

Manny Patole: [00:00:00] All right. Um, thank you all for, for coming today to our b- book launch, book talk for A Community Land Trust Digest, like, s- Legal and Social Commentaries. Um, I'd like to thank, first of all, Kristen, John Davis, and Eliza Platts Mills, and Greg Rosenberg for bringing this project together. Um, I know it was, it was a lot of work and a lot of effort by many folks involved as well, the original writers of, of the articles, and then putting all the editorial board together, and then the conversations after we assembled everything to get it through to this stage.

Um, I'd also like to thank, uh, a mentor and, and colleague, uh, Professor Sheila Foster, who's gonna be joining us today, as well as Boris Santos, one of our practitioners and residents here in New York City of the East New York, uh, Community Land Trust, and we'll talk [00:01:00] with everyone in a bit. Um, so just wanted to just give everyone a little opening here.

Oh, boy. Um, so just our agenda today, um, I try... If you see on the right of the screen, I guess, um, just some of the CLTs that are operating currently in New York City, and there are more popping up, um, as we speak, right? And how they are addressing one of these major challenges in New York City and globally of, you know, the cost of living in places and how do we, um, assist folks to age in place gracefully, but also provide opportunities for new families, those who are migrating and immigrating, things like that, the opportunity to live, uh, and benefit from all those niceties of urban environments and rural as well, where they apply.

Um, so we'll have our welcome and then some opening remarks from our participants, and then we will go into our panel discussion where we'll welcome [00:02:00] questions from those in the great beyond who are, uh, in, in our w- Zoom room, um, as well as those in the room here as well. Um, so welcome once again. I am Manny Pattolli, by the way.

I'm an industry assistant professor here at NYU Center for Urban Science and Progress. Um, and I am a lifelong New Yorker and Brooklynite. Um, hopefully, we can all get home to watch the Knicks play the Cavaliers. Um, and, uh, I'd like to hand it off to the... one of the leaders who brought this all together, uh, Kristen King Reese

Thank you, Manny. Thanks for putting this together. Thanks to NYU Tandon. And again, Sheila, so great that you could be here. Um, and Boris and you, P, all of you. Um, yeah, so I guess I just wanna say a few quick words [00:03:00] about the book. Um, the overall, kind of the reason behind it. When I started, um, when I learned about community land trusts and decided that that's the

direction my practice was gonna go in, um, there just, as an attorney, there just weren't a lot of resources out there.

Um, I learned later that the technical manual, the... Is anyone-- Who here is familiar with CLTs? Okay, so kind of mixed. Um, so we'll talk about that, too. Don't worry. Um, but the technical manual was originally called a legal manual, so it's an excellent resource for lawyers. But, um, but there was just a lot of information that was kind of behind a paywall that I wasn't able to access because I wasn't part of a law school or a big firm.

And, um, so my goal was to gather together a serie- you know, what I could of the existing, um, law [00:04:00] review articles, um, and put that out, um, for, you know, an affordable price. So, um, I worked with the ABA and Terra Nostra Press, and we were able to come up with, um, an e-book, and that is, I think, twenty-eight-something, um, which compared to most law books is quite low.

But anyway, it ends up having policy articles in it, too. It's much broader than I thought it was going to be originally. Um, and I, I hope that it's useful for folks. We're gonna have a QR code that you can scan if you wanna download it. Um, and what I'd love for you to bear in mind during this conversation, and this is for people online too, is think about what you need.

If you're practicing in this area or you're, um, a staffer or a policy person, what do you need? What's not in the book? What can we-- What's gonna happen [00:05:00] for the next book? Um, and I think with that, I am gonna hand it over to... Oh, or am I doing the, I'm doing the CLT thing. Okay. So, Community Land Trust, which one?

Left arrow Oh, sorry about that What is a community land trust? Okay. So this is a great, um, visual from NYCLU, which is the New York City organization that is kind of a, assists community land trusts. But before I talk about this slide, I just wanna say that the original s- community land trust was, the mission was to take property out of the spec- well, they didn't say speculative market, but put property and trust for the community for, in perpetuity, for their use, whatever that use is.

And at the time, in 1969 when that happened, it was a [00:06:00] pilot project of a civil rights group, and they had not just housing, but also it was a community economic development tool, mutual self-help. There was farming, there were, there was a store, there were churches, and homes. Uh, so, and then over time, for a variety of reasons, a lot of them in, uh, involving finance, um, it's really

become much more of a tool for affordable housing in this country, and which is a fine thing, and that is really the focus of this book, is CLT's and housing.

But there's a lot of interest growing, um, in CLT farming, uh, commercial spaces. Sheila's doing a bunch of work on commercial. Um, pretty exciting thinking about it much more in terms of agency around land in your community, rather than just, like, going in, you know, and getting your home. Also very exciting, but [00:07:00] bigger.

So this is showing you kind of what a housing CLT is. The nonprofit owns the land, and that... And we used to say it takes the cost of the land out of the price of buying a home. It doesn't really work like that. Really, what it is, is the nonprofit, there's gotta be subsidy upfront in order to bring the homes to a price level that people can afford on their income, you know, without being over, say, 30 or 35% of your monthly take home, um, that, that you can pay for your home with that amount.

And, um, the homeowners are, at least typically, they make up a third of the board, so there's some agency and, um, ownership of the, of the way their homes are run, the land is run. But, um, [00:08:00] and some have all, like Dudley Street has all homeowners, which is super cool. And does anyone have any questions about that?

Have I explained it? Okay. The people who don't know about CLTs are just looking at me. We'll explain. Okay. All right, so, uh, I'm gonna pass it off to Boris

Yeah. I think I talked about most of this. Okay. Boris

Good late afternoon, early evening to everyone. I just wanna extend a, a thank you and my gratitude and appreciation for having me on, um It's been a while since I've been, uh, part of an academic panel. [00:09:00] Um, but I briefly wanna speak about why I do the work that I do and, um, a little bit about CLTs, further define it besides, um, a tool for affordable housing creation.

Boris Santos: So, um, my name is Boris Santos. Um, I grew up in Williamsburg in the 1990s. Um, a different Williamsburg than now, if we all know the landscape of Brooklyn. Um, and pre-gentrification Williamsburg, pre-rezoning of the wa- of the waterfront, uh, which was mostly industrial in Williamsburg, and now is home to lots of luxury housing, and I would say minimal affordable housing.

Minimal because we could have done more, especially in a pre-mandatory inclusionary housing era. Um, I'm sorry if I'm throwing a lot of terms out, but as you can tell, and I see a lot of [00:10:00] nods, I'm talking to a lot of technicians which, uh, um, gives me delight, right? Again, it's been a while since I've been in an academic panel, but I can throw out terms like this where you're mostly understanding.

Um, and that Williamsburg, there was 30%, over 30% more of Latinos than there are now. And most of those Latinos, um, were displaced and moved eastward to East Brooklyn, um, or to Pennsylvania, or to other parts of the country. Um, so the Williamsburg that I come back now to is very different, right? Now, the, the ones who are Latino families that are still there are there because of affordable housing providers, nonprofit providers such as Los Sures, St.

Nick's Alliance, um, and so forth. Um, so part of the reason why I do this work... And I'm a public school teacher. I teach the little, little ones, kindergarten, so I'm very [00:11:00] knowledgeable about, um, childhood development and human development, neuroscience, um, the science of reading, and so forth. Um, but part of the reason why I do what I do is because I no longer wanna see people who wanna stay in their homes be able to be forced away f- from their homes.

And, um, I usually say I teach during the day, and I fight gentrification at night. Um, that's what my schedule allows me to do. But that's what grounds me in this work. Now, as, uh, as it comes to a community land trust, yes, we work with something called the ground lease model. We lease the land where the property is on.

Uh, and just like you pay a, a rental lease m- if you're a renter, right? You, you pay, uh, rent to your landlord Um, and that works through a lease, right? But this is different. This is the [00:12:00] ground being leased to the people that are on the property and that are operating that property. But that property does not necessarily have to be a residential property, right, as, as was stated by Kristen.

