

©2016

Brian Stromberg

ALL RIGHTS RESERVED

RADICAL ROOTS AND PRAGMATIC POLITICS:  
THE PERFORMANCE OF LAND TENURE REFORM IN COMMUNITY LAND  
TRUSTS

By

BRIAN ROBERT STROMBERG

A dissertation submitted to the

Graduate School-New Brunswick

Rutgers, The State University of New Jersey

In partial fulfillment of the requirements

For the degree of

Doctor of Philosophy

Graduate Program in Planning and Public Policy

Written under the direction of

James DeFilippis

And approved by

---

---

---

---

New Brunswick, New Jersey

May, 2016

## **Abstract of the Dissertation**

### **RADICAL ROOTS AND PRAGMATIC POLITICS: THE PERFORMANCE OF LAND TENURE REFORM IN COMMUNITY LAND TRUSTS**

by BRIAN ROBERT STROMBERG

Dissertation Director:

James DeFilippis

The community land trust is a model of communal land tenure that has become increasingly popular in the last ten years. This popularity has come from the model's utility in providing affordable housing. This has led to less consideration of the model's capacity for economic reform through communal land tenure, which was a large part of the model's original intended purpose. This intention seems to have been left by the wayside as a result of the CLT's integration into the broader community development field. To better understand this, I ask the question: what role does land tenure reform actually play in community land trusts?

This research question is framed by the concept of performance, which suggests that our ideas and beliefs are not only a product of the context in which they arise, but contribute to that context in ways that challenge and/or reproduce it. To provide the empirical work to answer this question I designed a qualitative research project. This project used three scales of research to explore the implementation of community land trusts: an analysis of mission statements from CLTs across the country, a series of interviews with CLT practitioners, and two

case studies of individual CLTs.

While my research question and the empirical work focuses on the role of land tenure in community land trusts, it is also my hope that this dissertation will contribute to a better understanding of how community development can be understood as performance. The conclusions include a discussion of the potential significance of community land trusts as a challenge against the expanded role of financialization in the global economy.



## **Acknowledgements**

I must first acknowledge the many generous individuals that I met in the course of my research whose names will remain anonymous. I am forever indebted to all my new friends in Flagstaff, Albuquerque, and at the various other organizations around the country who took some of their valuable time to talk with me. This dissertation could not have happened without their participation.

John Davis, for keeping the light lit for myself and everyone else.

My extended families in both the Rutgers Geography department and at the Bloustein School, who were there when I started this whole crazy thing and made it a littler easier to deal with it along the way.

James, Kathe, Bob, and Susan, for years of unerring guidance and inspiration as committee members, teachers, and compatriots. A special thanks to James as my advisor, whose inimitable passion for the questions I was asking gave structure and vitality to this project.

Our cats, Tex and Tia, who kept my lap warm during the long cold nights in the office.

My wife Marisa, whose love and patience throughout this process has been invaluable. For that, I will always be grateful.

## Table of contents

Abstract of the Dissertation .....	ii
Acknowledgements .....	iv
Table of contents.....	v
List of figures.....	vii
<b>Chapter 1: The introduction to the dissertation .....</b>	<b>1</b>
The research project .....	3
Structure of the dissertation .....	5
<b>Chapter 2: Methods .....</b>	<b>7</b>
Mission statements .....	7
Practitioner interviews .....	10
Case studies .....	12
<b>Chapter 3: The theoretical context .....</b>	<b>17</b>
Property.....	17
<i>Theories of property .....</i>	<i>18</i>
<i>Conclusion.....</i>	<i>27</i>
Performance.....	29
<i>Land, property, and performance .....</i>	<i>34</i>
<i>Conclusion.....</i>	<i>37</i>
Community .....	39
<i>The history of community development.....</i>	<i>40</i>
<i>Community control.....</i>	<i>46</i>
<i>Performance and community .....</i>	<i>52</i>
<b>Chapter 4: Introduction to the community land trust .....</b>	<b>54</b>
The characteristics of the CLT .....	61
Community land trusts and other forms of tenure .....	66
The roots of the community land trust.....	69
<i>The academic literature on CLTs .....</i>	<i>73</i>
Conclusion .....	80
<b>Chapter 5: The performance of the CLT.....</b>	<b>85</b>
Advocacy literature.....	87
<i>CLT categorization .....</i>	<i>91</i>
Mission statements .....	97
Practitioner interviews .....	102
<b>Chapter 6: The case studies.....</b>	<b>123</b>
Flagstaff land trust program .....	124
<i>Flagstaff and Sunnyside.....</i>	<i>124</i>
<i>Affordability crisis.....</i>	<i>128</i>
<i>Flagstaff housing programs.....</i>	<i>131</i>
<i>How the land trust program works.....</i>	<i>138</i>
<i>Community land trust versus land trust program.....</i>	<i>141</i>
<i>Limitations and benefits of a municipal land trust.....</i>	<i>144</i>

Sawmill Community Land Trust .....	148
<i>The Sawmill neighborhood</i> .....	149
<i>Albuquerque as context</i> .....	152
<i>The Sawmill Advisory Council and Ponderosa Products</i> .....	155
<i>Sector Development Plan update</i> .....	159
<i>Pivot to housing</i> .....	162
<i>Leaving Sawmill</i> .....	169
<i>The future for SCLT (as a developer)</i> .....	174
Case studies conclusion .....	179
<b>Chapter 7: Conclusions</b> .....	<b>185</b>
Why a more radical CLT matters .....	188
Closing thoughts .....	190
<b>References</b> .....	<b>192</b>
<b>Appendix A: Interview Protocols</b> .....	<b>210</b>
Initial case study interview protocols: .....	210
Practitioner interview protocol: .....	211

## List of figures

Figure 1: Individual CLTs selected by mission statements	9
Figure 2: Total NCLTN members by state	57
Figure 3: NCLTN members per 100K population	57
Figure 4: Selected CLTs per 100k population	58
Figure 5: Total selected CLTs by state	58
Figure 6: City of Flagstaff and Sunnyside census tracts and block groups	127
Figure 7: Sawmill neighborhood and SCLT parcels	149
Figure 8: SCLT parcels, census tracts, and block groups	151
Figure 9: Sawmill/Wells Park Sector Development Plan	160
Figure 10: Original SCLT master plan	165
Figure 11: Current SCLT master plan	167
Figure 12: The Artisan	177

“In the old days, we had many conversations using the language of movement, about land reform, the importance of community control, and the fight for social justice. Community land trusts are, after all, children of the U.S. civil rights movement. But that language doesn't seem to surface much anymore, and the words we adopted to appease lenders, funders and lawyers has become the internal language we use as well.

There is no secret listserv where we all talk about this kind of stuff anymore. In corners at our national gatherings, we whisper about getting FHA approval for CLT mortgages, establishing set-asides for permanently affordable housing projects, and tracking 100 different metrics to prove the efficacy of the CLT model.”

Greg Rosenberg

“You can take whatever tack you want to talk about it, but at the end of the day...am I going to say this? It's just a mechanism for social justice. I did it. I said it.”

Practitioner

## **Chapter 1: The introduction to the dissertation**

In the late 1960s in Albany, Georgia, a small group of civil rights activists and social visionaries started an organization called New Communities, Inc. It was the first of its kind, a new model of communal land tenure called the community land trust (CLT), which takes the form of an organization that owns land with the goal of placing it under community control and preserving its use for the benefit of that community. The intent of its founders was to provide security for black Americans who were struggling to survive in an economy and a society that systematically excluded them. The land would be held in trust for the common good, controlled through the generations by the community that lived on it. This model of land tenure was meant to do more than secure land for crops and housing; it was created to empower a community to control its economic and social development. As such, it has its roots in a number of other land-based endeavors from around the world. Today, the National CLT Network lists over 250 members in the United States and the number of international organizations is growing. So far, CLTs have been implemented in Australia, Kenya, the United Kingdom, and parts of Europe.

The community land trust has recently come to greater prominence as a remarkably strong foundation for creating permanently affordable housing. However, the reason the community land trust should be considered of interest, and the focus of this dissertation, is the fact that the model is a challenge to the individualist property relationships that tend to dominate the politics and practice

of property in the United States. The community land trust reforms the way in which land is owned from an individual form of ownership open to speculation to a communal, non-speculative form of ownership. Placing land under the control of a CLT distributes the claims on the land more broadly than individual ownership. A broader distribution of claims, through the communal ownership of land controlled by a CLT, leads to a broader distribution of the benefits of ownership. This gives the CLT a capacity for land tenure reform that its practitioners only sometimes recognize. The early descriptions of the community land trust emphasized its role in creating economic reform through transforming property ownership. This goal is seems to be rarely emphasized in the modern implementations of the CLTs, as many recently created CLTs place an emphasis on affordable housing rather than communal land tenure.

Given this, my dissertation project focuses on understanding how land tenure reform is implemented in community land trusts, and why it might not be implemented in the same way across all CLTs. My central research question is what role, if any, does the reform of land tenure have in the implementation of community land trusts today? Is land tenure reform a priority in CLTs? The focus on the role of land in CLTs is for one main reason: the use of communal land tenure is what makes CLTs distinct from other forms of community-based organizations.

A secondary purpose of this dissertation is to expand the conversation around community land trusts from a focus on affordable housing (a focus discussed at much length below and in a following section) to a more expansive

discussion of land reform and the role of community land trusts in the field of community development. While CLTs work in a capitalist system, the fundamental transformation of property places community land trusts in opposition to market-driven land ownership. This secondary purpose is addressed throughout the dissertation as well as in a more focused section in the conclusions.

To provide the theoretical context for my analysis of this empirical work, I use the theory of performance. This theory suggests that our actions and beliefs are shaped by the context in which they exist and contribute to that context by reiterating (or not reiterating) particular concepts and ideas. The performance of the community land trust is shaped by the ways in which it is understood by practitioners, advocates, residents, and researchers. This understanding is in turn shaped by the larger context of institutions, policy, and discourse in which it is being performed. For this dissertation, I focus on two specific elements of this context: property theory and community development.

## **The research project**

My dissertation uses three scales of research to explore this topic. At the broadest scale is a review of the mission statements of community land trusts around the country. This review focuses on the language used by organizations in representing themselves as language is considered a central element of performance.



Moving to a smaller scale, I conducted a series of 14 interviews with practitioners from community land trusts around the country. In these interviews, I asked the practitioners to talk about their organizations' goals and the role that land reform and any associated political activity (such as community organizing) played in those goals.

At the smallest end of the scale are the two case studies. These are the Sawmill CLT in Albuquerque, New Mexico and an affordable homeownership program administered by the City of Flagstaff. These were chosen to provide a clear contrast with each other (e.g. independent nonprofit versus municipal housing program) and provided good examples of the inherent complexity of implementing a community land trust. The cases also provoked discussion on how to best structure the common ownership of land, whether it should be through a private organization like SCLT or a public institution such as the City of Flagstaff.

In addition to the three pieces of empirical research, I also review the literature that has been produced around the community land trust. This includes academic research, which is heavier on the theoretical implications of the CLT, as well as advocate research, which focus more on the use of the CLT in realizing particular policy goals. Both of these bodies of research have contributed greatly to the performance of the community land trust over the years.

My research showed that land tenure reform, the focus of my research question, is indeed part of the performance of the community land trust, though it

is more a latent than an active aspect. The politics of community governance and communal land tenure seem to be more present on the individual level and are very rarely expressed on an organizational level. However, though the use of the CLT as affordable housing is dominant, this dominance does not preclude the presence of other objectives. Indeed, performance theory requires that this complexity be recognized. My findings are discussed at further length throughout and in the conclusions chapter.

## **Structure of the dissertation**

This dissertation is structured as follows. The section immediately following this introduction details the methods used for the empirical work. These methods are fairly straightforward. My research was mostly qualitative and relied on personal interviews and archival research to a large extent. The section includes a short discussion on the case study method and why I chose the cases that I did.

The next chapter describes the community land trust. It outlines the history of the model, gives a descriptive summary of community land trusts in the United States, and discusses the various ideas and concepts that influenced its development.

This is followed by a chapter that outlines the theoretical context for my dissertation. I use this chapter to review the bodies of literature that I use to analyze the community land trust: property theory, performance theory, and the

history of community development in the United States. The section on property theory discusses how property has developed as a concept and the relevance of CLTs to that development. The section on performance theory gives an introduction to the theory and relates it to both property and to the community land trust. The section on community development is included, as community development has had a large impact on how CLTs are performed and how the CLT model has changed over the past fifty years.

This is followed by a chapter that combines the advocacy literature with the first two scales of my empirical work (mission statements and the practitioner interviews) to explore the various aspects of the performance of the community land trust. Each of these aspects of the performance contributes in a different way, and each is considered individually and in relationship with each other.

The next section contains the case studies themselves, the City of Flagstaff land trust program and the Sawmill Community Land Trust. This chapter ends with a discussion of how my case studies inform my theory and how they contribute to the answer to my research question.

The final section discusses my conclusions. I summarize the findings in regards to the research question, expand on the role of the community land trust in the broader economy, and discuss why it is so important to pay attention to how community land trusts are performed.

## **Chapter 2: Methods**

The methods I used in my empirical work are almost exclusively qualitative with some very basic statistical description. I chose to use a qualitative approach in my research because qualitative methods are “both descriptive and analytic” and give an opportunity to do research that “delves in depth into complexities and processes” (Marshall and Rossman 1999, page 56). Using qualitative research to answer my research question is appropriate because I am asking about complex, process-based phenomena that unfold over time and through social relationships. Understanding the attitudes and beliefs of the people involved is necessary to explaining how community land trusts are implemented. Qualitative research is the most effective way to gather these data.

### **Mission statements**

The first piece of my empirical work, and the broadest level of analysis, is a survey of the mission statements of community land trusts across the country. Mission statements are considered by many to be an essential distillation of an organization’s purpose and are one of the most important ways nonprofit organizations communicate their goals to both their employees, their clients and their funders (Brown and Yoshioka 2003), with some claiming that “pursuit of its mission is the reason that a nonprofit organization exists” (McDonald 2007, page 260).

The mission statement defines the organization's core purpose and uses broad terms to describe it. It "proclaims corporate purpose...and reflects the philosophical premises that are guides to actions" (Ireland and Hitt 1992, page 35), and is ideally the product of internal discussions on "the organization's identity, its abiding purpose, desired responses to key stakeholders, its philosophy and core values, and its ethical standards" (Bryson 2005, page 179). In particular, the language used in an organization's mission statement "frames many discussions about the future direction of an organization" (Brown and Iverson 2004, page 396). Given the importance of mission statements in nonprofit organizations, I believe that looking at how CLTs represent themselves through their mission statements can provide insight into whether or not, and to what degree, they prioritize the role of land and land reform in their activities.



