Welcome to the summer 2013 edition of the Community Economic Development Committee's newsletter. The Community Economic Development Committee is pleased to provide a medium for our committee members to find useful legal tools and resources to assist your practices and to engage in conversations about significant community economic development endeavors. In this edition, we are featuring an article on community land trusts written by Barbara Corkrey, Senior Attorney in the Community Economic Development Unit of the Legal Aid Foundation of Los Angeles. The article examines how organizations use this community economic development tool to protect affordable housing in rural and urban communities in the United States. We will also host a webinar on August 28, 2013 with Barbara Corkrey, who will further explore the use of community land trusts as a community economic development tool. We will provide you with additional details concerning the webinar in the near future.

There is an important new publication for community economic development practitioners from the Forum of Affordable Housing and Community Development Law. The book is entitled "Building Community Resilience Post-Disaster" and is co-edited by Dorcas R. Gilmore and Diane M. Standaert. This publication examines equitable disaster recovery frameworks that provide opportunities in communities for affordable housing and strong local economies. Contributors to the book include the General Counsel and staff of the U.S. Department of Housing and Urban Development, and a variety of housing and community economic development practitioners. If you are interested in purchasing a copy of the book, you may contact Dean Pappas, Director, Marketing Planning and Promotion, 321 N. Clark Street, Chicago, IL 60654, Phone: 312-988-6804, E-mail: dean.pappas@americanbar.org

We hope that you will be able to attend the American Bar Association Annual Meeting in San Francisco from August 8-11. The Community Economic Development Committee is co-sponsoring a program with the Corporate Counsel Committee on Friday, August 9, 2013 from 10:30 a.m. to 12:30 p.m. The program is entitled "How Law Firms Can Better Serve Their Corporate Clients - and Get and Keep Their Business" and will discuss how law firms can implement practices and procedures that build strong client relationships and increase law firms' revenues and profits while enhancing their corporate clients' bottom line. We look forward to seeing you at the program.
If you are interested in writing an article for the next newsletter, presenting a webinar, becoming a director of an administrative committee or otherwise becoming more involved in the Community Economic Development Committee, feel free to contact me.

We look forward to seeing you at the Annual Meeting!

Dana Thompson
Chair, Community Economic Development Committee
drthomp@umich.edu

2013 Annual Meeting Panel

How Law Firms Can Better Serve Their Corporate Clients - and Get and Keep Their Business
Friday, August 9, 2013
10:30 a.m. - 12:30 p.m.
»Annual Meeting Website

Featured Article

"Streets of Dreams": A CLT Vision
Barbara Corkrey

CED practitioners should see Streets of Dreams, an Open Studio Productions2 work-in-progress, because it examines an important CED tool - the community land trust ("CLT"). Streets of Dreams will tell the stories of U.S. nonprofit organizations and leaders who use CLTs to preserve, stabilize, and perpetually shape the future of affordable housing in their rural or urban communities. The series of stories will open with aptly named "Arc of Justice," a preview of which I saw last September at the National Community Land Trust Network ("NCLTN") Annual Conference in Burlington, Vermont. The title of the series and its opening story are paraphrases of Martin Luther King, Jr. quotes - "I have a dream..." and "The arc of the universe is long, but it bends toward justice." They are inspiring titles because, to paraphrase President Obama, the arc doesn't bend unless we use the tools we have to bend it. As CED practitioners we can use the CLT tool to bend the arc to ensure affordable housing justice for all.

More...

Submit Articles for the Community Economic Development Newsletter

The Committee on CED invites you to submit an article for possible publication in future issues. The articles do not need to be long. Submitting an article is a great way to share your perspective and/or expertise with fellow practitioners and to participate in Committee activities. If interested, please email your article to CED Committee Chair Dana Thompson at drthomp@umich.edu. Thanks.
“Streets of Dreams”: A CLT Vision
By Barbara Corkrey

CED practitioners should see Streets of Dreams, an Open Studio Productions work-in-progress, because it examines an important CED tool – the community land trust (“CLT”). Streets of Dreams will tell the stories of U.S. nonprofit organizations and leaders who use CLTs to preserve, stabilize, and perpetually shape the future of affordable housing in their rural or urban communities. The series of stories will open with aptly named “Arc of Justice,” a preview of which I saw last September at the National Community Land Trust Network (“NCLTN”) Annual Conference in Burlington, Vermont. The title of the series and its opening story are paraphrases of Martin Luther King, Jr. quotes – “I have a dream...” and “The arc of the universe is long, but it bends toward justice.” They are inspiring titles because, to paraphrase President Obama, the arc doesn’t bend unless we use the tools we have to bend it. As CED practitioners we can use the CLT tool to bend the arc to ensure affordable housing justice for all.

