life for existing residents. I have helped institute programs such as My Bronx Impact<sup>24</sup> and The Bronx Private Industry Council<sup>25</sup> in order to better equip our communities with the resources they need to reduce poverty and increase

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<sup>21</sup> <https://cityroom.blogs.nytimes.com/2008/04/02/new-york-and-the-subprime-mortgage-crisis/comment-page-1/>

<sup>22</sup> <https://www.businessinsider.com/impact-of-2008-crash-on-housing-2016-2>

<sup>23</sup> <https://www.american.edu/spa/metro-policy/upload/hyra-and-rugh-2015.pdf>

<sup>24</sup> <https://my.bronximpact.org/>

<sup>25</sup> <https://www.heretohere.org/about/initiatives/bronxpic/>

preparedness in the job market. Since 2009, I have utilized and amassed over \$23 billion<sup>26</sup> in targeted investments to develop community assets, such as the Bronx Children’s Museum or the Universal Hip Hop Museum, and affordable or supportive housing opportunities like Via Verde,<sup>27</sup> La Central,<sup>28</sup> La Peninsula<sup>29</sup> and more. We are making progress in The Bronx for our local residents and our most vulnerable. But the fact remains, we can and must continue to build on this effort. CLTs are another outlet that will help us reach and sustain our goal of equity and self-sufficiency.

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<sup>26</sup> 2019–20 Annual Development Report

<sup>27</sup> <https://casestudies.uli.org/via-verde/>

<sup>28</sup> <https://breakingground.org/our-housing/la-central>

<sup>29</sup> <https://www.thepeninsulabx.com/about.html>

## THE NYC PRECEDENT

CLTs have a storied history in NYC dating back to the Cooper Square Committee,<sup>30</sup> which eventually would become a codified land trust, fighting back against Robert Moses's urban renewal plan in 1959. This committee developed a comprehensive "Alternate Plan" via strategic insight, public meetings and community input and eventually won a vote to defeat the city proposal. In the process, they successfully preserved over 300 buildings, protecting against displacement and lost affordability.

While many bureaucratic systems, legalities and checks are in place now that were not able to impede their work in the 1960s, Cooper Square Committee's work was consistently diligent, thorough and replicable. This effort and this precedent laid the foundation for Community Land Trusts in New York City, provided the blueprint for future public land advocacy and established the groundwork for how to mobilize an effort to protect land and land uses as rights of and for people.

Cooper Square's advocacy and mobilization continued throughout the years and soon several other groups in New York City began to push for CLTs as well. This ultimately culminated in a 2017 bill<sup>31</sup> from Council Member Donovan Richards that formally codified CLTs as ownership entities, effectively allowing them to enter regulatory agreements with the city and making them applicable for the city's tax exemptions program. Prior to this, the Department of Housing Preservation and Development took another major step<sup>32</sup> by releasing a Request for Expressions of Interest (RFEI)<sup>33</sup> where organizations were asked to explain the concept of a CLT within their locality and what support would be needed in order to actualize the communal benefits that they explained. This led to a grant approval by Enterprise Community Partners, Inc. through their Community Land Trust initiative,<sup>34</sup> which awarded the city \$1.65 million in funds from state bank settlements to be dispersed across four groups in assistance of the development or expansion of CLTs. These included the aforementioned Cooper Square CLT, Interboro CLT, the East Harlem/El Barrio Community Land Trust and New York City Community Land Initiative (NYCCLI).

As part of this funding, the City Council announced that it was allocating \$750,000 in discretionary funds in Fiscal Year 2020<sup>35</sup> for "outreach and education, community and tenant organizing, and CLT governance. Funding will also support four technical assistance providers that will deliver legal, policy and other support to emerging CLTs."<sup>36</sup> This portion allotted to NYCCLI went directly to their NYC CLT Learning Exchange for continued incubation of CLTs.