**Figure 1: Individual CLTs selected by mission statements.**

To gather these data, I recorded a list of member organizations from the National CLT Network's website. From this list, I removed organizations that did not have websites, did not provide mission statements online, or could not be considered community land trusts according to even a very accommodative interpretation of the term (such as municipal governments without active land trust programs, policy advocacy organizations, or organizations that existed in name only). This ultimately provided a sample of 128 mission statements from community land trusts around the country. The geographic distribution of these organizations can be seen in Figure 1.

## **Practitioner interviews**

The second piece of my empirical work is a series of interviews of CLT practitioners. This shrunk the scale of analysis down considerably from the mission statements and also provided a much richer form of data. These interviews were conducted to further develop a context for the two case studies. I approached 15 community land trusts regarding an interview with a member of their staff. These CLTs were chosen for diversity in terms of geography, age, size, and their apparent politics in relationship to land tenure. The selection included independent CLTs and CLTs attached to municipal governments. This list of organizations overlapped entirely with the list of organizations whose mission statements I sampled.

Out of the 15 CLTs approached, 12 agreed to allow staff to be interviewed. In total, I spoke with 14 practitioners from 12 community land trusts. They varied in geography, with 4 in the Pacific Northwest, 4 in California, 2 in the Midwest, and 2 on the east coast. The organizations also varied in size. Four of the practitioners I interviewed worked for organizations that had no housing units, while the largest had over 200. The mean unit count, including the 4 without any, was 87.5, which places the dozen organizations above the most recent mean unit count of 31 for CLTs nationwide (Thaden 2013). Seven out of the twelve organizations were started after 2000, and 3 were started after 2005. I knew that at least two of these organizations were known to have a heavy focus on community land tenure in their missions and two were city programs that seemed unlikely to include land tenure reform in their goals. The remaining eight

organizations appeared to be more evenly mixed in their politics. After the interviews were conducted, it became clear that the majority of the organizations appeared to have a much heavier emphasis on affordable housing. Only three of the practitioners were explicit about fostering collective or communal ownership. The implications of this unexpected distribution along the spectrum are discussed below.

The practitioner interviews were done over the phone and ranged in duration from thirty minutes to two hours. A protocol was developed to make sure the interviews touched on the topics of greatest interest, namely how the organization viewed the role of land and the amount of resources spent organizing the community (see appendix A for interview protocols). Beyond asking the central questions in the protocol, interviews were conducted with significant flexibility to allow for the practitioners to present their own perspectives and make their own emphases in terms of what was important to them and their organizations. The open-ended nature of the questioning allowed the respondents to provide answers in their own terms. This proved effective in obtaining more considered and detailed responses. Less flexible aspects of the interview protocols were included to capture some basic information about each practitioner's organization, including the age of the organization, its size, and its service area.

The more flexible portion of the interviews focused on two central themes of inquiry: the role and/or presence of land tenure reform and the significance of community control. The direct questions on land tenure reform (the central



question of this dissertation) were included to evaluate the organization's politics of land ownership. The second line of questioning, regarding community organizing, was an expansion of my research question. It was prompted by early observations about the division of the activist Sawmill Advisory Council and the professionalized Sawmill CLT. The significance of community organizing as a defining characteristic of different performances of CLTs became increasingly apparent as the interviews progressed. This in turn influenced the emphasis I placed on this question as the interviews progressed.

### **Case studies**

The two case studies in this dissertation provided me with the smallest scale of analysis on community land trusts. I chose to use the case study method for two reasons. The first reason is the method gives me the ability to compare two examples of one type of thing. In this dissertation, that thing is the community land trust, and I want to look at the reasons for one community land trust looking different from another. Analyzing the similarities and differences between my chosen cases provided insights into how relevant the model/movement framework really is.

The second reason is the method's ability to answer explanatory, or 'how' and 'why', questions (Yin 2009). In my dissertation, I am asking why different CLTs are done differently and how that came about. For the purpose of this

discussion on methodology, I would restate my research question as “how and why are these instances of the community land trust model so different from each other, and what does land tenure reform have to do with it?” The case study provides the methodological framework to answer these questions effectively.

The case study method is sometimes criticized for producing conclusions that are not generalizable to the broader population of whatever phenomenon is being studied. Yin (2009) deals with this criticism by pointing out that this is not always the point of doing case studies. Single case studies are useful for “analytic generalization”, which is the examination of a theory, as opposed to “statistical generalization” (page 15). Analytic generalization involves the use of case study data to examine theories, as opposed to using it to construct theories, which is the purpose of high-frequency research designs. In my dissertation, I use the case study method to examine a theory developed from personal and professional observations: that a wide variety exists in the enactment of community land trusts, and that this variety can be explained by different understandings of the community land trust. Choosing emblematic cases like Flagstaff or Sawmill is meant to provide the best possible chance to test this analytic generalization.

The selection of the case studies was a balance of the practical limitations of access to the subject organizations, my ability to visit the sites with limited funding, and with finding organizations that would provide a contrast of different understandings of the community land trust.

To choose my cases, I considered the essential characteristics of both ends of the spectrum of understanding described earlier, from a focus on affordable housing to a focus on community governance. Of the organizations that I had access to, the City of Flagstaff and the Sawmill CLT were the best choices. The Flagstaff program is run by the City of Flagstaff, and is a strong example of the CLT model being implemented as an affordable housing program. The Sawmill CLT in Albuquerque was chosen for a number of reasons. First, it is an organization that is often celebrated by the CLT field as an example of what a community land trust can be. It was featured in a documentary about community land trusts (Chasnoff and Cohen 1998) and is emblematic of what a “successful” CLT might look like. Second, SCLT has had very little academic exposure. This is especially true when compared to the two most well known CLTs in the United States, the Champlain Housing Trust in Burlington, Vermont and Dudley Street Neighbors in Boston, which have attracted the majority of attention of policymakers and researchers. Third, I was able to develop a working relationship with SCLT, something that was not possible with other organizations. They were open to the idea of participating in my research and were very generous in giving me access to staff, residents, and their archives.

In both case studies, I used semi-structured interviews to gather data from individuals willing to participate (see appendix A for protocols). I was only able to travel to the Sawmill CLT for a site visit. I took two trips to Albuquerque, first in 2012 and then again 2014. I interviewed 8 individuals in 2012 and did follow-ups with the same individuals in 2014 and also interviewed an additional 3 subjects. I

also had informal conversations with other individuals that were not recorded. The formal interviews were recorded with the interviewee's consent and transcribed using Transcriva transcription software. All interviews were considered confidential and were treated accordingly. Any quotes that are explicitly associated with particular individuals were obtained from sources besides these interviews.

A large part of the Sawmill case involved archival research. Sawmill CLT was very generous in allowing me access to their archived documents. These included internal meeting minutes, agendas, communications, maps, and various other materials that document the history of both the Sawmill neighborhood and the organization itself, in all of its iterations. I went through the archives to pull documents relevant to describing the SCLT's development as an organization. In addition to the archival research at SCLT, I also pulled archived records from the City of Albuquerque. This included City Council meeting minutes, strategic development documents, environmental reports, and other documents relevant to the Sawmill neighborhood and the community land trust.

Like the Sawmill case, the Flagstaff study was composed of both interviews and archival research. Interviews with willing participants were done twice, first in 2013 with follow-up interviews in 2014. Seven subjects in total were interviewed. These interviews were recorded with the interviewees' permission and transcribed using Transcriva transcription software. As with SCLT, these interviews were considered confidential and were treated as such in accordance to IRB protocols.

The archival research for the Flagstaff Land Trust Program was not as extensive as the Sawmill research. However, since the Flagstaff program is public, many of the relevant documents for the program's history can be found in the City's online archive. The City's website provided access to a variety of city documents: City Council minutes and agendas, annual budgets, neighborhood development plans, task force documents, and several versions of the city's consolidated plan. All of these provided enough data for me to construct the history of the Land Trust Program.

## Chapter 3: The theoretical context

This section introduces the concept of performance along with the two main fields of theory and practice that are most relevant to the performance of the community land trust: property and community development. Both of these fields are open to re-interpretation through the community land trust while also acting as strong influences on the model's development.

### Property

Since this dissertation is based around a question of land tenure reform, it is prudent to ask why does the ownership of land matter? It is not difficult to observe that the way something is owned (what claims are made on it, and how those claims are made valid or invalid) has implications for the distribution of any benefits from that ownership. Land is of particular importance, as it is the basis for all economic production, whether that production is agricultural, industrial, or the payment of rent. The ownership of land, therefore, matters a great deal when considering questions of economic justice. Henry George also argued this, specifically connecting the private ownership of land to the unequal distribution of wealth. Private property, he argued, was one of greatest sources of inequality in society. In George's view, allowing an individual landlord to capture value that is produced by society as a whole is the root of economic inequality:

“The wide-spreading social evils which everywhere oppress men amid an advancing civilization spring from a great primary wrong—the appropriation, as the exclusive property of some men, of the land on which and from which all must live. From this fundamental injustice flow all the injustices which

distort and endanger modern development, which condemn the producer of wealth to poverty and pamper the non-producer in luxury, which rear the tenement house with the palace, plant the brothel behind the church, and compel us to build prisons as we open new schools.”

(George 1879)

Inspired by George, one of the community land trust’s central purposes is a transformation of land tenure from individualist to communal which distributes the governance of land across a community. It is a form of communal ownership that distributes property claims throughout a community, giving the CLT a broader scope of governance than individual ownership but narrower than public. Successfully bringing about a broader transformation of property relationships from individual to communal involves challenging the individualistic form of ownership that permeates the discourse of land and housing in the United States (Goetz and Sidney 1994, Krueckeberg 1999, Immergluck 2009, Schwartz 2010).

### ***Theories of property***

As property is the “instrument by which a society seeks to realize the purposes of its members” (MacPherson 1978, page 13), the way property is enacted has significant social and economic implications. A better understanding of the role of property in these spheres of life can illuminate alternatives. These alternatives can then be employed to make fundamental changes to the system on which those understandings are based. This section discusses the concept of property and presents several perspectives on it.

The term itself can be difficult to use precisely, as it is used in different ways in different contexts. Munzer (1990) describes the confusion around the usage of the term property as the product of two different understandings: a more common, popular understanding of the term as the objects of ownership and the “sophisticated” understanding of the term as the relationships of ownership between individuals and the objects in question. Most popular discussions of property invoke the former definition, which is a heavily object-oriented definition of property that describes it as the “land and any buildings that sit on it” (Christophers 2010a, page 96). That is, the term refers to the actual objects under discussion (most often real property like land, housing, and other forms of physical capital). Relationships to these objects are discussed in terms of use value and exchange value.

The second general category of definitions of property is relational, which has two parts to it: the relationship between the owner and the object of ownership and the relationship between the owner and any other individuals in regards to that object of ownership. Authors who are less beholden to questions of production seem to prefer this definition, seeing it as “a social relation that defines the property-holder [as someone distinct from all others] with respect to something of value” (Bromley 1992, page 3). In this tradition, property does not refer to the objects but the claims that are made on them. Some have referred to this understanding of property in terms of claims on the “benefit stream” derived from ownership of an object (Bromley 1992). That is, property can be understood as relations “among persons or other entities with respect to things” (Munzer



1990, page 16). Both forms of the term are referenced in this paper, but the focus in this dissertation is on property relationships. Objects of property will be referred to as such, or as real property.

One of the key characteristics of property relationships is that they are negotiable and subject to change. Often these changes come about through struggle. The economic and social power that is derived from the control of objects and resources (particularly in urban places) means that property is the subject of various struggles (Krueckeberg 1995, Brenner et al 2009, Midheme and Moulaert 2013). These struggles over the control of resources produce different sets of property relationships that favor certain actors over others. Bromley (1992) terms these formalized systems 'property regimes'. These regimes are often dependent on the state to provide legal frameworks to maintain the authority underlying the regime. As these regimes become more and more solidified, the operating assumption becomes that the particular regime that has been in place is the natural order of things.

The normalization of relationships through legal systems of ownership belies the tenuous nature of those relationships. Property relationships are social relationships and, as such, they are inherently political and can be negotiated and re-negotiated according to the values of the communities or societies involved. This relationship, laws notwithstanding, is not fixed. Chuck Matthei, one of the creators of the community land trust, expressed this in a speech at a national conference of CLTs:

"Property is a relationship. Forget the constructs of law and the calculations of the marketplace for a moment...Think of property as a relationship...to one

another individually, to our communities, and to the earth on which we all depend. Our values are reflected in the character and quality of those relationships...it's an arena of power and powerlessness, of hubris and humility" (Matthei 2000, page 277).

Understanding property as a set of relationships between individuals and objects is essential when considering the potential impact of the community land trust. Instead of the actual things in question, what is most important are the relationships we have between ourselves and others *relative to* those things: "Rather than merely the objects of ownership, property must be thought of as an organized set of relations between people in regards to a valued resource" (Blomley 2015, page 1). This understanding of property is where the community land trust model becomes relevant. Where more popular understandings of property (at least in the United States) reify an individual's ability to exclude others from making claims on an object, the community land trust (and other forms of communal ownership) limit this ability to exclude in two ways: by distributing claims on land and other real property across a community and by directly (and locally) democratizing its use<sup>1</sup>.

The received idea of property, particularly in the United States, is as an exclusive right, property as an expression of personal freedom. This is a fallacy in many ways, particularly given the numerous restrictions placed on the use of land and housing by zoning law, property taxes, homeowner's associations, easements, and other exceptions to the idea of "private property" as an absolute

---

<sup>1</sup> As opposed to the public management of resources like land, is managed at a national level by large bureaucracies.

and exclusive right. Adhering to this dichotomy of public and private (ownership shared between many and ownership by an individual) limits our ability to see what other relationships are possible.

The private, individualistic understanding of property is the product of the evolution of the concept of property in Western legal philosophy. Described in his *Second Treatise of Government* (1704), John Locke's theory of property relationships is perhaps the most influential and straightforward. He describes goods as existing in a state of nature; prior to any individual claim, all property is held in common. An individual creates a claim to property when "whatsoever then he removes out of the State that Nature hath provided he hath mixed his Labour with, and joyned to it something that is his own" (Locke 1704, chapter 5, section 27). The addition of personal labor, Locke argues, transforms what was once common property into individual property. This assumption of a "natural right" remains the basis of some modern legal scholarship (see Epstein 1985 for an example).

Though the idea of a natural right remains in use, the discussion of property relationships shifted over the years from discussing the "consumable means of life" to "the means of producing the means of life" (MacPherson 1978, page 12). Locke described ownership in a pre-industrial society that still depended greatly on independent production by farmers and other specialists. Different justifications, as MacPherson suggests above, are required in a different context. As the nature of property relationships grows more complicated, so does the way we talk about them.