Um, that property could be industrial, right? A factory or in- or light industrial, not necessarily heavy indus- industry. Or it could be commercial space, um, or a community center. But within that ground lease, there's a resale formula that limits the profit-making within the pro- the, the proprietary ownership, and therefore preserving the land as affordable for the long term.

Now, when it comes to how should we define a COT, whether is it affordable housing tool or mutual, um, supportive group, um, I usually say the philosophical undergirding of all this is actually transforming the economy, and hence why we're under New [00:13:00] Economy, the New Economy nonprofit. See, New Economy, it's in its name, we want a new economy, and New Economy is actually, uh, one of the organizers and corralers of all the community land trusts in the city.

And we've grown since 2016 to over a dozen, right? So our movement is growing, you know, a lot. And, uh, the re- the way that we started in the East New York Community Tra- Land Trust, just briefly, is we got seeded money from the city council and so did several other eight, um, nonprofits. Um, Cypress Hills Local Development Corporation, which is an affordable housing provider in East Brooklyn, was seeded some money, about, like, \$50,000.

Um, and so were some other groups, and that's how we started, and we came into formation. And I'm a co-founder. Um, I served as a treasurer before I was, uh, before I became the president. I've been president for two, uh, years. [00:14:00] But our mission in a philosophical, ideological sense, in the, in the root sense of things, is to transform the economy and it's to transform that pyramid, which is one landlord- Uh, and a lot of tenants or some tenants, or one employer and a lot of employees.

And it's to flip that triangle upside down to create a circular economy, a new economy where we have not one landlord or one pro- property owner, but where the tenants are transformed to shareholders or share owners or a shared equity model. And in doing that, you give democracy and decision-making to the people that never had, never had agency in their lives about their [00:15:00] housing.

And maybe just then the housing repair and the housing quality can be different, right? With pol- with education, with oversight from technicians, I call some of myself a technician now, and others who have expertise, maybe just then they have a fighting chance to be an owner and have a better quality of life.

And then for the, um, the employee-employer model, you never, you no longer have to worry about your wages being, you know, not matching the rate of inflation maybe. You know, you don't have to worry about the quality of your employment and so forth. You can actually give input into your own, um, in, i- into your own economic circumstances.

And so this is what the work is about. I can share so much more, and I'd love to definitely have a chat in private with many of you and, and keep the conversation going, especially through [00:16:00] here. Um, but that is in essence the work that I'm pushing for day by day when I'm fighting gentrification by night, as I stated.

So thank you again for having me, and look forward to sharing some more.

Awesome. So that's a tough act to follow, but, uh, I'm sure, uh, Sheila will carry that torch well.

Sheila Foster: Uh, but very inspiring. So, um, I wanna talk a little bit about how I got into CLTs and bring, um, couple different, um, ways to think about it that's a, um, a little different than Boris did, although he's exactly right. So, um, I came to this through environmental justice. For most of my career I started practicing...

Um, well, so I'm a lawyer by training, but when I began my career, and in particular began my academic career writing about environmental justice, um, I was working in communities Camden, New Jersey, Chester, Pennsylvania, and then when I moved to [00:17:00] New York, uh, with folks in Harlem. Um, and one of the things I noticed about the communities that I work with, um, is that in addition to all the environmental ba- so they were getting a lot of the bad land uses, but lacked a lot of amenities or good things, parks, obviously housing.

Um, so they were infrastructure deserts, right? Um, they didn't have, you know, grocery stores and all the things that you need to, uh, sustain yourself. Um, and so, um, and this made me think about, uh, and Kristen talked about the first CLT being rooted in the South and around civil rights. This made me think about, um, the history of, um, land reform and having land, which goes back to the f- uh, the freeing of slaves.

You know, when slaves were freed, they were promised land, 40 acres and a mule. And so the fact that the first CLT comes about in the South in a context where people are trying [00:18:00] to take control of their land and to build communities around that. And to me, that's what a CLT is about. It is about there is land available in many communities.

Um, and they could be high-cost cities like New York or Seattle or Los Angeles, where I've worked, or they could be the places like Camden or Chester or Baton Rouge, where we've worked, where the land in these communities that are now building CLTs are not high-cost. And it's not about gentrification, it

really is about empowering people to hold resources and to chart their own future, right?

So the work that... The path I followed from environmental justice to co-governance or co-cities, or I've written about the city as a commons, that the way we should think about urban infrastructure in cities is a shared infrastructure. And I can tell stories, born in Detroit, raised in Miami. In Detroit, urban farmers are trying to take control of acres of land in Detroit.

And a [00:19:00] very common story that you hear is that when cities, and it's the story of Baton Rouge, which we can talk about in the panel, um, cities often, when that land is either foreclosed in a tax lien or for some reasoners, for some reason owners abandon it or can no longer take care of it, it falls from private hands into, I think, the commons, but often the city- Agencies take it over and they hold it in land banks.

And they are often reluctant to share it with the people living in neighborhoods who are trying to use that land to grow food, to build housing. Um, in Dudley, for instance, in addition to affordable housing, they have a daycare center, they have urban farms, et cetera. So how do communities that lack the resources, whether they're in high-cost cities or low-cost cities, um, but have capacity, and all these communities do, how do they get control of a resource like land, like property, [00:20:00] to sustain themselves?

To me, this is a key function of CLTs, and that's why we talk about it as not just about... It is an affordable housing tool, but it's so much more, right? It's a tool to keep small businesses. In Los Angeles, one of the CLEs, uh, the CLTs that I've worked with is a commercial CLT, right? It is in a part of Los Angeles that will be gentrifying.

Um, and, um, there are small Black businesses that want to stay in place, so they created a CLT around that. It is about urban farming. It is about, um, other, uh, um, things that people need that, um, they cannot buy in an extractive market that we live in. Um, so CLTs, I think, are, um, one important tool of, I think, co-governance.

We also haven't talked about the way CLTs, and it's the last thing I'll say before our panel, in addition to having resources and being able to control them, um, Boris mentioned agency, and I love that. You know, the classic community land [00:21:00] trust model is that when you build a nonprofit to hold the land, um, and then that nonprofit leases it to people on top, who makes the decisions about all of the things that go on?

So it's... There's usually a tripartite board, one-third of the people that live on the land or are using the land or are lessees, one-third of people from the larger community, um, and then a third technical advisor. So it's an, also an important co-governance model, which I think is important. That is to say, giving people agency to take control of land without embedding them, uh, or endowing them with all of the legal entitlements that people can then sell on an extractive market and take it out of the community, which is what our economic, uh, system...

So it has all of these... There are lots of challenges, which we'll talk about. I think there are lots of, uh, lessons from setting these up and, and sustaining them and then scaling them. Uh, but I think the model itself is super, super inspiring and meets a lot of, I think, the needs of, um, [00:22:00] a lot of the different kinds of communities that have tried to use them.

So with that, I'm going to end and turn it over

Manny Patole: Thank you. Um, so I'd like to bring to our Mets colored toy- tall boys, um, and Knicks by the way, um, to, to our stage here. Um, and so Boris, uh, Sheila, Kristen, if you'd like to take a seat. Um, but some may a- come, come up. Um, but some may ask, like, why, why is this happening at a school of engineering? Why, you know, data science?

And I'd like to bring forth who's, uh, going to be our moderator today, one of our students at GUSP, um, Yu Ping Wen, um, who was in our, one of my cl- couple of my classes so far, um, and most recently Citizen in the City, where we do project based approaches, um, towards understanding the application of data, data science and urban challenges, working with [00:23:00] community based nonprofits or public service, facing service organizations.

And in so doing, they applied machine learning, applied data science, and other technical skills that we teach here in this urban realm around real estate and affordability. And I did not put the, the, the example of their work, but Yu Ping is working with Kristen and some of the CLT folks in, in Florida about developing a web crawler that's actually trying to catalog and organize at the state level different laws and policies related to the CLT.

So I didn't have a bio and photo for them, so that was my introduction to Yu Ping, um, who will be moderating our conversation. So Yu Ping, thank you so much. Please

Yu Pi: Hi, everybody. Um, this [00:24:00] is, uh, super cool that I get to do this. Uh, just gonna s- say that. Um, so the book which I got a chance to, um, very quickly skim over, it's 538 pages. Um, I am notably not a law student, so couldn't digest that much material, but, uh, the parts that I did read were, uh, very applicable to my work, as Manny said.