NYCCLI, born out of partnerships and research efforts from the New Economy Project<sup>37</sup>, Picture the Homeless<sup>38</sup>, and Manhattan Community Board 11<sup>39</sup>, has been one of the primary facilitators and actors of the Community Land Trust initiative. Over the past two years, they coordinated the Learning Exchange to continue fostering awareness and education on CLTs across the city. This

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<sup>30</sup> <https://coopersquare.org/about-us/our-historical-accomplishments>

<sup>31</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2834721&GUID=C7C2FD27-BEFB-43C6-905C-25974B68B380>

<sup>32</sup> <https://citylimits.org/2017/07/19/city-dips-toe-into-funding-community-land-trusts/>

<sup>33</sup> <https://www1.nyc.gov/site/hpd/services-and-information/rfps-rfqs-rfeis.page>

<sup>34</sup> <https://www.enterprisecommunity.org/resources/enterprises-community-land-trust-initiative-8920>

<sup>35</sup> <https://council.nyc.gov/budget/fy2020/>

<sup>36</sup> <https://www.neweconomynyc.org/2019/06/nyc-takes-bold-action-to-address-the-affordable-housing-crisis-by-supporting-community-land-trusts/>

<sup>37</sup> <https://www.neweconomynyc.org/>

<sup>38</sup> <https://www.picturethehomeless.org/>

<sup>39</sup> <http://www.cb11m.org/>

peer learning initiative “from nine community-based organizations at varying stages of CLT development, as well as three NYC-based CLTs,”<sup>40</sup> provided the necessary structure and empowerment for local groups to continue pursuing their CLT efforts. Critical focal points included community outreach and knowledge sharing, capacity building and mobilization, as well as informing on the processes and procedures that would be required to navigate the complex governmental and legal environments that might have otherwise dissuaded under-resourced nonprofits.

This process too can help to expand on the blueprint provided by the Cooper Square Committee on how to grow the CLT model. This has been an invaluable support system for groups that may have otherwise felt intimidated or overwhelmed by the CLT process despite clear interest and the obvious benefits. For these reasons, it seems imperative to continue building off this momentum and renewing the Learning Exchange for additional interested organizations. Providing the necessary financial and technical support to help promote and assist with CLT creation is as important as the idea itself. CLTs are very much a growing trend with an increasing support system and legitimate long-term sustainable results.

On June 30, 2020, the City Council passed their Fiscal Year 2021 budget<sup>41</sup> and again approved funding for the Community Land Trust Initiative. While this is monumental progress in continuing to advance this effort, the allocation this year is a slight decrease from the previous, at \$637,500 in discretionary funds. In order to enable legitimate change and continue driving the CLT movement towards preserving real affordability and incubating entrepreneurship, resources and financial support need to follow as well. We have to keep moving forward and not taking steps backwards.



*Photo: Borough President Diaz gives out free school supplies during the COVID-19 pandemic.*

<sup>40</sup> <https://www.neweconomy.org/our-work/campaigns/advancing-clts/>

<sup>41</sup> <https://council.nyc.gov/budget/fy2021/>



With the assistance and guidance of NYCCLI, there are now upwards of 15 recognized and mobilized CLT efforts across New York City, with interest to expand. In The Bronx specifically, there is infrastructure in place for the advancement and more widespread utilization of CLTs. Based on Cooper Square's platform, coalescing is one of the first and most powerful steps. Many of the borough's main nonprofits are actively exploring implementation tactics to move forward on this plan. To this point, there are already five registered CLTs in the borough that are either active, have mobilized resources or are in the process of formalizing. These include Banana Kelly CIA,<sup>42</sup> Mary Mitchell Center,<sup>43</sup> Mott Haven-Port Morris Community Land Stewards,<sup>44</sup> Northwest Bronx Community & Clergy Coalition<sup>45</sup> and South Bronx Community Land and Resource Trust.<sup>46</sup>

Building on this momentum, Nos Quedamos, in partnership with Hester Street and the Mayor's Office of Environmental Remediation, has released the South Bronx Land and Community Resource Trust study<sup>47</sup>. This study elaborates on their efforts and findings towards actually implementing a CLT in the Melrose neighborhood. It further asserts the benefits that CLTs will bring to The South Bronx and the thoroughness that a feasibility analysis might entail. The study also showcases the ample possibilities that a CLT can result in beyond solely affordable housing. These possibilities are not mutually exclusive either and can be facilitated in conjunction with one another to help provide underserved communities with multi-pronged improvements and newfound access to amenities. One opportunity that this study promotes is to implement a self-sustainable broadband network to provide consistent Wi-Fi service to an entire community. Another opportunity made possible by a CLT, is to institute community-wide solar panels that can retrofit buildings to become more energy efficient, thereby enhancing energy cost savings and allowing for clean air quality.