Most basic to any modern discussion of property is the notion of property relationships as a bundle of interests that are often characterized as sticks. Each stick is a particular claim that someone has on the use or control of an object or the value derived from an object. It is rare that one entity has control of every stick (the popular perception of private property notwithstanding). The institution of individualistic private property includes a variety of concessions, such as easements, taxation, and zoning restrictions. Each of these concessions gives someone who is not the presumed owner of the object (land, house, copyright, etc.) some claim over the use or value of the object. Even a person's body can be thought of in terms of property rights, though this can be problematic and is not commonly done (Munzer 1990, page 37-58).

Seeing property as a bundle of separate claims can create problems when these claims conflict with each other. Legal issues around property claims require a consideration of when an individual's claim to exclude others from the use of or benefit from an object can be overruled by a claim of a broader public benefit. Radin (1993) takes this up through the notion of fungible versus personal property, rather than the more common contrast of private versus public. Fungible property refers to relationships with objects that are easily replaced with little or no emotional pain, e.g. a five dollar bill can be replaced with any other five dollar bill). Personal property comes with an emotional connection that is impossible to replace with something of equal economic value, e.g. a diner's first five dollar bill, framed and hanging on the wall, cannot be replaced by another five dollar bill.

Radin's personal property is based in an objective idea of identity.

Following Hegel, Radin states that "placing the will into an object takes the person from abstract to actual" (Radin 1993, page 7). The value of personal property, then, comes from the extension of a person's identity into objects such as one's house, transforming it from a structure into a home. Since personal property relationships like those between an individual and her house involve an irreplaceable value to the individual, Radin argues this value should be considered when considering compensation in civil suits and cases of eminent domain, or other forms of 'takings'.

Radin's categories of personal and fungible demonstrate the cleavage between an economic (fungible) relationship and an emotional (personal) relationship. The community land trust, with its emphasis on preserving the non-economic value of land as a community resource, acts to prevent the fungible from overwhelming the personal. It is true that the exchange value of land and its improvements is an important consideration for most community land trusts. Community land trusts that have affordable housing programs have carefully considered how to structure the resale formulas and mortgage assistance programs at the heart of their housing operations. This requires involved consideration of the economic value of a house. However, despite this deep engagement with the economic value of real property, these elements are made part of the CLT in order to minimize the role played by the more fungible aspects of property. This distinction between the different aspects of property makes

Radin's terms "personal" and "fungible" excellent terms to use in defining the ways in which CLTs engage with property.

Christman (1993) articulates another theory of property that can provide some insight into how CLTs challenge traditional property relationships. Unlike Radin, however, he re-classifies the relationships themselves, instead of focusing on the objects involved. Christman first critiques the justifications for traditional ideas of private property, which he calls "liberal private ownership". He defines this as "the view of property that says owners have dominion over their goods in relation to all others" (1993, page 6). This is easily recognizable as the basis for the popular idea of private property.

Christman considers and rejects four justifications of liberal property ownership: natural right, liberty, moral desert, and utility. These range from the more basic (ownership is a natural right derived from Nature and God) to the more complex (the greatest good for the greatest number). Christman rejects these and suggests that property rights should be transformed from the "monolithic bundle of rights and powers" to "two sets of such rights that must be considered separately" (1993, page 7). These two sets of rights are the right to control the thing owned, and the right to the income derived from the trade or rent of the thing owned. It is not difficult to see how his categories of right of use and right to profit relate to the community land trust: the CLT model gives leaseholders the autonomy to live in their homes as they see fit while simultaneously limiting their right to profit from any unearned increase in value.

Davis (1991) takes up the discussion from a different perspective in his analysis of the relationship between locality and collective action. Instead of using the language of legal philosophy like Radin and Christman, Davis discusses property relationships through a combination of Marxist and neo-Weberian ideas he credits to Saunders (1979) and Pratt (1982) about domestic property, class, and interests.<sup>2</sup> He ultimately rejects the use of the concept of class in moving forward and argues that “focusing on this concept of domestic property ‘class’ prevents the concept of domestic property ‘interest’ from being stretched far enough” (page 41). Davis points out, similarly to Radin and Christman, that the interests people have in their homes and their neighborhoods extend far beyond the equity they contain.

These “domestic property interests”, as Davis refers to them, can be divided into two categories: accumulative and accommodative (Davis 1991, page 45). Some similarities can be seen at this point to Christman’s division of an owner’s rights. Like Christman, Davis defines them in terms of the owner’s claims, rights, or interests vis-a-vis the actual use of the domestic unit and the ability to capture the unit’s value on a market. However, there are two significant differences between them. First, Christman is building on the tradition of legal theory, which takes up the question of rights of individuals, not that of groups. Christman is not concerned with the concept of ‘class’, particularly not in terms of economic production. Second, Davis’ taxonomy of interests contains significantly

---

<sup>2</sup> The concept “class” here is used to refer to a group’s relationship to production and consumption, i.e., the domestic property class is defined by a group’s interest in the equity found in their homes (alternatively referred to as their exchange value).

more variety. Rather than defining them as “the right to control” and “the right to income”, Davis labels these two groups as “accumulative” and “accommodative” and goes on to divide each into even smaller subcategories.

Using the most abstract of his domestic property interests (accumulative and accommodative), Davis predicts that different alignments towards these interests would produce cleavages in a community according to each individual’s “functional relationship to domestic property” (page 64).<sup>3</sup> Each of these four groups have different relationships to their housing (or lack thereof) and will therefore have different interests, which in turn cleaves communities into interest groups that compete or cooperate in pursuing those interests<sup>4</sup>.

### ***Conclusion***

The three perspectives on property discussed above (Radin, Christman, and Davis) all guide us to slightly different but related understandings of property, and each of these have relevance to the community land trust. The theories of Radin and Christman almost mirror the ways in which the community land trust transforms property into claims of use and claims of benefit, or personal and

---

<sup>3</sup> The interest classes are defined as follows: owner-occupiers (accumulative and accommodative), property capitalists (accumulative only), rental tenants (accommodative only), and homeless persons (neither accumulative nor accommodative) (page 64).

<sup>4</sup> Defining interests in such materialist terms is problematic. Black and white homeowners in the same neighborhood in the 1950s (or, indeed, 2008) might have had the same domestic property interests, but the difficult reality of racial politics in the United States often makes these shared interests irrelevant.



fungible. These dichotomies of property are present in all forms of ownership but are rarely codified as clearly as they are in the community land trust.

How property is enacted depends largely on how we understand it. The community land trust, for example, can be considered to be a fringe model of tenure not because it promotes a radically different usage of land<sup>5</sup> but because it challenges common assumptions about property. To take Radin's theory for another example, the prioritization of personal or fungible aspects of property is determined by the social context in which they are being considered. If the priority of society is the preservation of fungible value, then personal claims will carry less weight. To understand how such negotiation happens, I turn to the concepts of performance and performativity, which provide a framework for explaining how different understandings of the world can grow or fade in prominence.

---

<sup>5</sup> There are many examples of common ownership operating in the United States. For example, take the public management of land by the Bureau of Land Management (BLM). BLM oversees the use of over 240 million acres of land, and provides access for livestock grazing, mining, and recreational use. This land is publicly owned and managed for the common good. Another example is public parks, which are also a common resource managed by a democratic institution. Even another is the proliferation of homeowner's associations, which sometimes exercise a large amount of control over how people live in their homes.

## Performance

As the preceding discussion might suggest, the truth of property is that its practice greatly relies on the way in which we understand it. The expression of property relationships by the actors involved relies on certain understandings of what the proper function of property is. To that end, I use the idea of property as ‘performative’ to explore how property relationships are negotiated and re-negotiated. This section provides a short explanation of the concept of performance and performativity, and then explores how it relates to land, property, and community land trusts.

Performance theory, roughly defined, says that our language shapes our reality. The concept was first formally introduced by J.L. Austin (1962) with his definition of two types of language: constative statements, which only describe the world (“The cat is fat”) and performative statements, which shape the world (“I marry you”) (Callon 2007, page 317). As this might suggest, the roots of performativity theory are in linguistics, and it is in those terms that the fundamentals of Austin’s observation are best explored. As described by Callon (2007), the ontology of language has two dimensions: logic and rhetoric. Logic suggests that language can refer to an “outside world” that is distinct from the description of it. For example, an electron will (presumably) retain its nature no matter what term is used to describe it. Rhetoric, on the other hand, has an impact on the nature of the things to which it refers. It participates in *defining* reality rather than simply *describing* it. For example, the particular language used in legal contracts has very real consequences for the individuals involved.

Political rhetoric is another example, where language is used to shape the perception of policy issues. Calling the community land trust a model of affordable housing shapes how it is perceived and what can be expected from it.

Three other basic characteristics of language help explore the concept even further: syntax (relations between signs), semantics (relations between signs and what is being signified), and pragmatics (relations between sign and the context in which they are used). Austin's observation on constative and performative statements relies on the idea that "nothing can escape pragmatics" (Callon 2007, page 317). That is to say, language inevitably affects and is affected by the context in which it is expressed. The sign and the context of its usage are inextricable.

The idea of performance has also been discussed outside the terminology of linguistics. Goffman (1956) described the phenomenon in theatrical terms, suggesting that the combination of language and behavior was literally a performance: a mask presented to the world that hid the person's true self beneath it. Judith Butler (1990) pushed beyond the idea of a mask hiding a true self and instead suggested that our performance of ourselves was all there was. She used her reading of performance to "counter...views that made presumptions about the limits and propriety of gender" by examining the language used to support heteronormativity (page vii). Her argument was that individuals with non-heterosexual orientations, and/or were transgender, were not simply hiding themselves beneath a mask of 'normality'; they were in fact erasing their selves through an inauthentic performance.

Given this, we can say that the concept of performance can be applied to all forms of ‘utterances’, and it has been argued that all forms of discourse, including scientific theories, are performative in that “they are...actively engaged in the constitution of the reality that they describe” (Callon 2007, page 318). The community land trust is certainly no exception to this.

While the concept of performance can be widely applied, its application to the study and practice of economics is particularly relevant to a discussion of property and political economy. MacKenzie’s (2007) study of an economic equation describes how such an abstract act of language was able to shape the patterns of a financial market over time to fit its own predictions. It was, in MacKenzie’s words, “an engine, not a camera” (page 259), suggesting that the model had an agency of its own and did work to enact the economies it was created to describe. MacKenzie describes three levels of performativity: generic, effective, and ‘Barnesian’, which describe increasing degrees of a performance’s influence. MacKenzie defines his third type, Barnesian performativity (named after sociologist Barry Barnes), as when “an effect of the use in practice of an aspect of economics is to make economic processes more like their depiction of economics” (page 56). In other words, Barnesian performativity is when a model of an object shapes the object to better resemble the model. The object is, at least partially, shaped by the tools used to describe it. Performance is also found in everyday ‘acts of language’, as opposed to highly technical models, such as the language used by individuals employed in the finance sector (Smith et al 2005). Without such everyday performances, MacKenzie’s Barnesian

performances would never manifest. Performance must be pervasive enough to be reiterated over distance and time in order to become dominant. The objects of analysis are not only limited to the subjects of various studies cited above. The application of performance theory also contains a self-reflexive element, as in Barnes (2008), where he takes the focus off of the actors directly engaged with performing the economy and applies it instead to those who study it.

Performance is not simply a product of what people do, say, and think. Mol (2002) argues that focusing on the cultural aspects of performance can be too limiting. She addresses this through a critique of Butler, saying that Butler misses the significance that the ‘natural’ aspects of gender can have in the construction of identity: “Performing identities is not a question of ideas and imaginations devoid of materiality...A lot of *things* are involved” (page 38). As a medical scholar, the things that Mol focuses on in this instance are the material body of individuals (specifically the genitalia). Introducing the material aspects of performance brings us to the concept of *agencement*. *Agencement* is often translated as ‘assemblage’, and is defined by Callon as “a combination of heterogenous elements that have been carefully adjusted to one another” (page 319). The *agencement* includes both human and non-human elements, though the categorization of the element is less important than the “relational effect of its association with other entities” (Barnes 2008, page 1434). These elements include a wide range of things from body parts to the built environment to ecological processes, and it is the particular adjustment in relation to each other that creates the context for performance.

The *agencement* in which the community land trust is performed is created by a variety of elements, but the ones that I engage with in this dissertation are property and community development. The scope of an *agencement* is both a strength and a weakness when using performance to frame research as an investigation of performance requires that certain elements are emphasized while others are discarded. The full, intricate details of the *agencement* of the community land trust include thousands of individuals, hundreds of organizations, and decades of history. Clearly, this is beyond the scope of any dissertation. However, tracing the full history of this language is not necessary, when the performance that matters most is the one happening in the present historical moment. Similarly with property theory and community development, the history of performance is less important than the current moment of performance. Discussing the broad historical strokes of an *agencement* prevents the research from becoming muddled and focusing on performances that *were* rather than performances that *are*.

The idea of a ‘sociotechnical *agencement*’ is echoed in Timothy Mitchell’s book *Rule of Experts* (2002), wherein he makes the case that economies are performed as much by material objects as they are by human actors. His example focuses on the creation of land maps by colonial British surveyors and the tools they used to make them, pointing out that the failure of the non-human objects involved in mapmaking could damn a project just as effectively as human failure. The Egyptian land colonized by the English in Mitchell’s example is

performed by the entirety of the *agencement*, from surveying instruments and shovels to maps and laws.

### ***Land, property, and performance***

Indeed, land has been performed in any number of ways throughout history as it forms the basis for most (if not all) economic activity. There is no opportunity for agriculture or space for factories without access to land. Marx described land and labor as the “original sources of all wealth”, describing the use value of land as “spontaneously provided by Nature” (Marx 1867, quoted in Harvey 1999, page 334). Some of these use values are immediate and direct (agriculture, living space, mining, etc.) while others have developed alongside modern economic practices (rent, taxation, marketization, etc.).

However, part of rendering land (or anything else) usable in an economy is performing it in a way that allows it to be integrated into that economy. When an expanse of surveyed land is translated onto a map, given a fungible value, and integrated into a legal system of ownership and transfer, its performance changes from a resource in a state of nature into an object of political and economic projects (Scott 1998, Mitchell 2002). This integration happens through the performance of property, and shapes the way we interact with each other, the economy, and the objects that are placed into that economy. Where the state requires that property be defined by the production of certainty (a “legal technique that is intended to define with a high degree of specificity all of the rights and obligations that flow from a treaty and ensure that there remain no

undefined rights outside of a treaty” (Stevenson 2000, quoted in Blomley 2014, page 1293)), other enactments of property may include *uncertainty* and ambiguity. Informal property relationships do not require a state-based legal system to succeed, though this form of property is not as easily integrated into traditional forms of economic development.