And I just wanted to talk a little bit about the five categories: um, definitions, history, theory and critique, and practice. And let's, um, let's have some conversation about that. So the first question that I have for the panel is why do many people think of CLTs as an afford- affordable housing tool instead of a form of mutual support and community economic development?

[00:25:00]

Kristin King-Ries: I think, yeah. Okay. Um, well, as I briefly mentioned when I was speaking, um, I think a big piece of it is financing, and in this extractive economy, it's difficult to put, go forth with projects if you don't have big lending. You know, if you're not, if Fannie and Freddie approved. Um, and what happened is in 2000, Fannie create- Fannie Mae created a mortgage product for house- affordable housing using the CLT model, and then, um, Freddie joined in 20 years later.

But, uh, I think that was the huge reason. It's really hard for farmers, for commercial, you know, businesses, um, industrial, for all the different folks to get loans for shared equity when they're, when you're not, um, homeownership

Sheila Foster: Yeah.

And I would just say that, you know, one of the [00:26:00] ways to think about CLTs is that they are developers, right?

You're developing land into something, and most of the financing that you're gonna find is for housing development. Um, uh, and I think that's changing a little bit for commercial, but I think that's exactly right.

Boris Santos: Yeah. Um, very briefly, definitely agree with regards to the financing aspect, um, as it relates to public sector help, um, either from the city, the state, or the federal government.

Most of that, uh, is drive- driven into the housing sector, um, at the federal government leve- level through, uh, tax abatements or, uh, tax credits, et cetera. Um, and I just wanna say that it's-- a lot of our urban centers are also feeling a

lack of housing supply. And so you see a lot of, um, people running for office, even our current mayor, right, who ran, is all about housing.

Housing, housing, housing, housing, housing. Development, development, development. And so I [00:27:00] think there is also a cross current with regards to the affordability crisis, um, and as it relates to housing in particular. Um, and I usually say social movements, um, come before, and I, I think this is true across the board, come before, uh, the government entity players that are coming into play or agents that, that wanna change stuff, and they usually follow the tune of those social movements, right?

And those social movements have been saying, "We need housing, and we need permanent affordable housing." And hence why in this time and era, we also see that as, as a very true defining definition of a CLT

Manny Patole: Um, and, and from my perspective, you know, working with, with Sheila in Baton Rouge and, and doing that as well as, um, some new work that might be happening in other places, I look at it from the community side of this, this CLT as well of not many people think that there's an educational or [00:28:00] professionalization of this as well, and you talking about you being a technician now and, and the work that you came in, how open and accessible it is, and there is a community around it about mutual support and education as well.

When I first started working with, with Sheila, we didn't know that this was going to be one of those items, but how accessible that information is, the type of communities that are developed globally around this and how they're willing to share, um, and also even internally at the hyperlocal level, how many people forget about the community capacity development that comes along with this?

How are people learning about this topic? How are we, like this panel, willing to share and talk with others, um, share best practices, what didn't work, things like that. And also, how does that become a train the trainer model where we start helping those within our city and then other things like that. So I think with all this stuff in terms of the physical infrastructure, I teach my students about social and community infrastructure [00:29:00] as well, and how does that also strengthen the longevity of this work as well?

Yu Pi: Thank you, everybody. Um, this is actually, I am curious about your, um, answers on this next one because I was talking with my family about the work I was doing for your class, uh, Professor, uh, Manny Patola. Uh, I call him

Professor Manny. I realize I should say Professor Patola. Uh, but my parents are, uh, refugees.

They're like the... It took a lot for them to finally own a home in Albuquerque, New Mexico. And when I was talking to them about this they were like, "What? Like, CLTs, like shared equity, huh?" Um, and so my question for the panel is, why should communities that have been deprived of ownership opportunities buy into a shared equity model?

Why not own market rate homes instead? Well, I think one simple answer is that, that they're [00:30:00] not able to access the market. Mm.

Sheila Foster: Okay? Um, and th- you know, that's the answer because, you know, similarly a lot of Black communities, I think when you first go and talk about CLTs, particularly low-income Black, they're like, you know, "Why wouldn't we wanna own and build wealth that way?"

As a people that have been, you know, deprived of wealth. And, um, Groundworks did this great study of shared equity models, a longitudinal study, and they show... And not just CLTs, but also limited equity co-ops that exist in some cities, including New York and DC. And they found that a lot of people used, uh, the limited equity models as a entry point into the larger market.

So they would, um, become a member of the CLT and a lessee, build shared equity, and then take that into... If that's what you want to do, right? Um, not everybody is gonna wanna do that. But so you might see it as a pathway- Mm-hmm ... into the regular market for people who don't have that, who don't have 20% down, or who don't have good credit.[00:31:00]

Lots of reasons why these communities are not part of that market. Yeah. And, uh, and I think the other piece is that you have community activists saying, "We're looking for the fu- We're looking toward the future. We want this land to stay in the community permanently. So even if I own my own home, you know, if I sell it at market rate, then, you know, I'm gonna gentrify my own neighborhood, you know?"

Kristin King-Ries: So yeah, it's more, I think, about this, the vision of perpetuity, of having community spaces in perpetuity

Boris Santos: Yes to both. And to add on, I, I wanna talk about the mind shift or the mi- or the mentality that is in alignment with, "Hey, I should own a single

family home within this ground lease structure," versus a single family home and own the deed and the land, right?

I think what's [00:32:00] the mind, what's the mentality behind that? And I think you have to be mission aligned. And with mission aligned, I definitely agree with, like, let's make sure that the land is here in per- in perpetuity, permanently affordable. And therefore, I'm gonna cut profits into my pockets in the potential future or into my next of kins, uh, if, if they wanna...

And usually fa- uh, daughters and sons usually move away to another home. So I, I have much love for those that are here for generations after generations here, meaning wherever in that community for genera- for multi-generations, right? Um, but that mind shift, mind shift change or that mission alignment is very important.

And so it actually comes down to the crux of the question is, like, how anti-capitalist are you? Whoof.

I, I will add that, you know, working with one of our other colleagues, with Professor Gillette at the law school here,

Manny Patole: um, there is [00:33:00] also this idea of, like, what is that shared community benefit from doing that shared equity model, right? How is that money not only being reinvested in that building, but also those local amenities and assets, right?

How are the folks who are now living in the sh- in the, in the CLT can afford to start up their own business? And how does that start developing that stronger cohesive bonds within that community that may want to have their kids stay because they have that attachment. They have a job locally, right?

They're... That necessity to move is no longer there because they have a stronger bond with that local... wherever they're living, right? The, the also that reinvestment in that other physical infrastructure, whether it's streetlights, whether it's pavements, community gardens, is now there. So those amenities that may attract them to those other places are no longer needed because they're local.

So you have that, that kind of space there that you were aspiring to that were somewhere else that are now within your own backyard, literally. Hmm. And I just wanna underline something.

Sheila Foster: I [00:34:00] mean, this comes back to my idea of the city as a commons. Like, we have... In this society, we're, we're never gonna all be doing the same thing.

There are gonna be private goods, people that want to be in the private property, the regular housing market, people that are gonna be in public housing. We should have more public housing. But there's a third kind of holding or property, and that's commons, common property. And I think that we lack that in the society.

If we had more of it, uh, we would have stronger communities, we'd have more intergenerational, um, s- y- you know, support. So back to the comments that you've heard, like, some part of this is that people want to live in a way that is self-sustaining, not just economically, but socially, culturally, and familiarly.

And this, and these kind of commons good, these commons, the idea of commoning, the idea of being in community, of sharing things and having shared resources, is a powerful thing for a lot of communities. And I would just point out one really good, I think, modern version of this is Africatown in Seattle- Yeah

which is a big, uh, community land [00:35:00] trust, uh, in a very high-cost city, um, i- in which they created basically a c- common development with housing, a cultural center, and other things to preserve the community that they wanna be a part of, that has its own history and culture. And I think that CLTs are great for that.