“Arc of Justice” tells the story of the 1960s creation, 1980s loss, and 2011 resurgence of New Communities, Inc. (“NCI”), the first and largest ever U.S. CLT, through interviews with its living 1960s creators. The preview included interview clips with Reverend Charles Sherrod, his wife Shirley Sherrod, and Georgia Congressman John Robert Lewis, who continue to see CLTs as a vital mechanism for ensuring economic and social justice in communities of color. The preview also showed NCI’s new southwest Georgia home, the over 1600 acre antebellum Crystal Pond Plantation. The creation of this Plantation was made possible by NCI’s receipt of an over 11 million dollar settlement of its Pigford discrimination claim in July 2011 for the loss of its original site of almost 6000 acres. Having lived in Georgia during NCI’s 1970s heyday and the shenanigans of then Lieutenant Governor Lester Maddox, I was moved and inspired by the “Arc of Justice” preview to increase my work with and advocacy of CLTs.

“Arc of Justice” is but one of many inspirational Streets of Dreams stories of U.S. CLTs to be told as the CLT movement continues to grow in number and diversity. Despite the diversity, the basic CLT legal structure is the same – the CLT owns the land and leases it to individuals or other nonprofit shared or limited equity cooperatives who own the buildings on the land. Only four states – Arkansas, Indiana, Oklahoma, and West Virginia – have no CLTs, and five states – California, Florida, Massachusetts, New York, and Washington – each have 15 or more CLTs within their own borders. The CLT movement will continue to grow. CLTs have perpetually renewable 99-year ground leases and perpetual land stewardship principles to preserve the affordability and physical quality of sale or rental housing on the land from one owner to the next; they also support the financial health of each owner through day-to-day, year-to-year activities. These characteristics enable CLTs to be more effective at promoting affordable housing, community economic development, and environmentally responsible land use without displacement than traditional community development corporations (“CDCs”); CDC funding agreements limit them to at best 55-year terms. For this reason, some CDCs are moving towards becoming CLTs and attended the 2012 NCLTN Conference to learn how to do so. For CDCs that are Community Housing Development Organizations (“CHDOs”) or have CHDO-composed boards, the
process is relatively simple; this is because CHDO board composition is based on the CLT tripartite board – one third each of resident, community, and public/government members.\textsuperscript{4}

California’s almost 20 CLTs reflect the diversity that exists among rural and urban U.S. CLTs. Some are community-based, some are city-based like the Irvine CLT, and there is even one that is multi state – the St. Joseph CLT, which encompasses the California and Nevada sides of Lake Tahoe. Some focus on single-family home ownership, some on multi-family cooperative ownership, some on multi-family rental housing, and some on a combination of single and multi-family ownership and rental housing. All share a vision of making California roads and byroads “streets of dreams.” To help them realize that vision, this past June I helped the NCLTN plan the first gathering of California CLTs in San Francisco. The success of that gathering is reflected in NCLTN support and California CLTs’ request for semi-annual gatherings alternately held in Northern and Southern California.

The three Los Angeles CLTs – (1) Community Foundation Land Trust (“CFLT”), (2) Beverly Vermont Community Land Trust (“BVCLT”), and (3) Tenemos que Reclamar y Unidos Salvar la Tierra-South LA (“T.R.U.S.T.-South LA”) – illustrate the diversity of urban CLT approaches to achieving a “streets of dreams” vision. CFLT is a supporting organization for the California Community Foundation, with a goal to initiate development of at least 2,250 affordable housing units, including ownership and rental units, by leveraging investments. To that end, it has invested over $24.5 million to initiate development of over 550 affordable ownership and rental housing units.