In a well-known example of economic discourse, De Soto (2000) argues that property rights should be formalized where they are informal, with the purpose of using the newly realized economic value of land to increase wealth in developing countries. Critics of De Soto’s scheme argue that it ignores the non-financial (or non-fungible) relationships of property: “[L]and and housing, de Soto is effectively saying, are not only, or perhaps even primarily, simply for occupying; they constitute, rather, trapped exchange value” (Christophers 2010a, page 101). However, creating a new source of wealth is only one potential outcome of performing land as a fungible asset. Such treatment can also make land the focus of a struggle between capitalists and their workers in a case of industrial collapse (Kaika and Ruggiero 2015), as an object of “geographical knowledge” in arguments for compulsory purchase in the UK (Christophers 2010b), or the foundation for a global economic crisis (Gotham 2009). De Soto’s prescription of property turns on the concept of property claims as a bundle of distinct claims that can be separated without consequence. The De Soto model of property insists that real property, as a bundle of claims, “can be cleanly and unproblematically separated” (Christopher 2010a, page 95). Radin’s materialist



reading of property refutes this, and the community land trust presents a form of ownership that engages with both the fungible and the personal values of land.

Redefining property through the formalization of claims is based on the idea that property that is 'merely' occupied is underutilized. From the perspective of De Soto and any adherents to his 'fungibility first' philosophy, the maximum value of real property is only realized if the land and its improvements can be made accessible to markets. This value is most effectively created by disregarding the land's immediate utility as farmland, shelter, a space for social reproduction, etc., in favor of its capacity to provide its owner with a profitable return from its sale on a market. The market itself requires certain conditions to be in place in order for it to function in the most efficient way possible, which includes not just the performance of land as an economic asset but a variety of legal structures to codify and perpetuate that performance.

What De Soto shows us is that real property can only be integrated into a capitalist system if it is performed in a way that favors that system. Similarly, the performance of property as a financial asset can only be successful if it is done in a 'felicitous' context. Like MacKenzie's (2007) observations on the Black-Scholes-Merton model of option pricing, the discourse of legal formalization presented by De Soto does not simply describe reality but shapes it as well, while simultaneously relying on the fact that globalized investment processes are very willing to incorporate former slums as productive assets.

Seeing property as performance provides multiple points of entry for a challenge to the dominant understandings of property: "[I]f property is performed

through a variety of practices, it follows that it is *available* in multiple ways. [S]uch an argument also suggests that the conditions of property's *possibility* are not given but could be the grounds for *contestation*" (Blomley 2014, page 1296, emphasis added). The community land trust represents one expression of property's 'possibility'. How that possibility is made actual, however, depends on the performance of each individual organization, as well as the *agencement* in which it is situated.

### ***Conclusion***

Property is most commonly performed as private, with the claims of the individual (person or corporation) taking prominence over more collective claims. There are exceptions to this, to be sure. Both urban and rural landscapes are marked by examples of public claims on private space, such as easements that cut across private land and the installation of public spaces in private developments (parks, plazas, etc.). However, in the context of the broader narrative of property, these examples are relatively minor. The performance of private property is so strong that alternatives are rarely recognized, let alone implemented. The influence of this performance can be seen in the focus on homeownership in many community land trusts, despite the fact that the community land trust was created to support communal ownership. CLTs can support alternative performances of property but their capacity to do so is limited by the context in which they operate. The next section looks at one of the most significant aspects of this context, the field of community development. I discuss

how it has developed over the years and the implication of that development for community land trusts.

## Community

The performance of community land trusts is, as suggested above, influenced by the context in which they are enacted. The context for the performance of community land trusts is shaped by the field of community development. The term 'community development' can be defined broadly as a general process. For example, the UN (2015) defines it as a process "where community members come together to take collective action and generate solutions to common problems". However, in this dissertation, I use the term to refer specifically to the field of community development practice in the United States. This field can be traced to the Progressive movement in the late 19<sup>th</sup> century but modern community development has its roots in the Civil Rights Movement and the community development corporations that appeared both during and after the Movement's most active years (see O'Connor 1999 and Fabricant and Fisher 2002).

At least part of the recent increase of community land trusts in the United States is a result of CLTs being used by other community development organizations as a tool for creating and preserving affordable housing, which has long been one of the central goals of community development. The impact of this integration is reflected in the mission statements, practitioner interviews, and case studies, all of which are discussed in following chapters. The Sawmill CLT in particular was heavily influenced by the community development corporation (CDC) model of community development. It began life as the Sawmill CDC and

only took the label of ‘community land trust’ after successfully completing a small housing development project.<sup>6</sup>

The integration of the community land trust into community development is an important aspect of how community land trusts are performed. The influence of community development on the CLT is best understood by looking at the history of community development itself. Rooted in the social turmoil of the 1960s, the field has experienced a shift in ideology and practice since its inception, from an attempt at creating economic justice through community-based development to a poorly funded network of service providers filling in the gaps left in cities by neoliberal economics. This shift has implications for community land trusts, and contributes to the tension outlined in the introduction to this dissertation.

### ***The history of community development***

Community development and the community land trust share an origin in the Civil Rights Movement, though the role of community development has changed significantly since these formative years. The overarching narrative of community development has been shaped by the transition of the American economy from the Keynesian welfare state to a post-Fordist ‘entrepreneurial’ state defined by neoliberalism and globalized production (Jessop 2002, Newman and Lake 2006). Instead of a state concerned with supporting a ‘social wage’ that allowed both labor and capital to flourish, communities were faced with a state

---

<sup>6</sup> Sawmill’s early work was also supported and influenced by the Center for Community Change, a national organization with roots in the early CDC movement.

that was driven by increasing global competition to retain what capital it could. This restructuring had an effect across all geographic scales, from the international economy to local neighborhoods (Brenner and Theodore 2002, Fraser et al 2003, Newman and Lake 2006), and also led to the replacement of oppositional community organizing by an “accommodationist politics” that favored less political forms of community development (Newman and Lake 2006).

Besides fostering this massive and fundamental shift in the political economic context, the state also played a specific role in shaping community development from its beginning (O'Connor 1999). The federal government helped lay the foundations for community development as we know it today through a series of programs and initiatives that supported community-based action and reinvestment. These programs helped support the first community development corporations. These organizations in turn became the template for similar efforts in the decades that followed.

The first community development corporations (CDCs) had their roots in the emancipatory nature of the Civil Rights Movement and were the manifestation of a heavily racialized view on economic justice. Black Americans were politically and economically marginalized and created organizations to supplant and/or replace the economic institutions they had been denied access to (Halpern 1995). The Johnson administration supported these early organizations through the social programs that comprised the War on Poverty. Using a heavily technocratic and expert-driven approach to policy formation, the

programs created through the War on Poverty legislation provided communities the means to create local organizations with federal support (Lehmann 1991).

The first program to be implemented was the Community Action Program (CAP) and the community action agencies (CAAs) that it funded. CAP was created as part of the Economic Opportunity Act of 1964, with the CAAs created as organizations designed to empower communities to organize and become politically active. As with the community land trust (created in 1968), community control over resources was part of this. They included the concept of ‘maximum feasible participation,’ a concept that reflected a broader American ideal that “problems are best addressed by the people themselves rather than the government” (Halpern 1995, page 108). The mandate for maximum feasible participation was included in the legislation creating the CAA but was eventually weakened in 1966 when an amendment to the EOA required that the CAA boards include local business interests and public officials.

CAAs received funds directly from CAP, an arrangement that bypassed the traditional funding channels that went through local officials. Cutting out these officials from the funding stream made CAAs a threat to the status quo of urban politics. However, one of the most notable things about the CAAs was the lack of any actual power to change that same status quo. Though some CAAs did important work in empowering communities to demand change, many of them became little more than forums for complaints and arenas for infighting between various interest groups in the community (Halpern 1995, O’Connor 1999).

The Special Impact Program (SIP) was started in 1966 through an amendment to the Economic Opportunity Act. It was inspired by Senator Robert Kennedy's visit to Brooklyn and the protests of its residents for the government to improve their opportunities (Halpern 1995). Its intention was to support the emerging community economic development movement, manifested by organizations like the Bedford Stuyvesant Restoration Corporation in Brooklyn. It helped create thirteen community development corporations in the first two years of its existence, and provided \$106 million of funding between 1968 and 1974 (Halpern 1995).

This first generation of CDCs sought to use federal funds to create a fully realized alternative economy, which would include community-controlled institutions such as banks, housing developers, and industrial development (Stoutland 1999). However, the 1970s saw the federal government rolling back its funding of social services. The introduction of the Community Development Block Grant (CDBG) in 1974 provided an increase of overall funding but consolidated the various categorical funding streams created in the 1960s and made the money available to more areas and for a broader variety of projects. This was followed by drastic cuts in social programs by the Reagan administration, inspired by Reagan's neoliberal belief that "government agencies do not have the same incentives and interests that allow the private market to provide goods and services more efficiently and effectively" (Reagan 1987). The rationale was that pushing services to the private sector would both make the



delivery of those services more efficient and also reduce the financial burden on the state.

The resulting redistribution of social service provision from public institutions to private created the 'shadow state,' a loose network of organizations that provide services the state has absolved itself of (Wolch 1990). Reagan's belief in the private market to solve all problems ("cutting [ourselves] free from statist controls and from the weight of heavily subsidized government enterprises" (Reagan 1987)) set the stage for the emergence of private philanthropic foundations and financial intermediaries as newly important sources of funding for community development in the late twentieth century.

In some ways, private funding of social services was nothing new. The Ford Foundation's Gray Areas program that was started in 1964 both preceded and served as the inspiration for the Special Impact Program. However, the retreat by the state and the reduction in funds that this entailed led to the emergence of a patchwork financial support system providing funding for community development organizations. Much of this funding comes through three major national intermediaries: the Neighborhood Reinvestment Corporation (now known as NeighborWorks), the Local Initiatives Support Corporation (founded by the Ford Foundation), and the Enterprise Foundation (Vidal 1996). There are several others, such as the Gates Foundation and the Knight foundation, but these three are the central source of funding for many CDCs.

These foundations and their intermediaries have been responsible for delivering billions of dollars to community development organizations. However,

they also have the potential to further complicate the taxed systems of urban governance in American cities. The entrance of large and influential funders can produce conflict between competing community organizations for scarce funds (Martin 2004). Additionally, some intermediaries impose restrictions on funding that can cause 'mission creep' as organizations seeking funds adjust their priorities to match those of their funders. One the biggest questions for community development organizations is how to balance commitment to their mission with the need to satisfy the various institutions that support their activities (Vidal 1996, Martin 2004, Trudeau 2008).

As the financial intermediaries were ramping up, the institution of the CDC was undergoing huge changes. Though the first generation of CDCs was heavily tied to federal programs, CDCs became increasingly popular even as funding began to disappear. The second generation of CDCs that came up in the early 1980s began to move away from the larger goal of an alternative economic system and focused more on providing basic services to communities that lacked them (Stoutland 1999). The third generation of CDCs, those created in the late 1980s and 1990s, developed in a hostile policy environment with little federal funding. Many of this new breed of CDC were largely dedicated to building affordable housing (leading to the shorthand term 'bricks and sticks') and were

strongly influenced by the large cuts in federal funding and changing theories of how community development should be done<sup>7</sup>.

This discussion of funding in community development is included to emphasize how political the practice of community development has been. The movement began as a struggle for economic and social power by marginalized racial groups. It has changed over time into something less confrontational and more service-oriented. As part of this landscape, community land trusts are similarly exposed to the same pressures.

### ***Community control***

This modern form of community development has been called ‘neoliberal communitarianism’, a term that describes a philosophy of community development that privileges market-based, non-confrontational forms of development over the confrontational forms of community development more common in the 1960s and 1970s (DeFilippis 2004). This non-confrontational form of community action, which replaced more direct action, has also been described as “accommodationist” (Newman and Lake 2006, also see DeFilippis 2004 and Purcell 2008). Direct community control of economic and political institutions, which was a hallmark of early community development has become less prominent. This has happened in spite of an increase in participatory forms of

---

<sup>7</sup> An example of this market-based policy environment is the Low Income Housing Tax Credit, which was created in 1986 and is used to attract private investment in the development of affordable housing.

planning and policymaking (Purcell 2009). Though community control in the 1960s meant black communities gaining control over institutions that had failed them, the more modern version is more aptly described as community participation. While participatory decision-making has become popular, it is still only a method (to paraphrase Schumpeter).<sup>8</sup> What matters is how that method is enacted. Community participation in the political process is often now negotiated through participatory schemes that rely on a tepid form of democratic participation to legitimate neoliberal policy and planning, such as that described by Purcell (2009). Community control under neoliberalism is mediated, allowing for it to be diluted and less directly threatening to the status quo.

In the face of this, we have to ask: how can communities exercise control? The following is a short discussion on how we can understand community control and how it actually plays out in community development practice. When 'community control' is mentioned in this dissertation, this refers to the ability of a local group with shared interests to realize those interests, most often in terms of the development of the neighborhood associated within that community. Community land trusts pursue this through their democratic corporate structure, but how that control plays out depends on more than just the structure of the organizations. It also depends on the context in which those organizations are

---

<sup>8</sup> Schumpeter (1942[2008], page 242): "Democracy is a political *method*, that is to say, a certain type of institutional arrangement for arriving at political - legislative and administrative - decisions and hence incapable of being an end in itself, irrespective of what decisions it will produce under given historical conditions." Emphasis is included in original.

created. The ability of communities to engage with development in their neighborhoods has been redefined over the past forty years.

Since 'community' is a particularly difficult term to use without clear definition, it is appropriate to take a moment to define it. In this dissertation, I use the term in two ways: the actionable sense of connection between people who share interests (i.e. building community), and the actual population that is defined by geography, shared interests, and shared culture (i.e. the Sawmill community). The three elements of this latter usage are based on the definition of community provided by Lyon (1987) and modified by Stoecker (1994): shared geographical area, common ties, and interaction between members. The discussion of community in Stoecker (1994) points out how the term has been debated for decades, and the meaning has shifted along with changes in society. More contemporary lamentations of the loss of community (Putnam 2000, for example) further this debate, and have produced debates of their own on the role of community as 'social capital' in community development (DeFilippis 2001). The definition provided above is not meant to engage with these arguments. It is only meant to be functional for the purpose of this dissertation in indicating what is meant when the term is invoked.

How community control is understood differs depending on what a community is meant to have control over. In community development, this refers to increased access to or influence over the decision-making process regarding development. This could be interpreted historically as increased access to the democratic process in local government, as it was in the 1960s and 1970s, or it

can be seen in the creation of organizations that provide basic services, as it tends to be today. Stoecker's (1994) case study of the Cedar-Riverside neighborhood in Minneapolis is an archetypal example of this: a community develops in a neighborhood based on shared interests, shared space, and shared culture. This community is threatened by speculative development by private capital. The community acts to protect itself by first organizing against this development, and then creating its own redevelopment plans. Stoecker himself points out that the story "exemplifies the transition in neighborhood movements from community organizing to community-based redevelopment across the country" (page 24). The community in this story was successful, according to some measures. By the end of Stoecker's narrative, they had gained a degree of control via the "creation and maintenance of cultural and political autonomy founded on new definitions of its local space" (page 199). This was represented in practice as a set of community-led organizations. However, success in matters of community organizing are complicated, since "[o]rganizing against a mutual threat is easier than organizing a diversity of interests that may have contradictory self-interests" (page 142). The model of community control the Cedar-Riverside community chose, the CDC model, introduced new conflicts, many of them internal. It had the effect of disrupting the "community social fabric" even as it created a more socially just form of development (page 234).