JOE NYC<sup>48</sup> is another community-based initiative with parallels to the diverse applications and uses of how a CLT can operate, as well as the benefits that can be expected from instituting one. The Join Ownership Entity is a membership organization comprised of CDCs in effort to bolster their impact as a collective rather than individual entities. JOE NYC is an amalgamated portfolio and asset manager of buildings owned by non-profits that offer affordable, multifamily, rental housing. In exchange for this membership, CDCs earn operational voting rights, a seat on the Board of Directors, and the right to net resource gains that are accumulated over the course of new developments. This strength in numbers approach helps CDCs achieve new levels of economies of scale by aiming to increase cash flow, enhance management capacity, and secure affordability long-term. Overall, this joint effort and amalgamation of community resources under one asset management effort, creates a level of stability that is otherwise a challenge for non-profits to match

Between these and the work of other organizations, there has been a strong, concerted effort towards learning, knowledge sharing, outreach and promotion. Among these efforts, the Mott Haven-Port Morris Community Land Stewards have made significant strides towards actualization as well.

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<sup>42</sup> <https://www.bkcianyc.org/services/affordable-housing/#.Xx952B17lma>

<sup>43</sup> <http://themarymitchellfyc.org/>

<sup>44</sup> <http://southbronxunite.org/community-land-trust/overview/>

<sup>45</sup> <https://www.northwestbronx.org/>

<sup>46</sup> <https://www.nosquedamos.org/housing/sbxcommunitylandtrust/>

<sup>47</sup> [https://www.nosquedamos.org/wp-content/uploads/2020/10/SBxLCRT\\_Study\\_10-2020.pdf](https://www.nosquedamos.org/wp-content/uploads/2020/10/SBxLCRT_Study_10-2020.pdf)

<sup>48</sup> <http://www.joenyc.org/>

## Mott Haven-Port Morris Community Land Stewards

Formed under the guidance of South Bronx Unite, with the help of local residents and other partners, the Mott Haven–Port Morris CLT effort has taken an active role in determining its own destiny with the goal of developing new community assets. They have isolated the former Lincoln Recovery Center building on 349 West 140<sup>th</sup> Street, as their targeted property. This site is currently vacant city-owned land comprising an unused 22,750 square foot building. While this makes the site ideal for adaptive reuse under the foundation of a CLT, the location also holds a significant meaning to local community leaders who saw the Center as an “important function” of the neighborhood. The Center was a beacon for hope and change – a programmatic focal point for recovery and support despite economic neglect. To revitalize this site for continued community gain would be an immense victory.

Although seeking ownership over this unoccupied property is a temporary challenge, part of their strength is their already established community coalition. Not only has this helped their CLT efforts, but this coalition has helped to provide a greater support system for the local community by an unquantifiable measure across an array of different capacities.

The Mott Haven–Port Morris CLT has undergone extensive site analysis and feasibility analysis to ensure the efficacy of their CLT model and, pending approval, would be ready to institute their plan immediately. This vision has been part of a four-year, participatory process with local actors as well as professional consultants to develop a comprehensive plan.<sup>49</sup> Through diligence and continued engagement, they have been able to formulaically develop a business model that culminated in their Feasibility Report. This report, which has since garnered the support and approval from Congressman José Serrano and Councilwoman Diana Ayala, includes a space allocation analysis, an economic projection analysis and a historical and architectural schematic design analysis. Driven by community leaders, this initiative has included concepts and proposals submitted by youth, student designers, and local authorities.



*One potential design for the H.E. ARTs Community Center, in place of what is currently the Lincoln Recovery Center on 349 West 140th Street, Design developed as part of Feasibility Analysis via collaboration between South Bronx Unite and Nandini Bagchee’s 2017 studio class as part of Bernard & Anne Spitzer School of Architecture at the City College of New York.*

<sup>49</sup> <https://urbanomnibus.net/2017/05/hearts-studio/>

Through this plan, the CLT will transform the site into the H.E.ARTS Center to create a collaborative health, education and arts community center that can provide a safe, permanent space for Bronx culture to flourish. The long-term viability and community driven aspects of this project ensure that it will be building upon existing archetypes and concepts in the community and incubating continued growth.