Kristin King-Ries: Can I, uh, the other thing about Africatown that's really remarkable and worth looking at if you're involved in a CLT, and Boris, this includes you, um, is using, they used political activism. They didn't approach this as technicians. They didn't... That wasn't an option for them. This, this Black community in Seattle, you know, the Central District had been 90% African American, I believe, maybe even as late as the '90s, and now I think it's under 10%.

Um, yeah, so this was a community that just was completely [00:36:00] erased, displaced by all of the booming economic, you know, development in Seattle. And they, yeah, they've done such a fantastic job of using community organizing to move forward. And I, I see so many CLTs when they wanna go to scale, they lose the community piece.

But Africatown actually is, the community piece is helping them go to scale Oh.

Yu Pi: Um, it sounds like a lot is possible when we start treating CLTs not merely as an affordable housing mechanism, but, um, particularly your answer, uh, Professor Foster, is it sounds like when we treat it as more than that, it, it's a different relationship to bo- to land, to ownership, and community power.

Um, kind of, uh, bouncing off of that, um, and you had mentioned, um, Africatown in Seattle, um, I wonder about this a lot, [00:37:00] is how can we scale without losing community involvement and agency?

Kristin King-Ries: Yeah. Oh. Well, actually, I think Boris can speak to this too.

Boris Santos: Yeah. Mm-hmm. Uh, I love, I love this question and the community organizing piece, because you don't necessarily have to warehouse community organizing operations or advocacy and activism within a community land trust, and the East New York CLT is a perfect example of that.

So just quickly, I don't like to boast a lot about our work- Yeah. ... or at least my work, but this is our work, so it's even... it's, I can boast, right? Uh, um, but we spearhead, um, the tax lien sale coalition. So the tax lien sale, or Abolish the Tax Lien Sale Coalition, I should say rather. So a tax lien sale is a very, um, predatory practice of selling, um, [00:38:00] of selling debt, whether it be, um, property tax debt or utility debt, um, to Wall Street, and then Wall Street can eventually foreclose on a homeowner, um, and, uh, com- but due to com-compounding interest of that debt, right?

So for, and this was a Mayor Giuliani law, 1990s. So about seven years ago, so not, no, not seven years, but like five years ago, we started talking about, "Hey, we need to make sure there's no more tax lien sales to this Wall Street-backed trust." And, uh, we've only had one ever since, and this mayor promised, um...

And it's because of our advocacy, and we do it with New Economy. Shout out to Elise, by the way, I did not say shout out to Elise before, who's with New Economy. Um, and other, uh, nonprofit affordable housing providers or, um, housing counseling providers or CLTs. [00:39:00] Um, so we do that advocacy. We also fight to increase CLT initiative funding every year when city, uh, when the city budget, and it's right around the corner, uh, is due, uh, July 1st.

Um, and we do other stuff such as, um, fighting for, um, more resources to CLTs, and other legislation like COPA. COPA, COPA is the City Opportunity to Purchase Act. Um, and the City Opportunity to Purchase Act essentially

gives community land trusts and other nonprofit housing providers, um, the right of first refusal.

So when a, when a, when a property goes for sale, we have the right to put a bid for that. Um, and so we're working on that legislation right now as well. And so that's part of our community organizing work. Um, and you sort of marry that- Community organizing, um, sort of popular democracy, um, will of the people to self-determine not just with their [00:40:00] housing, but also with how government, um, backs housing.

And East New York has a awful history of having terrible public policy, disinvestment, uh, plan, uh, planned shrinkage, which means, uh, shrinking, uh, taxpayer dollars that go into our social infrastructure, and we also have the history of redlining and blockbusting. So we have a terrible history, um, when it comes to both public policy and real estate players, um, here.

So we're trying to flip that as much as possible and make sure we're fighting for the right, um, policies. But to get to the question of scaling, that's how you maintain, uh, people power, and that's how you maintain, uh- The ability to have more 248 Arlingtons. What's 248 Arlingtons? 248 Arlington is our first acquisition of a pro- of a private property as a community land trust.

So 248 Arlington, yeah, it's a ... [00:41:00] If you could give it up for 248 Arlington. It's like here, um, the first private purchasing of, uh, a building and removal of, um, a real estate building, 20 units, um, on the corner of Arlington and Crescent Street in East New York, off the Crescent stop on the J train. Um, that, and we, we were able to build, bring tenants to the table with the landlord and tell the landlord, "Hey, we want this building.

What are you gonna do about it?" And we, we, uh, purchased the site, and we did that through fundraising. And so being able to scale also means you have to have people to be able to fundraise and do those typ- types of work. And now 248 Arlington is en route, um, to become a cooperative model under a ground lease, right?

So they will be, they will be owners essentially. And so we're trying to do a lot of these tenant takeovers, and the way you go to scale is you continue to [00:42:00] build people power, and then you bring those tenants to the next set of buildings, right? And say, "Look what we were able to do here. I hear you're having housing repair issues too.

I hear your, your management company and your landlord are actually far away," like New Rochelle far away, "and don't even speak to you. You don't even see face," right? And so that's a, a, a, a self-perpetual circle of, of organizing and, and, and fundraising and so forth. So we're trying to recreate that. Um, and later I'll talk about 161, uh, Jamaica Avenue, which I just signed pa- paperwork on, which will be our comm- our, we call it the East New York Liberation Center 'cause we will warehouse our offices there.

But not just our offices, other worker cooperatives to do workforce development and so forth. And also to meet and have our people congregate just like this because spaces like this, communal spaces, talk about the commons, right, are, are very, uh, there's few in between, especially in our neck [00:43:00] of the woods.

So, um, I hope that speaks to scale in regards to as well, um, how we need, um, more than just affordable housing, uh, as, as a mantra, as a thing that we construct, but rather the people power, the organizing behind it and so forth. Yeah, I think the scale question. So it depends on what we mean by scale, right?

Mm.

Sheila Foster: So if you look at the map of CLTs flourishing around New York, th- one kind of scaling is to have 10 or 15 CLTs around the city, each of them rooted in a community, right? That's one kind of scaling. And, and I think New York is doing that in amazing way. I don't think you see that anywhere else, actually.

Hmm. No. But I think, uh, uh, that, you know, there is a tension between using CLTs as a successful development model to hold down land prices of value capture, land value, and an affordability mechanism, and h- CLTs as a co- uh, uh, right, as an urban commons, as a place for a community, as a place for activism.

And I think there's a [00:44:00] tension there. So a couple examples. There are now emerging citywide land trusts that are not community land trusts. Houston has one. Atlanta has one. They're very, they're technically, they're governed by, you know, the city and other technicians, but they are designed to do a good job of taking land off of the extractive market, y- y- capturing the value and keeping it affordable.

That's a good thing, but it's not the same as, um... I think one super interesting model, and it's the last thing I'll say, is Neighbor Space in Chicago. So Neighbor

Space is a citywide land trust, and what it's done is preserve all over the city of Chicago, um, vacant lots that communities have long used, particularly marginalized communities, as gardens.

And what they do, it's a, um, land trust that is run by the city of Chicago, the Forest Department of Chicago, and another agency. And what they do is they're in charge of, um, getting the land, putting it in the land trust, and then [00:45:00] they give the gardeners all of the tools they need, access to water, et cetera, to be able to manage their, um, lots.

And they also make sure that there's a governance structure at the lot level, that the governance is left there, but they take over all of the clearing of the land and all of the other capacity needed. Super interesting model, right? It's good because it's preserving, you know, community gardens, urban land that are in marginalized communities, but it's also taking all the capacity up to make sure those communities have to deal with it, but it's leaving the governance down.

So I'm just saying that because I do think there's a built-in tension in the way that we talk about land trusts. They're not all community, and that's not always a bad thing because CLTs have challenges, which we can talk about Right. Lots to say on that. Yeah. But I guess one thought that popped into my head when you brought that up is, um, housing CLTs have tried to do this kind of hub and spokes model.

Kristin King-Ries: Um, [00:46:00] and I think that in Chicago it sounds like they've done it really well. I haven't seen it suc- Right. All this community land. Because I do, I agree, like, if you take the back office stuff and con- and, you know, put it in one place, then you're saving costs and, you know, duplication of efforts, all that stuff.