Stoecker later produced what has become a defining critique of the CDC model of community economic development (Stoecker 1997), where he observes that CDCs internalize the tension between exchange value and use value. While

CDCs are often created to realize the interests of a community, they are also apart from the community. They have interests of their own that are dictated by funding needs and other political considerations. Relying on a CDC to better the state of a neighborhood, Stoecker says, does nothing to challenge the broader economic relationships that produced the inequities. It only changes who cashes the rent check.

The tension in community development is not limited to CLTs. In addition to Stoecker, Kirkpatrick (2007) looks at two CDCs operating in Oakland, California whose organizational paths diverged despite having “identical legal structures” and operating in the same general area. Kirkpatrick’s case studies operate in accordance to distinctly different “logics”. One is a “market-oriented process...pushing growth through the maximization of exchange values” while the other focuses on “community agency and the maximization of use values” (page 331). Though the two logics and the two organizations that are enacted through them have their origins in their particular histories, their successes and failures are being determined by the current context of community development. Some connections can be drawn between Kirkpatrick’s logics and the concept of performativity. Even if the structure of the organization is the same, the performance of that organization will produce significant differences.

More materialist readings of community control define control in terms of the means of production (Gunn and Gunn 1991). Such arguments take the position that control of the “social surplus” from economic production is the most (if not only) effective form of community control. That surplus is the crux of one of

the “most fundamental of contradictions in capitalism: the increasingly social nature of the production of surplus product, in tension with appropriation based on property rights unchangingly linked to the private ownership of means of production” (ibid, page 20). According to the argument in favor of such control, allowing private control of surplus leads to the “private quest to maximize profit” that, in theory, maximizes the use of resources by a society (ibid). Gunn and Gunn fundamentally disagree with this arrangement. They point out that while “the immediate goal is profit, [the] systemic outcome is privately appropriated surplus” (page 18).

Community control in Stoecker’s case relies on the creation of new institutions, while Gunn and Gunn’s argument relies on the control of economic production. Their strategy also relies on a reform of the state as part of their overall strategy for increasing community control though this perspective lacks any recognition of how complicit the state has been in allowing extreme forms of capitalism to thrive<sup>9</sup>. Indeed, both of these perspectives on community control rely on a form of participation that is fraught with subversion by neoliberalism (Purcell 2009). Democratic policymaking can only be so effective when they are immersed in the hegemony of neoliberalism, and a fundamental reconsideration of the way that development is done would increase its effectiveness. As Purcell observes, “neoliberalism is hegemonic, but it is not invincible. It is merely hegemonic *now*” (page 144, emphasis added). Hegemony, like performance, is not fixed, but can be challenged, transformed, and/or replaced.

---

<sup>9</sup> To be fair to Gunn and Gunn, neoliberalism was not often discussed in 1991.



Changing hegemony means discursive challenges to traditional development as well as structural challenges that include an increased emphasis of democratic decision-making. The community land trust, traditionally defined, takes democratic governance as axiomatic. It sees such governance as necessary to creating a more just form of property and ownership. But if this governance model does not include a strong discourse to shape organizational decisions, then that community governance is vulnerable to the same form of co-optation that the broader field of community development has experienced.

### ***Performance and community***

A potentially more productive route (in addition to supporting wider implementation of democratic governance models) is to recognize that non-capitalist processes can co-exist with capitalism and are actively being enacted by people in communities all over the world (Gibson-Graham 2006). Gunn and Gunn point toward this to a limited degree but ultimately emphasize the role of community organizations and state reforms.

Connecting the concept of Gibson-Graham's "diverse economies" with the idea of performativity opens up our understandings of how communities engage with economies (and economics). Blomley cites Gibson-Graham (2008) in support of his argument that it is important to "note the multiplicity and fluidity" inherent in the performance of property and "the possibility of carving out space for difference" (Blomley 2014, page 1304). While this dissertation is not presented as part of the diverse economies literature, it follows that literature's

example of bringing already-existing alternative practices to light. This shifts the project at hand away from creating entirely new practices and towards the illumination of alternatives that are already in place. Performing these already existing alternatives moves them from the marginal spaces they occupy and places them at the center of our social and economic understandings.

The insights that performance theory has provided in discussions of property suggest it would be useful if pushed further, particularly in the pursuit of alternative forms of economic relationships. If these alternative economies are not actively enacted, then “the performative effect is to render alternative forms of economy marginal and secondary. Capitalism is strengthened, ‘its dominance performed, as an effect of its representations’ “ (Blomley 2014, page 47, quoting JK Gibson-Graham 2008). If performativity is taken seriously, as it is in this dissertation, and the inequities of capitalism are accepted as a cause of many community concerns (a stance taken not only by the creators of the community land trust but by most of the commentators on community development over the past decades), then the active enactment of alternatives is essential. The following section describes the community land trust, one such alternative, in detail.

## Chapter 4: Introduction to the community land trust

Community land trusts are elusive in terms of documentation. There is no official count of community land trusts in the United States or their holdings. The most frequently quoted statistic is the count provided by the National CLT Network, which was 249<sup>10</sup> in December of 2015. However, this count includes some organizations that stretch the concept of the community land trust (such as municipal and county housing programs). An additional drawback to this count is that it also excludes CLTs that the Network is not in contact with (though this is likely to be very few if any at all). My own survey of CLT mission statements (which is described in more detail in the method section) was taken from the Network list and had a count of 145. This count is limited to Network members that meet a general definition of CLTs and are active enough to maintain a website. It comes with the same caveat of missing any CLTs that are not listed on the Network's website.

A set of surveys done over the past ten years of CLTs nationwide provides a general idea of what the CLT field looks like and how it has developed (Sungu-Eryilmaz and Greenstein 2007, National CLT Network 2011 and 2013, Thaden 2012). These were all sponsored by the Lincoln Institute of Land Policy, excluding the survey published in 2013<sup>11</sup>. The 2006 survey (Sungu-Eryilmaz and

---

<sup>10</sup> A map and up-to-date count of the Network's membership is still available at <http://cltnetwork.org/directory/>, though it's not clear how long this will be available since the Network no longer exists.

<sup>11</sup> The Lincoln Institute's interest in the CLT comes from their interest in Henry George's land-based economic theories (the connection between CLTs and Henry George is discussed below).

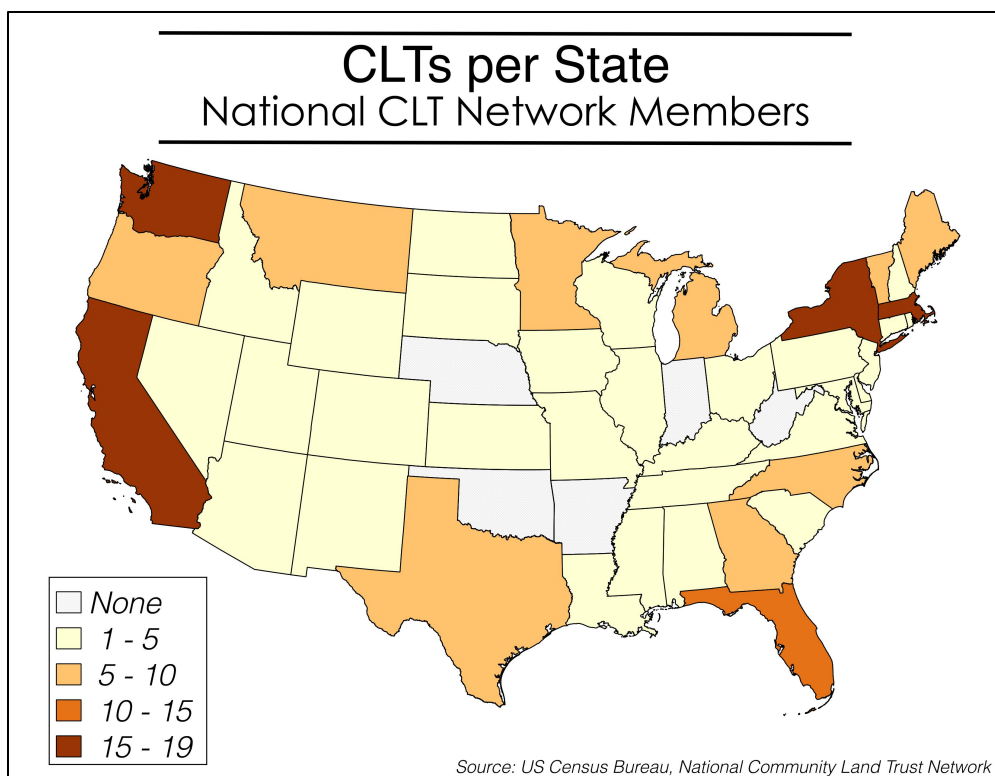
Greenstein 2007) provided the largest sample size of 119 out of the 186 CLTs that existed at the time. The surveys that followed in 2010, 2011, and 2013 had smaller sample sizes (78, 96, and 43 respectively). The 2013 survey focuses almost exclusively on the relationship between CLTs and the National CLT Network and provides little information about the CLTs themselves.

The survey findings indicate that the number of community land trusts has greatly increased since 1968, in both absolute terms and in terms of the rate of their appearance. Only four of the organizations surveyed in 2006 were started in the entire decade of the 1970s, followed by 24 in the 1980s, 39 in the 1990s, and then 52 from 2000 to 2006 (Krinsky and Hovde 1996, Sungu-Eryilmaz and Greenstein 2007). The survey of CLTs in 2011 showed that almost half of the respondent CLTs (38 out of 85) were created between 2005 and 2010 (Thaden 2012). The 2012 and 2013 surveys support this trend with respective median years of 2002 and 2001.

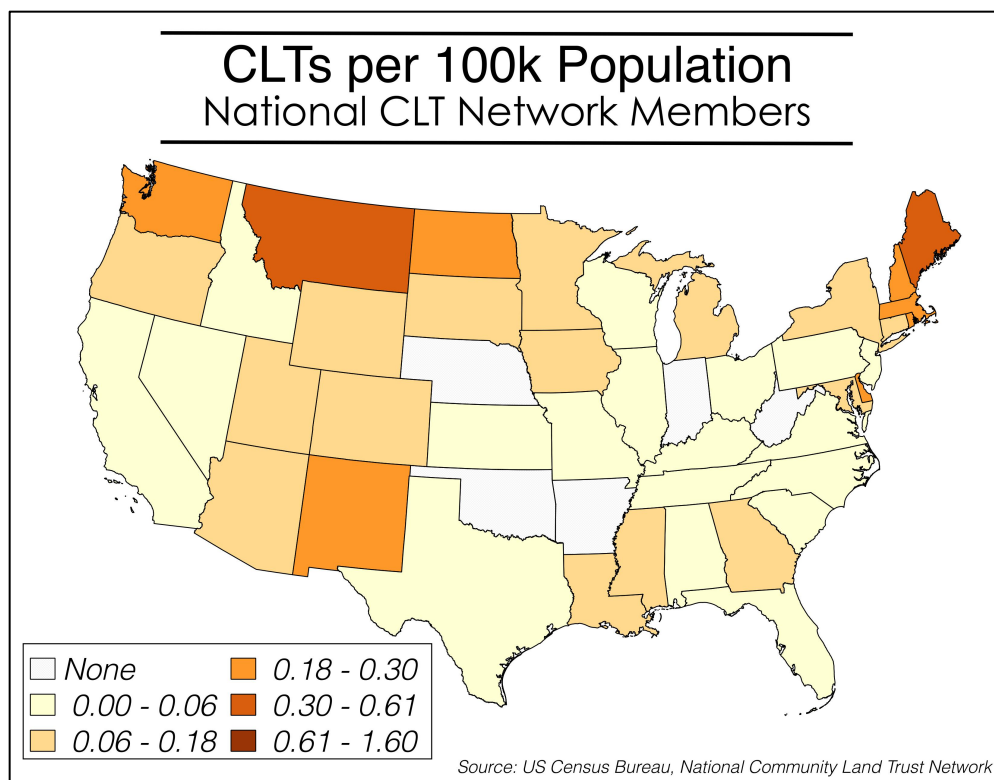
CLTs have been implemented in a variety of places, from the Waldron Island CLT in the Puget Sound to the Cooper Square Community Land Trust in the Lower East Side of Manhattan. They are also spread across the United States, with National CLT Network members listed in 45 states and the District of Columbia. However, the regional distribution of CLTs is uneven. There are large concentrations of CLTs in the Northwest and the Northeast regions of the country, as well as a large number in California. There are 18 CLTs in the state of Washington that are mostly tucked into the more developed northwestern corner of the state. There are a combined total of 59 in the northeastern states of Maine,

Massachusetts, New Hampshire, New York, Rhode Island, and Vermont (7, 17, 4, 18, 3, 10, respectively). The rate of CLTs by population gives a better idea of where they are more common. Washington State has a higher rate of CLTs per capita than the combined northeast (1 per 373,585 versus 1 per 512,692), though the rate is more comparable when the population of New York City is dropped from the calculation (1 per 374,131).

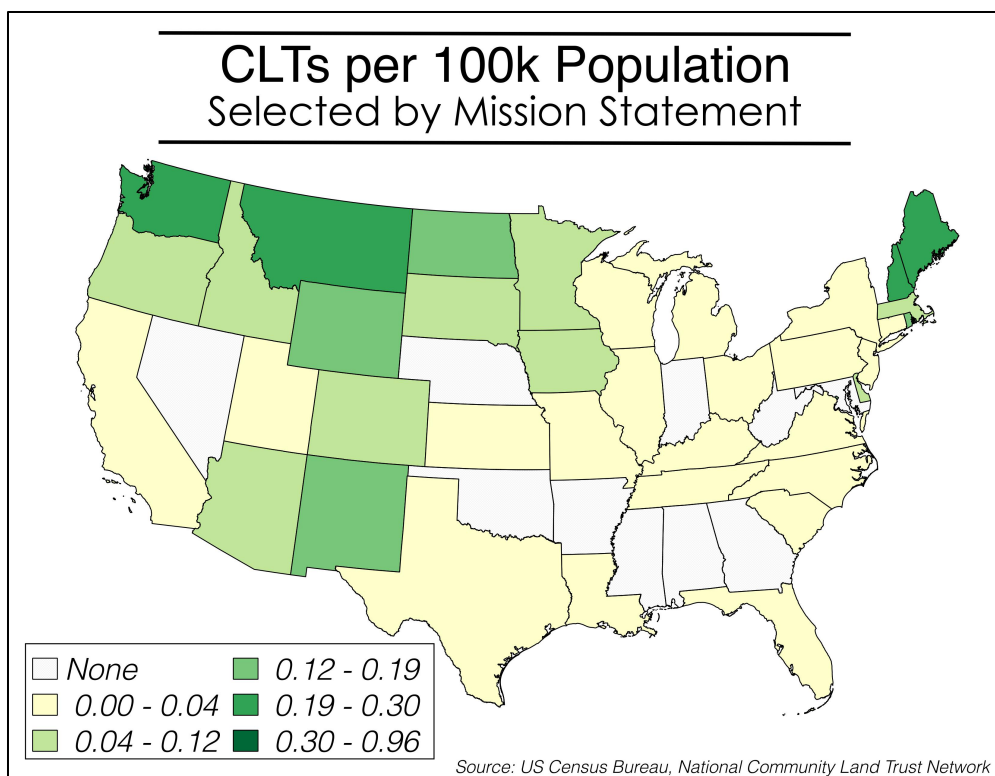
These numbers I just referenced refer to the broader membership list provided by the National CLT Network, but my own list of CLTs follows a very similar pattern. My list only shows a small increase in the per capita rate in the northwestern and northeastern regions.