## GLOBAL AND NATIONAL EXAMPLES

One of the greatest advantages of the Community Land Trust concept is its adaptability and malleability to fit the needs of any locality. Part of the beauty of a CLT is that it is designed to meet the needs of any community that employs it, in any geography, and to adhere to any use as the issue may arise. To this end, there is not necessarily a measurement to explicitly gauge any one CLT's achievement nor is there a "one-size-fits-all" approach to duplicate the realization exactly. Rather, what marks a successful and efficiently utilized CLT is the ease with which it is interwoven into the surrounding community and the duration of its employment. Ultimately, a CLT should yield dividends in aspects of self-sustainability and quality of life, with the utilities being felt across generations and the externalities reverberating throughout a more equitable city.

While there are an estimated 225 CLTs in the United States, as well as many more around the world, some stand out as exemplary success stories that can serve as conceptual foundations for The Bronx.

### **Anchorage Community Land Trust – Anchorage, Alaska<sup>50</sup>**

The ACLT focuses on harnessing existing community strengths and assets to generate continued investment from local businesses in an effort to actualize a shared vision among all residents. The ACLT primarily invests in commercial corridors based on the principle that "community wealth building starts with strong, locally owned small business." Operating in three neighborhoods over the past 15+ years, the ACLT has facilitated economic investment both directly, and through additional sponsorship from auxiliary partners by to the amount of \$15.7 million and \$45 million respectively. By focusing first on revamping the municipality's commercial corridor properties, ACLT has improved local financial health and subsequently built out from there to provide affordable housing, public amenities and additional infrastructure for public use. ACLT targets the local economy first and builds out from there, following the principle that enhancing financial health and local profitability will cultivate efficiencies in all other areas of quality of life. ACLT also employs a four-pronged approach that comprehensively targets what is important to the community. They recognize the analogous nature that each prong has to one another and that all components of their plan must be actively supporting each other. Profits generated by ACLT are reinvested into the community. They run high-impact programs in conjunction with neighborhood developments to ensure that physical improvements are met also with substantive support to promote long-term success that are not just makeshift or superficial. ACLT finds success by recognizing the importance of synchronization throughout each element of their long-term plan.

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<sup>50</sup> <https://anchorage.landtrust.org/>

## **Caño Martín Peña Community Land Trust – San Juan, Puerto Rico<sup>51</sup>**

This CLT has unique circumstance given the nature of its formation, which was in response to the predominance of informal settlements along the Martín Peña Canal. Environmental degradation, pollution and immense flooding rendered this region unlivable. To combat displacement and resettlement, this CLT formed through a participatory planning process that would help prevent the breakdown of the pre-established community. With over 115 members serving over 1,500 families, the impact of their work has been vast. Through distinctly structured “surface right deeds,” the CLT has established and legalized the rights of tenants to structure and land who otherwise would not have property titles. Through additional strategic partnerships with the government, CMPCLT has not just retroactively codified certain land occupancy, but also guaranteed tenure in order to establish permanency and avoid involuntary displacement. This is perhaps the most direct involvement and intervention of government in land use policy to facilitate a CLT, but this legislation and regulation was instrumental in allotting new rights to community members. There is a similar opportunity in The Bronx and in New York City to continue safeguarding tenants. The flexibility, profound communal volunteer efforts and mutual trust and respect between the local government and its people are lessons to absorb and apply within The Bronx in order to promote a sense of understood reciprocity and collective gain. Much like the homeownership issue here in The Bronx, the success of CMPCLT is rooted in their ability to change dynamics that now confirm land ownership as a right of the people and not a privilege. Furthermore, we see how cooperation and coordination towards a shared goal will result in shared success. The CLT has served as the intermediary mechanism between the government and the people.