It's been really a lot more challenging in the housing context. I'm not exactly sure why, but, um, there is a lot of, there are territorial battles, et cetera. And actually, LA is another city, like New York, that has multiple CLTs popping up. Not yet. Yeah.

Manny Patole: I, I think for, for all this in terms of scale, I also wanna bring it back to the people as well, because as you're doing all this advocacy work, as you're developing different uses, you're creating a new type of employment mechanism. You're creating a new type of economy as well, where folks who [00:47:00] didn't know this stuff can now be active and give back.

And you're now-- you're not just scaling property, you're scaling people's skills as well. And how does that also attract other things? Like when we were first starting with Baton Rouge, and you look at other places in New York and what, what Boris was saying, how is that giving people skills to actively participate in local democracy and, and commerce, right?

How are they learning all these new skills that they may have not picked up in elementary, secondary school, uh, you know, so on and so forth, but they're learning while doing? And how does that also start creating this, once again, that different type of agency that they have a great job that's being part of the community, and how does that also scale, uh, not just in terms of the physical infrastructure, but once again, that social and community infrastructure, that commons as we were talking about?

Yu Pi: Yeah. Uh, Professor Foster, you mentioned, like, we can talk about some of the risks, right? We're like, "Ooh, all good things about CLTs." However, there [00:48:00] are-- oh, for sure, there's always risks, right? Um, and one pathway that we could talk, uh, that we could take is do y'all think, um, are there risks in professionalizing a model that began with grassroots self-determination?

Sheila Foster: Let's talk about the challenges that CLTs ha- have. I don't, n- not sure I call them risks, but so one challenge is how do you create a CLT, right? So in Baton Rouge you, we created a non-profit, which you file articles of incorporation, you create bylaws. Boom, you have a CLT, right? You have a, a, a structure, and you can appoint a board, which we did.

But then how do you get land? So CLTs... So when you talk about, when Manny talked about this is a great way to skill people- Mm-hmm ... and to bring people together and to up-skill, which is all great, but you need resources. So one of the main challenges that CLTs face, particularly in a high-cost city, is getting land, right?

So you can build an organization, but you have to get land, and then you have to develop the land. Maybe you get a small [00:49:00] house, maybe you get a vacant lot, but you gotta put a house on it. So this comes back to the financing question. So CLTs have a acquisition problem. And so there are a lot of CLTs on paper, but that aren't fully functioning.

I think that's one clear challenge. What we try to do, and I think one, o- one answer to that is I talked about land banks before. So one of the things that's happening is that CLTs are entering into memorandums of understanding with

city land banks, 'cause cities have all this vacant land that they're holding in land banks waiting for Amazon to come along and develop it or, you know, developers.

And the people are like, "Can we use some of that land, uh, to build stuff?" And, um, and that looks very different in a New York than in a, a Detroit or Baton Rouge. So one of the things we did in Baton Rouge is we created, we work with the city, and so you guys have written a piece on the city land trust, um, relationship.

We work with the city wi- uh, development authority, which had a land bank, to enter an agreement for the city to transfer land [00:50:00] into the CLT for free, right? Without... Now, it's a distressed city, so it's not New York. But New York has done that too, I believe. And LA has done that as well. So one, so one challenge is acquisition, and one answer to that is, is to be able to work with local governments, that when there's a tax lien or otherwise land falls out of private hands, it falls into government control.

Governments should be able to do that, but they're far too stingy to do that at scale, I think. Right. Yeah. Because it undermines the economic model that's, that modern cities are built on, which is chasing mobile capital. And why do cities chase mobile capital? Because how do cities pay for themselves?

Through property and land taxes. And if you give it all to a CLT, you're not making money, right? In fact, the move is to try to get, uh, CLTs to be tax-exempt to keep them affordable. So that's, I mean, there are other challenges, but that's a key challenge. Mm-hmm. Kristen? Anyone else? Challenges?

Kristin King-Ries: Yeah. Yeah. I was gonna say if we should open it up.

Yeah.[00:51:00]

Manny Patole: Um, Boris, did you wanna talk since you're the, the most seasoned practitioner here? The biggest- We, uh, we're, we're, you know, we'd love to hear from yours, and then after we can open it up to questions from the great beyond and those who are in the room.

Boris Santos: Uh, it's, the biggest challenge is cooperation. That's in essence what I can say.

I think, uh, you know, I talked earlier about the one landlord, one employer versus many employees, many tenants model. You know, you only have to, you

know, meditate, ruminate, um, contemplate by yourself, and then you say, "Yes, I'm gonna do this." That's not how it works with the community land trusts. You have to talk to the people to your left and to your right, and you have to form a consensus.

But I love that 'cause the same challenge or the same, um, difficulty that you can have is actually it's a two-sided sword. It's, it's actually what makes you stronger, right? [00:52:00] You learn to cooperate, and, um, every day you as an organism are cooperating. There's countless amounts of cells to make you breathe and do the things that you wanna do.

So our, the history of this world is one bottomed on cooperation. I say democracy is not something that you can just put on the corner, kick to the corner, but it's something you practice every day just like you brush your teeth, and then you practice it further when you have- Entities like community land trusts that are fostering and generating and bringing about more democratic structure, right?

Um, and I just briefly wanna say, like, that is part of culture changing. I talk, I talk a lot about mind shifts, right? We live with an implicit assumption all the way up to college and even post-college, and some even to their grave, of understanding property as just a one person or a cooperation that owns [00:53:00] that property.

But now we're... CLTs are part of shifting that culture. Now... And the psychology, and then being able to plug, you know, regular people in and build those skills, um, and then fostering that cooperation. And so the biggest challenge is cooperation. We all fight with family. You can't say we don't or haven't in our history, right?

Mm. But then we love. We come back and we love hard again, and we love better maybe. Mm. And so part of it is restorative justice and us understanding our being as also not just us, I call them cellular organisms that are constantly cooperating, but that we're also repairing ourselves every day. When I go to the gym, yes, I'm muscular.

I know you can tell that. I obviously go to gym, right? I break my body down. I break it down, down. I'm like, whoa, to, to recover, right? And so that's part... So when I think about the CLT, I think [00:54:00] about like we are doing divine work. Mm. Work that is actually aligned with nature, where nature seeks homeostasis and harmony And so the biggest challenge is ultimately also our biggest pro as well.

Thank you, panel.

Yu Pi: Um, no, no, I will not forget that for a while.

Manny Patole: Uh, I wanted to, uh, open, uh, open it up to questions from the audience and the great beyond. All right. Here you go. Please, uh, state your name when you're asking a question. Uh, thank you guys so much for this wonderful, um, uh, and very necessary and timely conversation.

Elizabeth (audience): Um, my name's Elizabeth. I'm a, a fifth-year PhD candidate at Columbia University's Graduate School of Architecture, Planning and Preservation. Um, uh, so I research, or I'm on my way to researching, um, uh, different ownership models in, um, other markets beyond the United States. Um, [00:55:00] particularly the Caribbean just because of the housing crisis there, um, ensued by, uh, tourism development.

Um, so my question has a lot to do with, um-- And it gets at a lot of the different dimensions that you guys have been discussing, um, from like the discursive aspects of con-conve-c- uh, um, convening, um, the fostering of, uh, collaboration, um, particularly in, um, like the shifting of the mindset of, uh, say like property, et cetera.

My question is about, uh, the fiscalization, um, of policy, right, and the, uh, the lack of congruence in other markets beyond, um, the United States, uh, particularly when it comes to funding, um, these, these particular, I guess, like collective ownership models. I'm wondering if in the work that you guys have all done, um, uh, you know, like in investigating this, this particular, um, configuration of, of ownership.

Um, if you guys could just talk a little bit about what particularly the fiscalization, [00:56:00] um, of community land trusts looks like. Uh- Fiscalization meaning the funding of- Yeah. Yeah. Thank you. In other places outside the US in particular.

In cases with the United States where, um, maybe like the policy and like true framework didn't quite fit, uh, the maybe like model I would want. Um, my, my question's motivated because in the case of- Um, my question is motivated because, for example, in the case of the Dominican Republic, um, the government, the federal government has, uh, uh, what they're calling a community land trust, uh, framework.