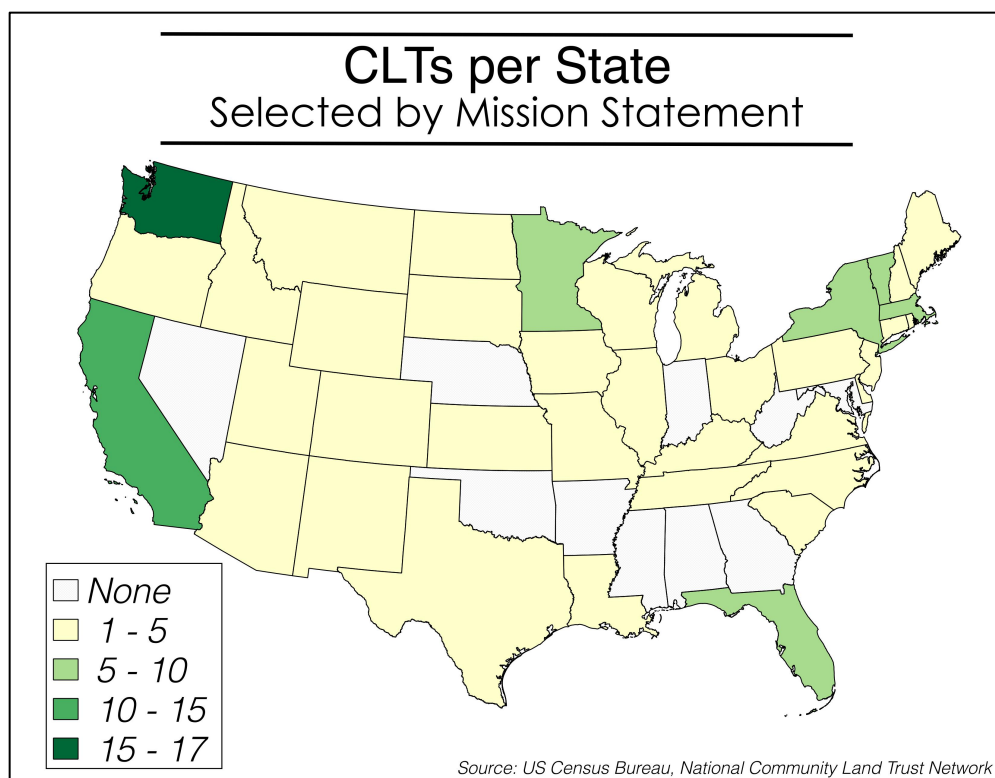
**Figure 2: Total NCLTN members by state.**



**Figure 3: NCLTN members per 100k population.**



**Figure 4: Selected CLTs per 100k population.**



**Figure 5: Total selected CLTs by state.**

Though any reasons I could provide for this distribution would be speculative, the observable concentrations of CLTs seems to match up with regions that have pursued progressive housing policies. Massachusetts in particular has a high number of local inclusionary zoning programs, a program that works well in collaboration with CLTs (Hickey et al 2014, Davis and Jacobus 2008). Support from local governments is also consistently listed as an important element of CLT success in the surveys that included such questions. This presence of this support would explain why CLTs appear more frequently in certain places. Although evaluating why CLTs seem to proliferate in certain regions would certainly improve our general understanding of the field, such an analysis is beyond the scope of this dissertation.

Despite these complications, there have been several attempts at calculating the size of the CLT universe. One relatively consistent dimension of analysis has been the number of units that CLTs provide (rather than the acreage of land held by CLTs).<sup>12</sup> In the 2006 survey, which had the highest response rate of any survey to date, the authors provide a count of 6,495 total housing units of which 3,220 of these were ownership units. The remainder was comprised of rental units.

In 2006, the mean number of total units run by CLTs was 69. This included both ownership and rental. The mean unit count for ownership and rentals were 34 and 78, with median counts of 15 and 27, respectively, suggesting larger

---

<sup>12</sup> It should be noted that only the 2006 survey of CLTs recorded data on the acreage of land held by community land trusts. The total land held by 98 organizations was 2,629 acres (Sungu-Eryilmaz and Greenstein 2007, page 25).



organizations were skewing the means. The 2011 survey, with a sample of 96 out of 216 organizations, showed a total count of 9,543 housing units. Over half of those (5,391) were rental units, with 3,669 units of ownership. Cooperative units and lease-purchase<sup>13</sup> units (156 and 54 respectively) made up the difference. In 2013, the median unit count was 31 with a mean of 111, a slight rise with a much smaller sample size (National CLT Network 2013).

One attempt to calculate the total number of ownership units located on CLT land (and not just the totals from the surveys themselves) is done in the 2011 report by multiplying the median count by the total number of CLTs, which comes out to 7,139. The author acknowledges this is a very rough estimate, as the larger organizations seem to be overrepresented in the survey's sample (Thaden 2012, page 7). Other estimates of total unit counts place the number of units of CLT housing at around five or six thousand, a count which is often compared to estimates of tens of thousands of units in deed-restricted housing programs (Davis 2012, Hickey et al 2014, Stromberg and Stromberg 2013, Thaden 2012). Adding to the confusion is the fact that a large percentage of CLT housing units are held by a single organization: the Champlain Housing Trust in Burlington, Vermont. The Champlain Housing Trust manages 1800 apartments and has 520 owner-occupied homes on its land (Champlain Housing Trust 2015). This portfolio skews any dataset in which it is included, and it is included in nearly

---

<sup>13</sup> "Lease-purchase" is not defined in the survey but commonly refers to a program where a tenant's rent payments go towards a down payment on the unit they are leasing.

every one because of Champlain's standing as the largest and most successful CLT to date.

Even if we take the highest estimate of housing units on CLT land as accurate, then community land trust units only make up .005% of the country's total housing unit count. The percentage of the nation's land that is held by CLTs would be considerably lower. However, it is not the number of CLTs, the total acreage, or the number of housing units on their land that makes the community land trust an appropriate subject for a dissertation. What matters most are the characteristics that make it unique among community development organizations.

### **The characteristics of the CLT**

A community land trust, traditionally understood, is an organization that owns land with the goal of placing it under community control and preserving its use for the benefit of that community. The organization is often incorporated as a nonprofit but there are some CLTs that are incorporated without nonprofit status. The community governance is accomplished with a board composed of one-third lessees of CLT land, one-third community members, and one-third members-at-large. While other community development organizations may share certain structural characteristics with CLTs, such as a community-controlled board, it is the focus on land that marks the community land trust as something apart.

Although all CLTs have the corporate ownership of land in common, the way community land trusts are implemented varies widely. This implementation

depends greatly on the political context of each individual instance of the model, which can produce very different organizations. Some CLTs focus on housing, some focus on organizing, and some do not even include all of the traditional characteristics that were established as part of the original CLT model by its creators, such as having community members on the board. Some arise and do work independent of local government, others are started by local government and then become independent, while still others are created as and remain local government programs.

The most common use of CLT land is the creation and preservation of affordable housing for low- and middle-income households. The 2006 survey found that 86% of the responding CLTs listed “development of affordable housing” as a major component of their activities, with just over 50% listing “homeownership, homebuyer counseling” as a major component (Sungu-Eryilmaz and Greenstein 2007, page 24). However, while many CLTs are created specifically to address housing, others integrate housing into a broader agenda. Non-residential development has been an important part of CLTs since it was created. While it is not nearly as common a use of the land as housing is, it continues to be an important part of some CLTs today (Rosenberg and Yuen 2012). For example, both the MOSAIC CLT in Pottstown, PA and the CLT of the Southern Berkshires commit significant time and energy to agricultural development, and the City of Lakes CLT in Minneapolis has supported a wide range of community programs that go well beyond housing, such as providing small grants for artists or entrepreneurs living in the community.

The governance structure of CLTs is what puts the ideology of communal land tenure into practice. Most commonly, the community land trust board of trustees is “tripartite”; it is comprised of three groups with equal representation on the board. These groups are lessees of CLT land, representatives of the community in which the CLT is active, and supportive members of the public who represent the “public interest”. This third group often includes local officials or other government representatives, though it tends to be the group with the most variety between CLTs. Again, as with most things involving CLTs, the tripartite board structure is not universal. The specific implementation of governance varies from one CLT to another, and can also change over time. Some CLTs include more resident members while others have fewer. Some stretch the definition of the community land trust by having none at all. These use a more traditionally structured nonprofit board that has no membership requirements, though they are likely to have board members from the local community (other nonprofit staff, public officials, etc.).

There is also variation in what comprises the community a CLT is meant to serve, whether it is a neighborhood, a city, a county, or some other geography (Kasen et al 2013). Whatever the scale of the community, having a board that is largely composed of community members is meant to keep the CLT’s activity in line with the needs and desires of the local community. Deciding who exactly comprises the community is also something that is negotiated from organization to organization. Defining community is difficult enough when it comes to identity politics. Deciding who gets to serve on a board in the context of developing

community control of land, where decision-making has a real, tangible impact on a neighborhood, is significantly more fraught.

Just as the board's composition is not universal, neither is the presence of community members. The 2011 survey (the only survey that covered this particular topic) indicated that 41% of the responding organizations did not have community members on their board. These numbers might be somewhat mitigated by the fact that about 75% of the CLTs in the survey had only 12 members or fewer on their boards which suggests that they are small organizations with very few or no residents to include on the board. Sixteen percent of the responding CLTs in the 2011 survey also had not acquired any housing units (Thaden 2011). The numbers on CLT size that are cited earlier suggest that many CLTs are very small organizations with limited resources. Having lessees on the board requires having lessees in the first place, which many start-up CLTs without land may not have for several months (or even years). Many community land trusts are also not as local as might be expected, with service geographies that extend far beyond neighborhoods. In 2007, 70% of the respondent CLTs served areas larger than a single neighborhood (such as a city or county). In 2011, only 14% of the CLTs that responded served a neighborhood, while 76% served larger geographies. It is questionable that a limited number of individuals could represent communities at that scale.

Despite the great variety in governance, all community land trusts have the ownership of land at the heart of their operations. The ownership structure in community land trusts appears more complicated than others forms of

ownership, but it is fairly straightforward. A CLT owns land that may or may not have improvements on it. When someone purchases or builds improvements on any land owned by a CLT, they sign a ground lease for the use of the land. The initial acquisition of land can happen in a number of ways. Some CLTs receive land from local government or receive both land and housing through inclusionary zoning programs, which require or provide incentives to developers to create a certain percentage of affordable units alongside market-rate units. Others raise their own funds to purchase land on the market, and still others run buyer-initiated programs where the CLT provides funding for individuals to purchase a home in exchange for them passing the home into the CLT once they decide to sell and move on. Whatever the arrangement, the land continues to be owned by the CLT while the terms of the ground lease provide the lessee rights of ownership over the improvements. The permanent affordability that is often associated with CLTs is created from stipulations in the ground lease that restrict how the improvements can be used. Most often, these terms dictate to whom and for how much homes can be sold, or establish requirements for what types of activities can take place on CLT land.

The ground lease for homeowners can also include restrictions specific to residential improvements, such as what types of additions can be made to the home with and without approval of the CLT, the engineering of homes built on the lots, and requirements regarding owner occupancy. These restrictions may appear onerous or intrusive but they rarely go beyond those in typical homeowners association covenants. The ground lease is also a powerful tool for

keeping the community land trust invested in the community and in the well being of the lessees (Davis 2015). It is literally rooted in place and having community members engaged in its governance gives it a heavily vested interest in the well being of its constituents.

### **Community land trusts and other forms of tenure**

With their emphasis on collective ownership and democratic decision-making, community land trusts are often compared to housing cooperatives. While they are similar in some respects, and are often listed together in the same genre of alternative models of tenure, there are important distinctions between community land trusts and housing cooperatives. The most notable distinction is that a cooperative is a form of community ownership of capital, while a community land trust is a form of community governance. The community land trust does not provide its members with equity in the land, but instead gives them a voice in its use. This focus on the governance of land, rather than on collective equity, involves a broader strategic outlook.

The CLT is also less likely to promote heavy participation by the community, who may or may not be willing (or able) to engage in the governance of the CLT as much as a cooperative's members might be expected to. The community land trust's model of governance is more centralized, with a heavier emphasis on the board rather than the membership. Many community land trusts engage with their membership but the model itself relies more on the board.

The type of housing cooperatives known as limited-equity cooperatives (LECs) shares the community land trust's commitment to removing land and/or housing from the speculative market. Limited-equity cooperatives fit very well with community land trusts, and many CLTs host LECs on their land. However, traditional housing cooperatives are not necessarily concerned with this issue as much, and focus more on collective ownership than on removing improvements and land from the market.

Another form of land tenure that is often mentioned alongside community land trusts is land banks. According to their leading advocacy organization, the Center for Community Progress, land banks are "governmental entities or nonprofit corporations that are focused on the conversion of vacant, abandoned, and tax delinquent properties into productive use" (Center for Community Progress 2016). Community land trusts and land banks can have overlapping goals but there is a central difference: CLTs have a focus on community governance, while land banks are an administrative solution for vacant properties. This is not to say that land banks are devoid of community input. The Center for Community Progress' description of the strategy emphasizes that community engagement is an important element of a successful land bank. However, it is to say that a land bank is municipal solution administered by the state, rather than a model of empowerment through community governance.

Finally, the model of land tenure most commonly confused with the community land trust is the *conservation* land trust (which is often shortened to land trust). Conservation land trusts and community land trusts shared the core



concept of setting land aside for a common benefit. The difference between the two is that conservation land trusts work to preserve landscapes from human alteration, while community land trusts preserve the land for various forms of productive use. Setting land aside to preserve a landscape is perhaps an important goal, but it is very different from setting it aside for the use of a community, which may include agriculture or other forms of development.