## **Champlain Housing Trust – Burlington, Vermont<sup>52</sup>**

The Champlain Housing Trust was formed via a merger of the Burlington CLT and Lake Champlain HDC in 2006 after each being originally founded in 1984. This CLT is was notably supported and accelerated by then-Burlington Mayor Bernie Sanders who enabled this CLT to become a fixture of local policy and a consistent beneficiary of the municipal budget. The CLT manages 2,300 apartments, stewards 620 owner-occupied homes and offers additional homeowner education, energy efficiency training and financial counseling services. Conceived on the principles of permanent affordability, inclusivity and flexibility, their continuous commitment to providing a comprehensive support system harnessed by local voices has allowed the CLT to flourish over decades.

Additionally, their shared equity program helped serve as a natural bridge to shrink the wealth gap and provide many more residents with homeownership opportunities than ever would have been otherwise possible. This helped to effectively lower the cost of buying a home for residents who qualified for the program and eliminate the heavy barrier to entry of a down payment. The Champlain Housing Trust further enables self-sustainability through their counseling services and continued effort towards building a foundation of health.

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<sup>51</sup> <http://fideicomisomartinpena.org/>

<sup>52</sup> <http://www.getahome.org/>

They have established a HomeBuyer Education program, as well as Financial Capabilities and post-purchase homeowner services to provide a support system at all levels of their CLT. In providing assistance through such a holistic approach, the Champlain Housing Trust is breeding continued growth and is continuously reinvesting in the future and the next generation. Their extensive and encompassing practices have enabled the CLT to thrive for over 35 years and should be seen as a model for durability. This program is certainly one that can be replicated and subsidized within The Bronx, but it would require a commitment from the city and state governments, as well as more freely available funding.

## **Dudley Street Neighborhood Initiative – Roxbury, Massachusetts<sup>53</sup>**

DSNI is the second largest and possibly the most successful CLT in the United States. There are several ingenuities that DSNI applied which nonprofits in The Bronx can pull from for inspiration. To begin, DSNI's inception and subsequent priorities provide a prototypical foundation for groups in The Bronx to emulate. DSNI's initial organization and coalescence set the CLT up for success by establishing joint causes and common goals to follow and achieve prior to establishing the CLT itself. DSNI is unique in that they acquired land through eminent domain to be repurposed for public benefit. Through coalitions and comprehensive development planning, DSNI brought a plan to the city of Boston to reactivate a vacant privately owned 62-acre lot, and won the jurisdiction through state control. DSNI has further leveraged governmental support by garnering the approval of the Community Investment Tax Credit, which helps provide crucial funding for community-led economic development. Their advocacy and petitioning for impactful policy and regulation such as this has helped establish the necessary support system to enable DSNI's long-term resiliency.

Though DSNI emphasized and relied on civic participation and inclusivity, they also utilized planning consultants and capacity building experts to ensure that their strategies assumed the necessary foresight and were both technically sound and long-lasting. Additionally, DSNI recognized the importance in their human capital as the most critical element in capacity building by continually reinvesting in their leadership. Their organizational structure has fostered such strong communal empowerment and aligned principles that elections for their board positions are routinely contested and full of willing participants. Similarly, their constant leadership turnover and prioritization of incubating and nurturing their youth as future leaders has created a continuous cycle and easy transition across generations to facilitate a self-sustaining model. Reinvesting in people and recognizing that ultimately a CLT is a product of and for people are easy ways to begin a paradigm shift in The Bronx and continue to actively garner support for the CLT concept.

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<sup>53</sup> <https://www.dsni.org/>

## London Community Land Trust – London, England<sup>54</sup>

The strength of the London CLT comes from its operational framework and governing structure as an independent organization. Anyone who lives in the city can buy a share into the trust for one pound and become a member with an evenly shared, unweighted vote. This grouping is incorporated as one-third of the vote on the Board at their Annual General Meeting. Another one-third consists of CLT residents and the last third consists of stakeholders with particularly relevant professional experience. This comprehensive voting assembly allows for informed decision making that can guide the CLT by and for those who live and operate there. The London CLT is part of the greater consolidating National Community Land Trust Network<sup>55</sup> in England and Wales which has been set up to facilitate an easy configuration of CLTs with a fully backed support system. The scope and reach of this network is monumental in bolstering the individual CLT effort of a locality and promotes a much more secure environment for the entrepreneurial risks that are necessary in implementing a CLT.