However- Interesting. It's, it's, it's the market. Yeah. It's not- Yeah ... it's not the community. Yeah. Got it. I got it. Um, the way that they're funding, uh, these, these particular schemes, and it's going toward tourism development- Yeah ... um, is actually- Mm-hmm ... by just, uh, corporatizing, [00:57:00] um, the model. So that kind of, like, gets a lot at, uh, this challenge, um, of, of resource acquisition that you guys- Yeah

have very thoroughly and, uh, across much breadth, um, kind of like discussed. So that's the motivation for my question.

Kristin King-Ries: Well, quickly, you happen to be sitting next to this person who, right there, Ben, um, who works for the International CLT, um, Center, and has done work on, um, CLTs around the world and in the Global South in particular, there's a big project.

So I think you should connect with Ben. And then in terms of finance, um, it's, it's a mess everywhere, and that is something we haven't, I haven't figured out. I don't know if anybody else has, but one of the things that I'm looking for in the next book is, um, you know, articles on that piece and, and folks who crack that piece.

And I'm always paying attention to what's [00:58:00] happening in shared equity finance because I wanna see what is... You know, is there something that's going to disrupt our current system and provide funding? And right now I'm looking at, um, MINTs, which is Mixed Income Neighborhood Trusts, and the organization is, um, Trust Neighborhoods, I think.

And I, I can't speak to it. I can't recommend it or, or not. Um, but I... That's an interesting thing to look at. Um, and I, yeah, if you find out, please email me.

Sheila Foster: Yeah, a couple of example. Uh, one is, so there is another, other models developing in the US, like the Neighborhood Investment Trust is another, the Kensington Trust in Philadelphia.

But, um- I do wanna say CLTs outside the US, and Ben would know this more than I do, don't always depend on fiscalization. So, uh, the case of catalytic communities in Rio, um, and the development of a CLT and a favela, um, outside of Rio [00:59:00] that is d- facing gentrification pressures. In that case, the question is not so much fiscalization, but property titles.

As you know, in a lot of informal settlements in the Global South, people don't have their property titles. Sometimes the... So the federal government, I think,

has given some of them. Puerto Rico is the same thing. But what they're doing and what, um, Teresa, um... Oh my God, what's Teresa's last name? Y- thank you, Williamson.

Um, has, uh, written about actually, and you should look up her work, is that it's a different CLT model because there the community part is getting folks to transfer their titles from individual ownership into community ownership to be part of the CLT. So, so that's another model. It's not always about fy- It's like these folks own their property.

They're a huge community. So how do you get enough people to transfer their title from individual ownership into a community ownership to make this a viable model? So I just wanna say that that's another kind of challenge that doesn't involve financing.

Manny Patole: Yeah. So, um, my background initially is in urban water management, and mine was about, [01:00:00] um, change in legal reforms that impacted peri-urban communities of slums, right?

So I focused on how these different things impacted the actual service delivery. Um, but part of that when you're doing this work, which was how I got really in- interested in the work working with, uh, with Sheila years ago and, and to this day, was different places throughout the world had these different models that weren't necessarily just pure financial, right?

So in the state of Gujarat in India, for example, there was a professor there named Himanshu Parikh, who I happened to meet at a international water conference in Mexico City years ago, and it was a slum upgrading model, which then became a case study by the World Bank, where they kind of took away the financial sector, the for-profit sector, and had this other triangle model where it was the local water utility, it was the residents of that community, and local businesses that worked together to kind of upgrade their slum, right?

The idea was why are we gonna pay, why are we gonna ask for a [01:01:00] grant that's gonna then bring in someone from outside that's gonna have a higher cost and not provide local jobs when we already know what we need, right? The local water utility was kind of like that anchor institution governmentally that helped because they knew the, the subsurface infrastructure, right?

So there is a little bit of science and things that you need along with that. But how did they help- Regularize by providing those spatial analysis, hydro and hydrogeological flows and understanding that stuff. And then f- how do you

formalize those settlements? In some cases, yes, there was like canalization, same thing happened with in Brazil.

So I, I did some of my work in São Paulo, so Cantinho do Céu and, and other places like that. How do they regularize this without having these other type of traditional financial mechanisms? By employing locally, by leveraging other utilities that are not traditional. And I think the other part of these conversations was how they thought laterally by expanding the pie, right?

Not focusing on just housing or not focusing on finance, but how you look at this, like what are the other needs that might be there [01:02:00] that are gonna have an impact, right? This comes to the data science, right? If we have professor talk about... We have Professor Rashab in the back there. And when you think about like big data, like looking at this network analysis, who is impacted by not having good formalized housing, right?

Your me- your hospital is gonna be impacted, right? Because there's gonna be more people who are gonna come in because they have those issues. You're talking about your traffic and other things. So then you have like an opportunity cost equation here, where you're trying to understand if they don't have to spend that much more money on healthcare, on, on, on all these other challenges.

If you think about that and then kind of do some, you know, financial m-engineering there, you can see that, okay, if we invest in this now, this is gonna be a cost savings for us in the future, right? So that's a different way of like shifting the paradigm once again, of like not... Look, I don't need a bank.

What I need is some people who are willing to put in some sweat equity, right? I have some people who are at the, the [01:03:00] utility or whatever else that have kn- knowledge about the physical space, and I have some local businesses that need some sort of stimulus to get them out of whatever local recession's there.

So there, there are other ways of looking at this, and happy to talk afterwards as well.

Yu Pi: Another

question there. Uh, thank you so much.

Rebecca (audience): Go on, yeah Can hear me, right? Well, it's the people online, that's why. Hello? Hello? There. Hold it close. My name is Rebecca, um,

uh, Rebecca West. I'm part of the Climate Psychology Alliance, um, of North America, which is partially why I'm here, and just thank you so much for this whole panel.

Um, and my question actually goes to a num- like both the risks, as well as the commons idea, as well as the how anti-capitalist are you? Very. Um, and, and to go to those questions, because it seems to me that there's an embedded brilliant but real contradiction in all of [01:04:00] this, um, about sort of... And I think a lot about it from the perspective of climate, but also equity and everything else.

Is it-- And my question really is, at what point do these challenge or become dual ownership or dual power? Um, and are there limitations within which the city governments or state governments will impose based on some of the things that these community land trusts are seeking to do? Um, and I think a lot about sort of rival governance structures in terms of, uh, access to water or to the various other resources that people need, given sort of what's happening with climate change, but it's not only climate change, as, Sheila, as you were talking about.

So I'm a little bit curious about where those tensions are and what, what tensions have been allowed to, to go, and if it succeeds enough, what tensions you guys anticipate, um, down the road.

Boris Santos: Uh, so I imagine a world where we have, let's say, every block in New York City, let's just take New York [01:05:00] City as the example, um, the geographic location, is under community land trusts.

Let's take that to be our new lay of the land, right? Our new landscape here. Um, so sort of private equity or corporations or single owners are no longer at play. Every property is under community land trusts. I think that's the best way to start- ... for your, for your example, right? And so, like, what would public policy makers, um, take issue with?

Well, if you go to a CLAT saying, "Yes, we're trying to all be tax-exempt," um, right, Article 11s we call them, which is, um, uh, we get if you have a HDFC, Housing Development Fund Corporation, low income property, uh, cooperative, right? You get tax-exempt. So every property is [01:06:00] tax-exempt. Well, sort of can't have free buses, right?

You sort of can't pitch universal childcare. You sort of can't do a lot of these things if you're taking a good pie of the tax revenues of a municipality/state,

right? So that's one issue. So I think one of the things I think about, and I'm not too far along into this 'cause we have to manifest that future, right?

Yes, uh, there's no one, you know, single silver bullet to solve all the issues, but you have... And I, I call this a circular, like a circular problem, but then someone else, I'm like, I kinda think of it as like a spiral, and then you have a new iteration of new problems and social issues, right? And yes, we certainly cross bridges when we get there.

Like, I don't think we'll get there anytime in, in our lifetimes, right? Um, but that's the issue. And I'm not, I [01:07:00] don't have an answer for that, for, for what are, what, what are the- The dual threats about making s- everything shared equity. Um, and but that is a position that I start in when I think of your question, and I wanna be very honest about that.