Conservation land trusts also make extensive use of easements, as opposed to the outright ownership of land. Mentioned in the earlier discussion on property, easements are modifications to a property title that allow external parties to make a claim on land in certain circumstances. These are often connected to some sort of incentive, such as a tax break, in order to convince the landowner to participate. The extent of the use of easements is unknown but has expanded over the years as outright ownership has become more difficult (Merenlender et al 2004).

Other forms of public ownership of land exist in the United States as well, including the over 240 million acres managed by the Bureau of Land Management. However, this large-scale public ownership is not often mentioned alongside community land trusts. Like conservation land trusts, CLTs are a private form of land management, which sets them apart from the lands managed by public agencies. The question of public versus private land management does come up in the case studies, however, since the Flagstaff program is, in effect, a public land management program. The implications for public and private land management are discussed in the conclusions of the case study section.

## **The roots of the community land trust**

The unique structure and purpose of the community land trust owes a great deal to the movements and ideas that inspired it.<sup>14</sup> Though such a claim is certainly up for interpretation, I would argue that what contributed the most to its genesis are the civil rights movement, Ebenezer Howard's Garden Cities, the Gramdan movement of post-independence India, and Henry George's ideas about property and social justice.

Placing the origin of the community land trust in the Civil Rights Movement grounds the model in one of the most important social movements in the United States. It highlights that the community land trust has a purpose that goes beyond an expansion of affordable housing. Not only does the community land trust share the historical context of the Civil Rights Movement, it was also created by several individuals who were actively engaged with the Movement. The individuals most often credited for creating the first community land trust (the New Communities, Inc. project in Albany, Georgia) are Robert Swann, Ralph Borsodi, and Slater King. They acted with the support of dozens of others. These individuals and their collaborators sought a new form of land-based economics that was based on community, equity, and social justice, rather than racial exploitation and individual profit. It is also important to acknowledge that the political climate in the era of Civil Rights activism supported projects that might

---

<sup>14</sup> For a more detailed description of the history of the community land trust, see John Davis' *Origins and Evolution of the Community Land Trust in the United States* (2010), which provides a comprehensive history of the creation and early development of community land trusts. Meehan (2014) also provides details on this history.

have otherwise struggled to find traction. Even so, New Communities had significant difficulties in finding the capital and the land to realize their vision.<sup>15</sup>

While the Civil Rights Movement helped to define the immediate goals of the CLT and provided a favorable context for the emergence of CLTs, the actual structure of the community land trust owes more to earlier ideas on land and property. Preceding the CLT and the Civil Rights movement by several decades, Ebenezer Howard's Garden City concept was an important predecessor. In his work *Garden Cities of Tomorrow*, Howard proposed an interconnected system of carefully planned towns designed to maximize the benefits of denser urban living while preserving access to rural land. Howard acknowledged that the shape these cities took would vary tremendously based on the needs and resources of each particular location, though his original suggestions were very specific. It was not the design of the cities that CLTs took from Howard's ideas, however. The governance structure of the Garden City community provided a direct inspiration for that of the CLT. These communities were to be built on land first held in trust by a small group of men "of responsible position and of undoubted probity and honor", who would eventually pass on the management to the municipality itself (Howard 1902). This communal ownership of land (limited to wealthy men as it

---

<sup>15</sup> Their financial troubles (their large debt in particular) led to the organization's collapse in 1985. However, a recent decision in a discrimination lawsuit against the USDA may have given the organization new life.

may have been) inspired the tripartite, community-controlled board found in the traditional community land trust.<sup>16</sup>

Another important influence on the development of the community land trust was the Gramdan movement in post-Independence India.<sup>17</sup> Vinoba Bhave, a close associate of Gandhi known as the “Walking Saint of India”, traveled on foot from village to village in 1951 in an attempt to bring attention to and remedy the inequalities that existed in India’s rural communities. This was first done through the Bhoodan program, where landowners were asked to give some of their land to the less fortunate in their village (held in trust for a time by Bhave and his associates). This program led to the redistribution of more than 1 million acres of land. However, many of the villagers who received a gift of land quickly turned around and sold it. The benefits disappeared almost immediately and inequality remained a problem.

The Gramdan program was the next step in this Indian experiment in land reform. Under Gramdan, the land in a village would be owned by the village as a whole, preventing individual farmers from selling off land that was charitably received. Decisions on what to do with the land would be made by a village council composed of all the village’s adult residents. At its beginning, the Gramdan movement enjoyed a widespread acceptance but it eventually collapsed. The movement lacked momentum and most of the villages that had

---

<sup>16</sup> The economic connection between urban and rural spaces has been actively pursued by some modern CLTs, including the CLT of the Southern Berkshires. They have actively developed economic relationships between rural farmers and urban communities.

<sup>17</sup> This short history is based on Shepard (1987).

initially participated failed to maintain the arrangements required to manage the land. Despite the ultimate failure of Gramdan, Ralph Borsodi saw potential in the concept while living and working in India and brought this concept of a village holding land in common back to the United States.

As important as these other ideas were to the community land trust, Henry George's theories regarding the consequences of private property are the most relevant to my discussion of the community land trust. In *Progress and Poverty* (1879), George theorized that the private ownership of land is the root of the uneven distribution of wealth, and that much of the value of land is a product of the surrounding social environment and is often unrelated to the labor of the landlord:

"The [landlord] receives without producing; the others produce without receiving. The one is unjustly enriched; the others are robbed. To this fundamental wrong we have traced the unjust distribution of wealth which is separating modern society into the very rich and the very poor. It is the continuous increase of rent—the price that labor is compelled to pay for the use of land, which strips the many of the wealth they justly earn, to pile it up in the hands of the few, who do nothing to earn it." (George 1879, page 264)

The gains realized by the landlord are made possible by the collective labor of society, and it is only the institution of private property that keeps that value from being shared more equitably.

In *Social Problems*, George argued that any increase in value realized by a landlord should be captured by "concentrating all taxation in a tax upon the value of the land, and making that heavy enough to take as near as may be the whole ground rent" (George 1886, page 284). George believed that this would cause any desire for speculative land ownership to be curbed. Land would only

be purchased if it was put into immediate productive use, and what George saw as one of the root causes of inequality in America would be removed. He had no argument with capitalism per se but he made a critical distinction between land, which is “produced by God” and “fixed in quantity”, and the improvements built upon it, which are “produced by man” and able to be “increased illimitably” (page 278). Allowing landowners to realize windfall profits from the labor of others simply because of the monopoly allowed through private ownership only served to increase inequality.

Early CLT proponents saw the large-scale implementation of CLTs as having a similar effect on the use of land as a Georgist tax and resistance to speculative ownership of property continues to be a common theme throughout the field. A regional community land trust that controlled a large amount of land would be able to prevent speculation perhaps even more effectively than George’s single-tax strategy. Unlike the single tax, they can function well within the existing economic system but also do work to change property relationships between land, individuals, and communities in a way that prevents exploitation. While George’s single tax is a political impossibility, community land trusts might provide a practical solution to providing relief from increasingly rampant speculation on land and housing.

### ***The academic literature on CLTs***

Henry George predates the community land trust by nearly a hundred years but the same questions about property and economic justice have informed

the academic literature on community land trusts. Theoretically unfettered by the institutional and discursive restraints that might influence CLT advocates, academic work on CLTs has generally proven to be a more reliable source of analyses of the CLT that engage with the politics of community governance rather than simple affordable housing. This section reviews research that frames CLTs as more than affordable housing and engages with the alternative politics that CLTs represent.

Land reform is central to the concept of the community land trust, yet it is rarely directly addressed. Davis (1984) wrote not only one of the earliest pieces on CLTs but is also one of the only to directly discuss the implications of CLT-style land reform. In it, he sets CLTs up against the two traditional implementations of land reform: direct redistribution of land and the less direct method of regulated usage (zoning, for example). CLTs, Davis argues, are the expression of a third method of land reform: the redistribution of equity through the mechanism of a community-controlled trust and resale restrictions on improvements. Importantly, this discussion on land reform and CLTs also frames them as more than a model of affordable homeownership. In his words, the CLT is “a community-based model of land reform” that works by creating a “just allocation of equity” that balances “the legitimate interests of the individual user and those of the surrounding community” (page 369).<sup>18</sup>

---

<sup>18</sup> The language used in this definition of CLT land reform clearly anticipates the definition of “shared equity” that Davis had a large part in developing (Davis 2006).

Part of the land reform that the CLT offers is an introduction of community control into the development of land. However, the role that a community actually plays in CLTs has largely been analyzed in structural terms. A count of community members on a board can only tell us so much. Gray and Calande (2010) is the one piece of research that addresses what kind of a role a community actually has in the implementation of a CLT. The authors studied community perceptions of an unnamed CLT in Durham, North Carolina and frame their study by contrasting the strategies of community organizing and community development. To make this comparison, they cite Stoecker's (1997) observations of the limits of the CDC model of community development. They note that, in the wider field, "[m]ost of the community development focus has been on housing, and most of the organizing focus has been on building power" (page 242). With this distinction in mind, they interviewed CLT residents and CLT board members to build a picture of how the subject CLT went about the business of being a CLT. The overall conclusion was that while the "study CLT has a proud history of many accomplishments...many of the respondents were concerned that this CLT was no longer fulfilling some of the core principles of a CLT" (page 247). That is, the development had become the CLT's priority, while the community organizing (the work of gaining power) was fading. This conclusion echoes the findings of Thaden and Lowe (2014). The combined conclusion of these two studies suggests that the question of community in CLTs is a source of tension, not only in Durham, but also in CLTs more generally.



Saegert et al (2003) is one of the few pieces on a comparable model of ownership to address the implications of such a model for community control and community power. The subjects of their study are a number of limited-equity cooperatives located in the Hell's Kitchen neighborhood of New York City. The study was designed to look at the ability of LECs to resist pressure by for-profit developers to commodify the neighborhood. To that end, the authors frame the LECs as inherently resistant to the "hegemonic knowledge and hierarchical space" that was created by this pressure, and point to Lefebvre's observation that "no space is neutral and all space is about struggle to shape the structure of society" (page 7). LECs, they argue, engage with this struggle by resisting the capacity of private investment to define urban space. The power of the LECs in this struggle comes from their ability to use the social capital inherent in communities towards a productive end; that is, preserving the use value of their neighborhood rather than realizing its exchange value.

Their conclusions include a wide range of policy suggestions but alongside these are some conclusions that support their theoretical assertions. The authors found that "[w]ithin LECs, social capital is materialized without being commodified," meaning that the LECs provided a framework for an alternative, non-economic realization of social capital:

"LECs are creating a different space, a new model of space in which egalitarian association nourishes group members' needs for home, security, safety, connectedness to others and to place, sustainable living through low housing expenses, good job opportunities, and an asset to bequeath to future generations...while creating a space that contests the status quo" (page 24).

Avoiding the paradox of social capital as described by DeFilippis (2001), LECs successfully resist the complete commodification of a neighborhood while simultaneously improving the lives of their residents along several dimensions. The conclusions of this study speak to the need for a more complete understanding of the broader potential of CLTs. I would argue that the community land trust has a similar capacity for helping communities to “appropriate space from the market realm” (page 24).

A further discussion of the political transformation possible through community land trusts can be found in DeFilippis’ *Unmaking Goliath* (2007). The book explores how communities are able to gain a measure of control in a world increasingly defined by globalized economic development. Community land trusts are included in this exploration (alongside limited-equity cooperatives and mutual housing associations). The more traditional financial benefits of subsidy retention and fiscal efficiency are pointed out, but they are followed by a more nuanced examination of how the housing models he describes allow for “local autonomy” and “promote the process of equitable development” (page 108). While the cases he describes reveal significant limitations to the ability of these models to provide local control, he ultimately acknowledges that they can provide community a measure of local autonomy that would otherwise not exist: “They have unquestionably...improved the lives of the residents who live within them...and have given the residents a degree of control over their lives that would not be possible otherwise” (page 111). Community land trusts function not only as

affordable housing but also as a means to retaining local community control in the face of global capitalist hegemony.

The geographic element of DeFilippis' analysis is important to recognize. The relationships between communities (local) and capital (global) are largely defined by the local nature of both community action and economic processes: "Very few processes of capital accumulation exist in the ether, independent of real places, worksites, and neighborhoods" (page 160). If people are to successfully resist capital's imperatives, then it must happen in the places where these imperatives manifest. Community land trusts enable that resistance by being constructed in a way that engages perfectly with the ethereal nature of global investment processes. DeFilippis is cynical on this last point, but his observations on the utility of community-controlled housing in this resistance enable a performance of CLTs that goes far beyond affordable housing.

The relationship between CLTs and global capital flows is an important topic. However, it does not necessarily examine the details of property relationships that underpin these challenges. Midheme and Moulaert (2013) provide just such an examination, and support an understanding of community land trusts focused on their challenge to traditional property relationships. This article examines the Tanzania-Bondeni community land trust in Voi, Kenya.<sup>19</sup> Their subject CLT was implemented over a number of years from 1999 to 2004 as part of a 'settlement upgrading project' (a process of making informal settlements more formalized, see Midheme 2010 and UN-Habitat 2010 for

---

<sup>19</sup> Also see Bassett and Jacobs (1997) and Bassett (2005, 2007).

details). Land is of particular concern in Kenya and other post-colonial African countries as it is not only necessary for the agricultural production that is common in many parts of the region, but the increase in urbanization in the country has produced a great deal of conflict over land development in and around the expanding cities. Individual ownership schemes introduced to mitigate this conflict have also led to beneficiaries quickly selling off their newfound property and ending up worse off than they were before (as with the Bhoodan program in India).

Midheme and Moulaert frame CLTs with two concepts: the ‘right to the city’ and common property theory. The “right to the city” is a concept first introduced by Lefebvre (2003) and has become a commonly referenced concept in urban theory (Aalbers and Gibb 2014, Brenner et al 2009). It argues that the development of urban spaces should be a process that is accessible to everyone, and not just the elites or private capital. It is, in the words of Midheme and Moulaert, “the pursuit [of] spaces that are more inclusive, just, and democratic by upending the historical inequity spawned by capital accumulation” (page 75). Common property theory (see Bromley 1992) challenges the traditional, individualist form of property that has been deployed in most Western economies. The common property literature disagrees with the notion that the ideal form of property is individualistic, and that this particular construction of property “breeds social exclusion, with the poor and powerless shunted to the fringe of society” (Midheme and Moulaert 2013, page 74). Midheme and Moulaert align themselves with other authors that argue for seeing the “commoning” of

resources, particularly land, as the appropriate means to a “long-term sustainability and social equity in the management and ownership of resources” (page 76), contending that “prescriptive forms of property have yielded lamentable outcomes among vulnerable groups”. Community land trusts challenge the “received hegemony” of individual property and can be used to produce a more equitable form of urban development.