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<sup>54</sup> <https://www.londonclt.org/>

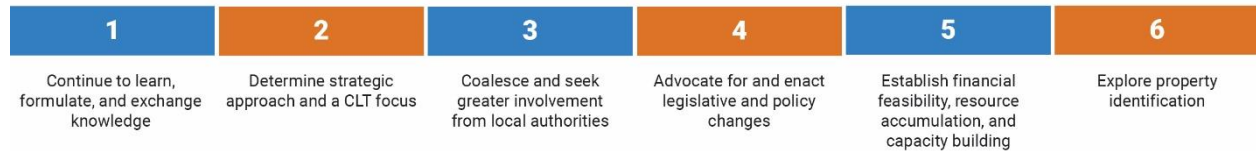
<sup>55</sup> <http://www.communitylandtrusts.org.uk/>

# A PATH FORWARD

Moving forward, CLTs will be a powerful instrument to address the affordability crisis, respond to a post-COVID-19 environment and promote and empower local development. Examples from across the country and world can provide a foundation to build upon in New York City and The Bronx. While it is important to note that this is just one facet of what should be a multidimensional approach, CLTs can prove to be very beneficial in The Bronx.

Given the relative newness and distinctiveness of CLTs, getting started or getting involved can appear daunting. The inception phase of any prospective idea or entrepreneurial pursuit can often feel intimidating. A holistic and thorough initial planning stage would involve engaging in self-education, constituent or partner outreach and organization. There is a very real need to continue to edify and impart on what a CLT is and how it can be utilized as a tool to uplift communities. This process must involve both informing new participants as well as cultivating and nurturing nonprofits that already have the initial expertise, interest or capacity. Advancing the CLT platform in The Bronx will involve further enabling an atmosphere of mutual and reciprocal understanding and enthusiasm. There are several reputable and thorough CLT toolkits and instructional guides<sup>56</sup> that can serve as resources and introductions for prospective organizations or interested parties.

## Multidimensional Approach Forward



While groups like NYCCLI are invaluable in spearheading the knowledge exchange and conceptual promotion that is imperative to the CLT movement, it is important for other local government entities to partake in this facilitation.

The role of government is important to establish within the CLT model because of the CLT's inherent bottom-up approach. While local government is a critical component, it is purely in a secondary and tertiary supportive function. The main responsibility and accountability must come from the community itself as the organizing entity. Drumming up this type of initiative and ingenuity is difficult, but coordination between a community and local nonprofits is a vital first step to jumpstarting a CLT. Local governments can provide the necessary empowerment and facilitation at the administrative level through policy and advocacy efforts, but ultimately a Community Land Trust must be driven by finding this type of leadership from within.

What government institutions must do to affect the CLT paradigm shift and guide their efficacy is educate on and endorse legislation that will codify CLT advocacy efforts and help provide funding. This also includes understanding that the CLT effort is part of a larger movement to

<sup>56</sup> <https://community-wealth.org/content/community-land-trust-clt-tools>; [https://groundedsolutions.org/tools-for-success/resource-library?keys=&i\\_want\\_to=0&resource\\_topics=4&resource\\_types=0](https://groundedsolutions.org/tools-for-success/resource-library?keys=&i_want_to=0&resource_topics=4&resource_types=0); <https://groundedsolutions.org/tools-for-success/resource-library/community-land-trust-technical-manual>; <https://burlingtonassociates.com/clt-resources/clt-101/>; [https://prezi.com/-qekiodjbm4g/how-clts-do-development/?utm\\_campaign=share&utm\\_medium=copy](https://prezi.com/-qekiodjbm4g/how-clts-do-development/?utm_campaign=share&utm_medium=copy); <https://sf.freddiemac.com/working-with-us/origination-underwriting/mortgage-products/community-land-trust-clt-mortgages>



safeguard tenancy, preserve affordability and restore land-use decision-making to communities for their own betterment.