Um, but hopefully I pass down a, a future to my next of kin or my, or the next future generations, future generations, where we get closer that, to that future where they can actually solve for it as well.

Kristin King-Ries: Yeah.

That's a great point. Um, and the other thing about what Sheila was saying, you know, CLTs are hoping to be tax-exempt.

It's not always the case. Um, and there are a number of CLTs, especially in smaller communities, where the decision, the board decides they are going to pay taxes, both on the land and on the home. You always have to pay taxes on the home because it's not a nonprofit use. Once you have a homeowner in there, they actually always have to pay on the, on the [01:08:00] improvements.

But I just think of, um, this Red Lodge in Montana, uh, a town of 5,000, and we were going and talking to them about a community land trust and taxes, and they just said, "Not only do people know who pays their taxes, but they know when they pay their taxes." Like, they're just watching them walk down the street.

Um, so you can't not pay your taxes in that community. And, and that is a really, in the, in the, um, the policy report that I did with John that you referenced earlier on cities and municipal governments and CLTs, there's a, there's a discussion of that. Like, you know, that's a policy decision that the board has to make.

And you can, you know, you can also change it over time, too.

Sheila Foster: I mean, uh, your question is complicated, um, complex. Um, so I'll say a couple things. I mean, I think of CLTs... So the bottom line I'm saying is we need a new economy, [01:09:00] right? Um, so CLTs, I think, are an important intervention in disrupting the extractive land-based, capital-based economy that we have.

Um, it tries to discipline it in the name of community and in the name of excess or b- uh, peeling back excess. Um, but, you know, I studied under... Or, or the work of Elinor Ostrom, who wrote about the commons, and one thing she was famous for saying, there are no panaceas. And, and I believe there are no panaceas.

There are no panaceas, and this is not a panacea. It is... But it does... But the question, I think the hard question when you ask about the challenge and the tension is can this model coexist with the way in which our economy is structured now? And I think we don't know that answer. Because what I think we have is some success cases, but not at scale that it's really disruptive enough.

Mm. [01:10:00] That's just the honest truth. And I think that, you know, Manny and I working in Baton Rouge has been a real awakening- ... um, of trying to do this in, you know, a, a thick political environment like that. So, you know, let's keep going. I think it's disruptive, I think it's helpful- Yeah ... but I think that it's not a panacea.

Yeah. Yeah.

Manny Patole: So just to, to add on to, like, what they were saying as well is, like, yes, environments are different, but to, to actually see some of these measured, demonstrable changes, th- there's an event horizon we don't know. Like, someone asked, well, when we were in the communities in Baton Rouge, well, how long will it take before it's, like, fiscally solvent or when it's making a profit or something like that.

It varies depending on where you are. I know when we were doing this work and I attended, um, a, a call with Grounded Solutions that was about one of the, uh, CLTs in, in San Francisco. When they started out, like, 85 to 90% of it was- Subsidized [01:11:00] by, uh, other people, city, state, foundations. And now it's 15 years later, and this is a, a high-value market, right?

This is San Francisco. And 15 years later, now they're getting to that point where 80% is self-funded and 20% is now with, like, others. And, um, this is, goes back to what you were saying, but it's also how does that then help offset some, or maybe provide other amenities that aren't, like... Like when you're talking about climate, right?

It's the idea of while you're having density housing improving with gardens and h- like, localized urban heat, how is it helping with reinvestment at the local level around stormwater management to prevent localized flooding? How do you start thinking about all, like, the, the energy gains? Like, you think about Red Hook here and the, the microgrids.

How does that start changing a paradigm of maybe they're self-sufficient in terms of not just the housing, but maybe it's focused on an energy cooperative or something like that. But these, you don't think- It helps with the finance. Yeah, the financing as well, right? So you don't, but then someone says, "Oh, we're not seeing a [01:12:00] profit in two years, and then we're gonna scrap it."

But you're not giving some of these things enough time to really, really develop. Because we don't have patient capital. Yeah. That's right. That's the problem. That's right. Once again, back to the new economy. We don't have patient capital, and that's why you need a new system of financing, I think. Um, I just wanted to call out that it is, uh, 5:15, so we're going a little bit over.

We have until 5:30. We have until 5:30? Yes, we do. Oh. Are there questions online? Yeah. Oh yeah, we forgot to ask. Mm-hmm. Sorry, great beyond. Um, how do I check that? I'll go. Yeah. Here. Okay, are there questions in the room while we're doing? Yeah. I'll go there.

Yu Pi: Any other questions? Feedback.

Gianna (audience): Hello, my name is Gianna. Thank you all for a really fascinating talk. Um, I was wondering how within the, um, collectives you handle [01:13:00] governance, decision-making, and disagreement. Um, I'm really interested in, like, how that looks, like, that process takes place, and also how, like, starting one looks when, like, maybe a community is divided on whether they want to start one or not.

Boris Santos: Oh, you brought back a memory just real quick about how I be- Yeah. Yeah Soma ... how I became president. Um- Nice ... so I, I do wanna say this. Y- y- you can't hide from conflict or conflict resolution, and you have to name it. Um, and then once you name it, you name the feelings, and when you

name the feelings, you bring it to light, and people grow consciousness on whether there's apologies or not or whatever it is when it comes to consensus, um, understanding of what occurred, what harms were done, or anything of that sort, right?

You move from there, right? Quickly wanted to [01:14:00] say one story about that. Um- We, uh, the former president had spent, of the East New York Community Land Trust, had spent some time away from the work. Um, he was gone from all summer, and he was gone for more than all summer. He was gone for a little bit of the fall.

And we're like, "Bro, you have papers to sign, uh, so we can continue these projects," right? Um, and sort of two of us came to him, and we had a dinner or coffee or something, and we talked to him and we said, "The board is considering this. This is what the bylaws state. Um, we can either remove you in a general member meeting where everyone is doing so, uh, or, or everyone understands why, um, and what we're trying to do here, um, for merely absence.

Um, [01:15:00] and... Or you can sign your letter of resignation." 'Cause we need to actually get work done. Um, he understood, and he took the latter. He, he, he signed the letter of resignation. And that's just something to say, y- going back to the naming part is you, y- you... And this is part of accountability. You cannot have, um, a thriving, sustainable organization if you're not holding each other accountable within that group, right?

Um, and so, and then there was a, a, there was also... Before that, we tried to avoid that situation because there were signs of that happening during the work. And one where I even shed a tear because I'm like, you know, two family members are going at it right in front of me about, you know, what's happening and, and the comportment of one person and, and whether or not he or she is doing the work.

Um, and [01:16:00] so they went at it like cats and dogs. And, uh, but what happened in the room stood in the room. And so that's how I became president, actually, because that happened. Um, and so we have to name the, you know, the, the behavior, we have to name what's happening, and then we have to hold each other accountable.

Um, and you have to have robust policies and procedures and bylaws, right, which is part of the pr- procedures and policies, to be able to do that. Um, and we're building the plane as we go. Nothing is like, oh, th- And every situation is different and multifaceted in, in the factors that, that lie in it. Um, but sort of

what we have to do as well is not just internalize these things, but also let the next generation understand what went down.

And so at some point we, you have record keeping. The secretary, that's a very important job, right, has to make [01:17:00] notes. And they're not just secretary for, like, the IRS, this is what happened in this meeting and this is the vote that was taken, and a brief, you know, record keeping of that. But- Things that are actually are so much constructive, of value for people that are ask, that, that will come up after me.

'Cause I, I tell folks, like, I worry about my leadership, about, I worry about me staying here until I, I grow old, right? Um, I'll, I've only been doing it for two years, and we don't even have a home yet in terms of a base, and we're now, we now getting into that. And so pe- people like, "Boris, you talk about crossing bridges when when you get, when we get there.

Like, you're, you're on the other side of the bridge. Wait for us to get there." And so, um, but part of it is that, is, is... And, and if you cannot do that within yourself, you can also contract or subcontract a third party to help with conflict resolution. So there's other ways to design this beyond just looking at yourself.

So, so I just wanna speak a little bit towards that.