I helped to form BVCLT, an organization with a goal to make the area within a one-mile radius of the Beverly Vermont Metro Station an eco-friendly pedestrian-centered neighborhood that integrates ownership and rental units of affordable housing, work and recreation. To that end, I helped it acquire its first two properties this past year. One acquisition involved the simultaneous CRSP\textsuperscript{5} donation of the L.A. Eco-Village land, valued at over $1.1 million, to BVCLT and sale of each of its two apartment buildings to Urban Soil/Tierra Urbana (“US/TU”), a limited equity housing cooperative that its tenants, an intentional community\textsuperscript{6}, had formed. It also involved negotiating BVCLT’s first ground lease with US/TU for the buildings. US/TU separately funded purchase of the buildings with $818,000 in CRA/LA\textsuperscript{7} and CRSP loans for the larger 40-unit building, including six very low-income units, and a $382,000 CRSP loan for the smaller eight-unit building. The other acquisitions, a tenant-occupied four-unit apartment building and a small vacant commercial building, required obtaining seller financing and partnering with CRSP for the balance of the $650,000 purchase price.

The goal for T.R.U.S.T.-South LA, with which I and other LAFLA attorneys have helped in various ways, is to make the area south of downtown Los Angeles into healthy communities that integrate spaces for ownership and rental units of transit-oriented affordable housing, work, and recreation. To that end, this past summer it acquired its first property, Rolland Curtis Gardens, a 2.3 acre site with 60 low-income rental units and room for at least 50 more. The site is within 100 feet of the new Expo/Vermont light rail station and a block away from the University of Southern California. The multi-million dollar acquisition involved intensive tenant organizing to save the property from conversion to market-rate units after its affordable housing covenant expired. It also required partnering with an experienced nonprofit affordable housing developer and funder, Abode Communities.\textsuperscript{8} In addition to providing its own $1.5
million to the project, Abode Communities obtained customized loans from Wells Fargo and CFLT, as well as $1.8 million in grants from the Weingart, Rose Hills, and Ahmanson Foundations.

BVCLT, CFLT, and T.R.U.S.T.-South LA are working hard to make the streets of Los Angeles “streets of dreams.” Their inspiring stories and the stories of their inspiring leaders should, and may well be, future Streets of Dreams productions. By advising nonprofits to consider using the CLT tool and working with those that choose to do so, CED practitioners in every state can help make the roads and byroads of their rural and urban communities “streets of dreams.”

1 Barbara Corkrey is a Senior Attorney in the Community Economic Development unit of the Legal Aid Foundation of Los Angeles. She has worked with community land trusts since 2007.

2 Open Studio Productions, based in San Francisco, is an award-winning team of independent filmmakers who are committed to producing high quality social documentaries that inspire and educate. The team is led by Producer/Director Helen S. Cohen and Mark Lipman, Producer/Director/Cinematographer/Editor.

3 Pigford 1 is the settlement that Congress approved in 2008 as a result of the court-approved agreement in Pigford v. Glickman, 185 F.R.D. 82 (D.D.C. 1999), to settle the black farmers’ class action suit against the U.S. Department of Agriculture for its discriminatory lending which caused foreclosure and financial ruin.

4 The one-third CLT resident and community member requirements of the tripartite CLT board ensures that CLT and low-income community residents have a voice in the work of the CLT and, consequently, in their community.

5 CRSP, which stands for Cooperative Resources, Services & Projects, is an education, training, and resource center for small urban ecological cooperative communities.

6 An intentional community is a group of people who choose to live together with a common purpose of creating a lifestyle that reflects their shared social values, such as ecologically sustainable, economically affordable, and pedestrian-centered neighborhoods.

7 CRA/LA is a designated local authority and successor to the former Community Redevelopment Agency of the City of Los Angeles, which was one of the over 400 redevelopment agencies the California legislature dissolved in 2011.

8 Abode Communities, based in Los Angeles, focuses on designing, developing, and operating services-enhanced multi-unit affordable housing for low-income families, seniors, and special needs individuals. It has provided housing for over 4,000 people.