The Community Opportunity for Purchase Act (COPA)<sup>57</sup> at the City Council level and Tenant Opportunity to Purchase Act (TOPA),<sup>58</sup> currently in the drafting phase, at the State Legislature level are two significant bills that can help tilt the scales in favor of tenant rights.<sup>59</sup> COPA will establish a right of first refusal for qualified nonprofit organizations, which will enable them as community representatives to have the first opportunity to purchase eligible properties. This gives local community organizations a competitive advantage in acquiring property that would never be available to them otherwise on the private market. Similarly, TOPA will provide the same right of first refusal to purchase for tenants and the subsequent ability to turn the building into a co-op should their landlord put the building up for sale. Both of these bills will help frame the housing market for communities looking to get involved in CLTs. Establishing stewardship at the community level is one of the major predicates for a CLT, and so it is critical to continue garnering support for the approval of these two bills that focus on creating and preserving that. It is equally critical to continue building upon these efforts and approaches that will strengthen and advance the CLT movement.

Moving forward, we must also determine best practices for implementation. This starts with establishing a system of financial feasibility that prospective CLTs can follow and utilize for matters of fundraising, resource accumulation and creditworthiness, all of which are imperative to the foundation and inception of a CLT. A consolidated list of all available grants is important to allow nonprofits to plan and account for.

Below are some of the grants that the Bronx Borough President's office is aware of for CLTs to pursue in the coming fiscal years:

- New York Foundation<sup>60</sup>
- Enterprise Community Partners<sup>61</sup>
- Citi Group Foundation<sup>62</sup>
- LISC Small Business Relief Grants<sup>63</sup>
- HUD Community Development Block Grant Programs<sup>64</sup>
- HUD HOME Investment Program<sup>65</sup>
- NHSNYC NeighborhoodLIFT Program<sup>66</sup>
- Grounded Solutions Network CLT Accelerator<sup>67</sup>

Other opportunities to garner financial support and fundraising must be explored and created. Financial feasibility is one of the most fundamental lifelines of a CLT. Resource restrictions and financial limitations expectedly hamper many nonprofits, given their nature. To ensure viability for CLTs, it is important to provide as many opportunities for financial assistance as possible.

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<sup>57</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4573837&GUID=0603C069-82DE-4977-904B-A07F3F468D90&Options=&Search=>

<sup>58</sup> <https://www.housingjusticeforall.org/our-platform>

<sup>59</sup> <https://www.gothamgazette.com/opinion/9540-mass-evictions-real-estate-speculation-protect-new-york-community-land-trusts>

<sup>60</sup> <https://nyf.org/reporting-forms-and-dates/>

<sup>61</sup> <https://www.enterprisecommunity.org/tag/financing-and-development/grants>

<sup>62</sup> <https://www.citigroup.com/citi/foundation/knowledge-center/grant-guidelines.htm>

<sup>63</sup> <https://www.lisc.org/covid-19/small-business-assistance/small-business-relief-grants/>

<sup>64</sup> <https://www.hudexchange.info/programs/cdbg/>

<sup>65</sup> <https://www.hudexchange.info/programs/home/>

<sup>66</sup> <https://nhsnyc.org/lending-services/>

<sup>67</sup> <https://groundedsolutions.org/tools-success/opportunities>

Expanding upon this list will help magnify the extent to which CLTs can establish and the scope that they can reach.

Similar to financial feasibility, it is equally essential moving forward to develop a method for property identification in order to provide a comprehensive database of what properties we can utilize for CLTs. This process entails the bifurcation of property into two different pots – city-owned property that can be apportioned for CLTs and private properties that are readily available and affordable that nonprofit organizations can easily purchase and develop. There is already a bill, Intro 1039,<sup>68</sup> which requires the accounting of vacant lots across the city for public identification and, consequently, the registration of such by property owners. Classifying the properties that can be repurposed for CLTs is one of the primary prerequisites that can lead to the efficient turnover and formation of one. Given the state of land scarcity in New York City, it is crucial to find creative sources of and available outlets to land. Similar to taking advantage of vacant lots, both city-owned and otherwise, “zombie homes”<sup>69</sup> present a unique opportunity to acquire underutilized land.