Sheila Foster: Yeah, I always say, like, we shouldn't romanticize [01:18:00] community. I think this is really hard work. Um, and, you know, and I think Boris hit such a, I, I, I mean, you said s- you just dropped so many truth bombs. Um, o- o- one is, is... So a core part of this is governance.

You know? Like, it's hard to govern. It's hard to govern. And there are the governing documents, there are the things people have to agree on, there's the consensus rule. Is it gonna be two-thirds? Is it gonna be a majority? Who else gets to have a say in this? You know, you actually need a leader or two, people to show up.

Um, and so, you know, in addition to all the other complications of getting property and building, you have to govern the commun- And then you have to govern the actual entity- Yeah ... to be sustainable, to be fiscal- So this is hard work, and it's a miracle, and I think a wonderful one, that they're thriving, that around New York, and I hope that they continue to, c- because it is hard.

Kristin King-Ries: Yeah, you, you made me think of something. This is, I, I say this to my clients all the time. If [01:19:00] you, you know, when you create

governance rules, follow them, please. Don't, you know, don't sort of try to be nice to everyone in a way that is, you know, unconstructive. And the other thing is when you have a ground lease and you have rules in it, enforce them so that you don't get to a place where one person is ruining the experience for everybody.

And I've had so many clients say, "Well, I don't wanna be mean." And it's not being mean. The, what's that old saying? Like, good fences make good neighbors? Like, good rules make for good, you know, good community relations. And absolutely people. Any time you introduce people, humans into something, it's a mess, so.

Great point.

Manny Patole: Yeah. So we do have a, a question- Mm-hmm ... from the great beyond. Um, how can a community land trust remain truly equitable and tenant-controlled, [01:20:00] especially in cases where public housing residents feel undermined during mixed income redevelopment projects like the proposed changes around the Elliott Chelsea houses and the Fulton houses?

Boris Santos: Oh, so, so the, the Ah, I'm glad I have a little bit of New York City history in, in my head here. So Chelsea Elliot, the particulars of Chelsea Elliot are important. They had to vote whether they will go through the rental assistant demonstration program, um, which is, uh, getting funding from federal government and being under, um...

Or getting like additional funding to, to remodel and renovate, and they're dealing with a demolition, and then reconstruction, uh, phasing in that particular public housing. Um, so either go through rental assistant demonstration and have a, a, an outside, uh, management company, [01:21:00] right? And, and many people say, "Oh, then they will no longer be public housing."

Um, or go into do this trust model that, uh, was put forward by the state in order to, um, open the doors for more financing. Um, and so the vote there wasn't a everyone let's go with rent RAD or everyone let's go with the trust. The ro- the vote there was mixed. And so part of the pro- Uh, and we talked about the problems is, is consensus.

And consensus building is even harder when you have hundreds of residents, which is why you see a lot of Mitchell-Lama, which is a, a cooperative model, right, which was designed by the state in the '70s and '60s. You see a lot of

Mitchell-Lama. I grew up near Lindsey Park, which is like six, seven buildings, 20 [01:22:00] stories, um, about 200 units each.

You see them going private, right? So it's hard to build consensus. Too many cooks in the kitchen, right? And then they have a board as, as well. Um, and where there's a house divided, you know the rest of the quote, right? And so I would say the scale issue, and this is where like a government that's wanting to build housing, build housing, build house, build housing at mass.

All right, sure. But is it quality housing with quality of life where people can actually build cooperation, or do they not know their neighbors three floors down and so forth, right? So the scale is very tied to how much cooperation you can build with your neighbors as well, and that's one... And so this is one of the big questions regarding here is like how can you have, um...

Well, it's sort of already like you're damned from the [01:23:00] beginning because you, you're dealing with a lot of... And this is public housing, right? You're dealing with a lot of players already here, where the TA president was actually saying, "Well, let, let's do RAD," and there was already a movement- To oppose that.

Um, which, so, and that's very complex in that, in that occ- uh, in that, um, example of the, uh, Chelsea Elliot. So I don't wanna say, like, how do you, uh, I don't wanna, um, I'm not answering the question, but I'm actually outlining all the, all the factors that are at play with this spec- specific issue

Sure.

Manny Patole: Um, we, we have time for maybe one more question before we have to close out for today. Hi. Thank... Okay.

Shaleh (audience): Thank

Manny Patole: you for your talk. My name is Shaleh. I, um, had a question about property, um, in the American South that's typically heirs [01:24:00] property. Have you seen successful examples of conversion from risks to preservation to the CLT model?

Sheila Foster: So, um, heir's property is property that is, exists because someone passed away without a will, and they left a lot of heirs, and maybe their heirs had heirs, and over time there may be 1,000 heirs, and, you know,

and it's a collective action problem. How do you get everyone to agree about what to do with the property?

And often investors come in and they try to buy off some of the heirs. It happens in, actually New York City too. So the question is, have we been able to successfully Or have CLTs been able to use them? That n- you may know the answer. I don't know the exact answer to that. One of the things we face in Baton Rouge, actually, is a property system that goes back to civil law in Louisiana.

And there's a long period when there's cla- what we call cloudy title. Could be heirs property. It could be we can't find the owner, we can't find all the owners. And one of the problems we're facing in Baton Rouge, when the [01:25:00] city agrees to, to transfer property that's, um, vacant or abandoned, is that the clou- the title's cloudy and the judic- the adjud- the period to clear it in Louisiana is very long.

And so one question we have is whether we start to develop that property anyway in the CLT absent clear title on the theory that it's low risk, that the, one of the owners won't show up. And so I don't know if any CLT has used heirs property, but I think the title issues absolutely are present. Yeah. And, and we actually- Particularly in the South.

Manny Patole: We've also, like one of our first properties that we are, uh, where we're developing is actually for, uh, a community eco park. Right. That's right. And we, there was a couple of, since we had to move the location like twice because there was a property initially, and then there was like a 90 by 10 foot sliver between the neighbor and ours that was like unclaimed.

And there was a risk averse group of folks who were like, "Oh, let's find another place." And we found another place and it is still cloudy title. Hmm. And [01:26:00] we, we rolled the dice. Yeah. Right? Like w- like if someone comes back. And claims it. Yeah. We'll cross the, we'll cross that bridge. Yeah. Yeah. Um, two years in.

No one's come. No one's come back. Right. It's still there, you know. So, but if, if, if it happens, you know, there, there is this idea like, do you set up a risk, this goes to the technicalities. Are you starting up a risk pool to help with that kind of adjudication? Also a CLT, although the city is partnering with us on the eco park.

Yeah. The city and the, the local parks department too. Right. So we have like a management contract as well. So, yeah.

Kristin King-Ries: I'm

so glad you asked that question. That, it, it's early days, but it is coming. Um, uh, there's the law school in, um, Atlanta, the Georgia State University. They have a, um, community economic development clinic and, uh, we've had some conversations about this and about trying.

I think that's really their goal, is to bring heirs property into [01:27:00] community land trusts. And Louisiana is a state that I can't even remember if they have one or none CLTs. So. Yeah, Louisiana has CLTs. Okay. You mean Georgia or Louisiana? Sorry. I'm talking about Georgia. Never mind. Georgia has a ton. I'm totally confused now, but the point is that these folks really wanna work with heirs property, and I think it's a great idea.

And the cloudy title thing is a big deal. There's also something happening with Thomas Mitchell at Boston University, um, oh, sorry, Boston College Law School. He, um, developed a uniform law or- Partition? Uniform Partition Act or something- Yeah ... which- It's been enacted in 40 states. It's, yeah, it's taken off, and so that really helps with the heirs property.

And I'm glad you brought it up because I th- I would love to see more law students and law schools and practitioners, [01:28:00] um, move in this move toward this and do research and, you know, develop it, and then report back to the, to the group.

Manny Patole: And there, there's some, like, um... We worked with Appleseed in Louisiana, but there's other state-based organizations that have been partnering with CLTs, land banks, and cities to help address this challenge because it's, American South is, yeah, but there's- There's lots of- It's, it's across the country.

It is. It's across the country, but it's- Yeah. It's in 15. It's particularly acute. Yeah. So I would like to thank everyone who joined us today. Um, and just a, a, a small token of our, our appreciation, um-