There is also an opportunity to reclaim vacancies throughout the City that are left behind as some residents depart for safer, less dense suburbs. Luxury buildings and other properties in the richest or gentrifying neighborhoods that have been left idle during the pandemic<sup>70</sup>, can be repurposed for essential workers and working-class residents in the aftermath of COVID-19. In this regard, there are opportunities for CLTs to be formed in historically wealthy neighborhoods that are currently being vacated and yet have otherwise been inaccessible for other socio-economic classes. To this end, CLTs would help to desegregate New York City’s income inequality and concentrated poverty by creating new community-led entry ways for low-income residents to live in these historically advantaged, amenity-rich zip codes. This will help to blend income classes more evenly on a neighborhood by neighborhood basis and in doing so, connect lower-income residents to new opportunities and create access to new utilities and services that are not usually available to them.

This strategy too can help desegregate gentrifying neighborhoods that now stand to lose their market rate populations, resulting in a glut of apartments that are currently overpriced and sitting idle. Utilizing CLTs to reclaim these vacancies can help preserve neighborhood infrastructure, maintain available housing opportunities, and restore affordability levels so that vulnerable populations can be appropriately sheltered. CLTs are an organized measure that can enhance community ownership as well as stabilize at-risk building stock. They can leverage existing affordable housing programs in a community-managed model. They can provide the necessary contingency and communal support for vulnerable or undervalued populations when government support and aid is restricted.

For a case study to observe and improve upon, we can learn from the parallel history of our Grand Concourse. This renowned boulevard was built as an upper-middle-class, destination neighborhood highlighted by its grandeur aesthetic. When these residents started vacating the area there were no protections and no plan in place to preserve the beauty of the Concourse. Without attention to the upkeep or maintenance, absentee landlords and slumlords alike let various buildings fall into a state of disrepair. The threatened abandonment of one of the most storied boulevards in our Borough and our City, has since become a cautionary tale, where CLTs could have played a role in protecting from this mass departure. A CLT can be a safeguard not just for affordability, but against institutionalized neglect and regional disinvestment.

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<sup>68</sup> <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2537047&GUID=ED82545C-893D-47EE-B5B6-095729CE7C67>

<sup>69</sup> <https://www1.nyc.gov/site/hpd/services-and-information/zombie-homes-initiative.page>

<sup>70</sup> <https://www.nytimes.com/interactive/2020/05/15/upshot/who-left-new-york-coronavirus.html>

It is important to note that the CLT movement is not the only form of community-based advocacy and affordable preservation that must be explored. It is equally important to sponsor and promote alternative models that can help empower communities and curate financial well-being. Housing Development Fund Corporations (HDFC) are buildings that follow similar regulations as co-ops do, but they more specifically target low- to moderate-income tenants through their AMI caps, along with tax exemptions and subsidies that allow them to sustain themselves<sup>71</sup>.

Likewise, Community Development Financial Institutions (CDFIs)<sup>72</sup> are another essential and complementary model to a CLT that facilitate incubation and ownership. CDFIs “are community-based, specialized financial institutions that serve low income people or businesses by providing a wide range of financial products and services to help customers build wealth and achieve the goal of participating in the ownership society.” The Bronx Overall Economic Development Corporation (BOEDC) originally was conceived as a CDFI prior to gaining administrative delegation. Community banks can serve in auxiliary roles as well to help provide local financing and sponsor the necessary economic infrastructure that many CLTs and nonprofits of other scopes require.

CLTs are an intricate, yet basic, strategy to harmoniously uplift neighborhoods and individuals in The Bronx, especially those who are in the most need. CLTs help foster cohesion and yet self-sufficiency; they help preserve affordability yet inspire evolution and expansion. The principle behind a CLT is simple: by owning your own property, you can effectively make your own decisions and start on a path to realizing your own visions. Having the equal opportunity to basic human rights such as freedom, quality shelter and health is the bare minimum that all must enjoy in an interconnected society. Reclaiming some land for communal ownership under CLTs is a commitment to people that they have the right to live and access communal space. The Bronx is full of beauty and opportunity, and allowing its residents to share in that would be monumental progress towards establishing equity and promoting social growth.

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<sup>71</sup> <https://www1.nyc.gov/site/hpd/services-and-information/hdfc.page>

<sup>72</sup> <https://nyscdfi.org/cdfi-definition/>