## Conclusion

The antecedents of the community land trust (and the texts and historical contexts that produced them) remain important to modern practitioners. They are often discussed in conference sessions and are recounted in the various written histories of the CLT. In addition, the questions these antecedents raise around property and economic justice remain relevant to the academics that find such questions of interest. However, as the field has grown and drawn more attention from advocates and researchers, certain aspects of this heritage have grown while others have faded.

The gospel of the CLT has been spread by a number of organizations and individuals since 1968. The International Independence Institute, created in 1967, was the first organization to carry the CLT torch and published *The Community Land Trust* in 1972 along with the Center for Community Economic Development (it was eventually reprinted by DRA of Vermont in 2007). *The Community Land Trust* was based on the experiences of New Communities, Inc., and was the first mention of the “community land trust” as a coherent concept. In it, the authors

describe the ideological heritage of the CLT and provide guidance on how others could go about reproducing the model. In addition to laying out the heritage of the community land trust, Swann and his co-authors set down the basic structure and purpose of the CLT. In their words, the community land trust is “the means by which a legitimate alternative institutional expression of land ownership may be found, thereby contributing to the much-needed social and economic reconstruction of America” (Swann et al 1972, page xvi). *The Community Land Trust* was the first attempt to codify the land trust model and make it replicable, though this replication didn’t occur until 1978. By then, the International Independence Institute had changed its name and become the Institute for Community Economics.

The Institute for Community Economics (ICE) published the second book on CLTs, *The Community Land Trust Handbook*, which was written as an update on the 1972 text. This update was intended to reflect the increasingly urban nature of CLTs and was the first description of what would become known as the “classic” CLT. That is, it included the three basic characteristics that are held as traditional today: ground leases, resale restrictions on improvements located on leased land, and the tripartite board. The tone and focus of the Handbook was slightly different as well, having been influenced by organizations and advocates who had cut their activist teeth by dealing with the consequences of urban disinvestment. As Davis points out, the people responsible for writing it were largely involved with community organizing (8 out of the 12 authors) and housing or planning (6 out of 12) (2010b, page 23). The fundamental ideas about land

tenure reform and the preservation of resources for the community remained, but added to this were the goals of economic development and the creation of affordable housing.

Quotes from these first two publications on the CLT model provide reference points for my discussion of how understandings of the CLT have changed. To begin, two quotes from the 1972 handbook (written by the originators of the community land trust) point towards the CLT being a tool for creating broad social and economic reform:

“The community land trust constitutes a social mechanism which has as its purpose the resolution of the fundamental questions of allocation, continuity, and exchange” (page 1).

“The community land trust represents a means by which a legitimate alternative institutional expression of landownership may be found, thereby contributing to the much-needed social and economic reconstruction of America” (page xvi).

Ten years later, *The Community Land Trust Handbook* (1982) gives us a very clear definition:

“[A]n organization created to hold land for the benefit of a community and of individuals within the community. It is a democratically structured nonprofit corporation, with an open membership and a board of trustees elected by the membership...The CLT acquires land through purchase or donation with an intention to retain title in perpetuity, thus removing the land from the speculative market. Appropriate uses for the land are determined, in a process comparable to public planning or zoning processes, and the land is then leased to individuals, families, cooperatives, community organizations, businesses, or for public purposes.” (page 18)

*The CLT Handbook* was the last major publication on CLTs until the Lincoln Institute published *The Community Land Trust Reader* (Davis 2010a), an edited book that brought together an eclectic set of writings. This volume

showcases the broad range of ideological influences on the CLT and also provided the first comprehensive historical account of the community land trust's development (Davis 2010b). One of the takeaways from the volume is the variety of ways in which the CLT has been implemented, and the variety of actors who have found value in the model. This popularity has a consequence, however. The preface to the book includes an observation from Davis that a large number of newcomers have come to the community land trust from a wide variety of backgrounds. This variety in implementation and understandings, he says, has created a "contest for the soul of the community land trust" (page 38).

Indeed, there has been some trepidation towards embracing the model's popularity from other CLT luminaries. Bob Swann expressed some hesitation in the focus on housing in community land trusts in the 1990s (White 2010). In 1995, Susan Witt and Bob Swann presented one of the most comprehensive definitions of a CLT. It is quoted here at length to emphasize the ambition of their vision:

"A Community Land Trust is a not-for-profit organization with membership open to any resident of the geographical region or bioregion where it is located. The purpose of a CLT is to create a democratic institution to hold land and to retain the use-value of the land for the benefit of the community. The effect of a CLT is to provide affordable access to land for housing, farming, small businesses, and civic projects. This effect can be achieved when a significant portion of the land in an area is held by a CLT.

Some CLTs have organized as tax-exempt charitable organizations for the purpose of building housing for the poor, but *this limits their activities to that single issue*, and maintaining tax-exempt status takes precedence over achieving the CLT's purpose of broad-based land reform. We do not recommend seeking tax-exempt status but instead urge the creation of a Community Land Trust organization that can own and manage land for a multiplicity of uses within a region.



A CLT acquires land by gift or purchase and then develops a land-use plan for the parcel, identifying which lands should remain forever wild and which should support low-impact development. A CLT fosters healthy ecosystems and an appropriate social use of the land. The planners solicit input from residents of the region to determine the best uses of the land—recreational space, wildlife preserve, managed woodlots for a local industry, secure farmlands for the region, affordable housing, or affordable office space. The land trust then leases sites for the purposes agreed upon. The lease runs for ninety-nine years and is inheritable and renewable on the original terms. The leaseholder owns the buildings and any agricultural improvements on the land but not the land itself. Upon resale, leaseholders are restricted to selling their buildings and improvements at current replacement cost, excluding the land's market value from the transfer...

The CLT is a democratic institution, with the potential to hold most land in a region. The leasehold method provides both security and equity for leaseholders by encouraging their long-term investment and helping them to establish deep roots in the community.”

(Witt and Swann 1995, emphasis added)

The community land trust, according to these definitions, was created to be a tool for economic and social reform through the community control of land.

These definitions acknowledge that affordable housing is important to many communities, but it is not the defining element of the community land trust itself.

The community land trust movement, then, is not a movement towards affordable housing but a movement towards land tenure reform, community control, and social justice.

## Chapter 5: The performance of the CLT

I argue in this dissertation that the variation of community land trusts comes from different understandings of what the ultimate purpose of the community land trust is. Many community land trusts have been created as affordable housing programs. This use of the model is often justified with reference to both a need for affordable housing and the model's efficient use of limited public subsidies. Community control of land is not necessarily the central motivation for creating the community land trust. Rather, the motivation is developing affordable housing. What is required for this understanding of CLTs to succeed is the idea that the community land trust is easily replicable in a variety of places and contexts. This requires a simplified and easily communicated definition of the concept and its implementation. A basic CLT structure with a tripartite board certainly functions well as an affordable housing program, though in shedding a more holistic strategy of community governance of land it loses the unique capacity that CLTs have for challenging the fundamental inequities that produce the need for affordable housing programs in the first place. As the first CLT, New Communities, Inc., provides an example of what a holistic CLT focused on community governance looks like. It was an attempt by civil rights activists to create an independent community that could provide a community with both social and economic security. Housing was present as a basic necessity of life but was not the focus.

By and large, the work that has been done on community land trusts in the time between *The CLT Handbook* in 1982 and *The CLT Reader* in 2010 does not

seem overly concerned with the expansive vision for the model that was outlined by Witt and Swann (1995, quoted at length earlier), or it has at least greatly reduced the scope of that vision. Part of this comes from the expanded use of CLTs by the largely urban community development field in the 1980s and 1990s. This had an impact on how CLTs were implemented. The originators and early proponents of the CLT tended towards rural communities, where land was more available and less settled. Part of this rural focus is reflected in the fact that they included agriculture in their vision of the model. In contrast, the community development organizations that had started to use the model for housing were primarily active in urban neighborhoods facing development pressures. They were less interested in integrating food systems into their development goals. It should be noted that this is a generalization that is steadily becoming less true as urban agriculture and urban-rural food networks become more mainstream. For example, the CLT of the Southern Berkshires (which was started by Bob Swann in 1980) has made the development of urban-rural food networks a central aspect of their activities, though they have also recently introduced an affordable housing program.

Robert Swann recognized the potential consequences of the expanded urban usage of the community land trust in an interview: “I think that what is happening in the urban area is very encouraging. The idea of creating perpetually affordable housing is a good idea. The only thing is that there is a danger of losing track of the land itself” (White 1992, page 273). His comment on the focus on housing by the urban CLTs was prescient, particularly in light of the statistics

regarding the prevalence of affordable housing programs on CLT land recorded in the various surveys of CLTs discussed earlier. Housing was always an important element of the model because it is an essential aspect of human life but it was only one use of the land among many.

The tension in community land trusts can be observed in different dimensions of the performance of community land trusts. This chapter discusses several different aspects of this performance: the research on CLTs by advocates, the definitions and terminology used in support of CLTs as housing, the language used by community land trusts to describe themselves, and interviews with several practitioners from community land trusts around the country. Despite the dominance of affordable housing in the more influential parts of the community land trust universe, the practitioner interviews suggest that the performance of the community land trust is – as might be expected – nuanced and complex.

### **Advocacy literature**

While the academic literature on community land trusts remains relatively sparse, the advocate research literature has become well established. This literature tends to focus on the application of the CLT to policy problems rather than as land tenure reform. What is especially notable about this literature is how rarely land use is addressed outside of descriptions of ground leases as a mechanism of affordability. Instead, the advocacy literature often frames CLTs in

terms of the model's capacity for affordable homeownership, its effectiveness at the prevention of foreclosure, and its financial efficiency. The focus on these particular aspects of community land trusts in the advocate research tends to elide the political aspects of community land trusts, bringing to mind a quote from Law and Urry (2004) regarding the politics of research:

“The issue is not simply how what is out there can be uncovered and brought to light...It is also about what might be made in the relations of investigation, what might be brought into being. And, indeed, it is about what should be brought into being” (page 396).

The role of land in the CLT is most often presented as a structural distinction rather than a guiding ideology. It is acknowledged as a part of the heritage but is not the organizational goal. Most telling is the large amount of research and publications on the community land trust that compares them to traditional homeownership along metrics that severely proscribe the political potential of CLTs, and consequently shape what is “brought into being” by the performance of CLTs.

For example, two reports published by the Lincoln Institute for Land Policy describe the ability of community land trusts to prevent foreclosure in the housing units found on their land, which is done by keeping close contact with their lessees and adding a “right of first refusal” clause into the ground lease (Thaden 2010, 2011). In the first of these reports (Thaden 2010), CLTs are defined as “nonprofit organizations that offer low-to-moderate income households...the opportunity to buy homes at prices substantially below market rates, utilizing a combination of public and private subsidies” (page 1). In the second (Thaden

2011), they are described as “one of several resale-restricted, owner-occupied housing models” (page 2). Ownership of land is mentioned but is framed as a mechanism of affordability. The impact of preventing foreclosure is significant for any community, but framing community land trusts as simply a more secure form of homeownership elides the transformation of property that provides the foundation for this success.

Subsidy retention is another popular metric on which CLTs are evaluated. This dimension of analysis frames CLTs even more strictly as affordable homeownership programs. Emphasizing this metric is done to make the model attractive to municipal governments that have no interest in, or capacity for, promoting land tenure reform. Angotti (2007) compared the ability of several affordable housing programs in terms of how efficiently they used their subsidies. Angotti discusses “community land” in the paper’s introduction, saying that the struggle that produced the Cooper Square CLT “has to do with control over economic and financial institutions that otherwise determine local land use and development patterns. It is an issue of political control, not simply one of legal ownership of the land” (page 4). In other words, community control of land is a material means to a political end. However, the overwhelming majority of the paper is spent discussing the various subsidies that are at play in each of the CLTs’ budgets. “Community land” is defined but not discussed in the conclusions.

The potential for wealth creation is another metric on which CLTs have been evaluated. Building wealth is one of the strongest arguments for promoting homeownership, particularly among low-income and minority households (Belsky

et al 2005, Shapiro 1995, Retsinas 2002, Herbert and Belsky 2008). It was also the focus of one of the biggest studies on community land trusts (Temkin et al 2010), done by the Urban Institute with funding from NCB Capital Impact. This study looked at a variety of programs and organizations, including several community land trusts, which were related to each other through their provision of long-term affordable homeownership. This framing was reflected in the dimensions of analysis: wealth creation, security of tenure, and mobility. The report includes painstakingly detailed analyses of housing markets, resale values, and income, but provides no discussion of how housing markets relate to communities or community development, what the political economic implications of controlling resale values might be, or what the implications are of promoting the community control of a resource like land.

A quick survey of other studies published by advocates shows a trend of discussing CLTs in terms of providing and preserving affordable housing. Curtin and Bocarsly (2008), for example, discuss CLTs as part of the national agenda for increasing wealth through homeownership. Davis and Demetrowitz (2003) examine the ability of the CLT to “deliver on its promises” of six benefits (five of which focus on wealth and housing): preserving affordability, retaining community wealth, enhancing residential stability, expanding homeownership, creating individual wealth, and enabling residential mobility (pages 2-3). Davis and Jacobus (2008) frame partnerships between municipal governments and CLTs as having two main benefits: long-term preservation of subsidies and long-term stewardship of housing (page 2). This trend continues with other papers that

have been published on CLTs (Greenstein 2007, Jacobus 2007a, 2007b, 2010, Jacobus and Lubell 2007, Jacobus and Sherriff 2009, Jacobus and Davis 2010, Sungu-Eryilmaz and Greenstein 2007).

### ***CLT categorization***

Part of the performance of CLTs by the advocate literature involves the terminology used to describe and categorize community land trusts. Language is one of the basic elements of performance and has played a large role in how the performance of the community land trust has developed. For much of the most recent era of CLTs (since around 2005), they have been considered to be part of a family of housing models referred to as “shared equity homeownership” (Davis 2006). This group is composed of CLTs, limited equity cooperatives (LECs), and the various forms of deed restricted housing stock created by local affordable housing programs.<sup>20</sup> There are three distinguishing features of shared equity housing models: “the owner-occupancy of residential property; the fair allocation of equity between one generation of lower-income homeowners and another; and the sharing of rights, responsibilities, and benefits of residential property between individual homeowners and another party representing the interests of a larger community” (Davis 2006, page 3). In practical terms, this means owner-occupied housing with resale restrictions meant to ensure affordability.

---

<sup>20</sup> See Hickey et al (2014) and Jacobus (2015) for the most comprehensive analyses of deed-restricted housing in local programs to date.



The term “shared equity housing” was meant to replace or supersede previous terms. This included “limited-equity housing”, “non-speculative homeownership”, “PARCC” housing, and other terms that were clunky or emphasized the less marketable aspects of the housing they described (such as the limitations on wealth-building resulting from restrictions on resale).<sup>21</sup> As both a concept and a term, “shared equity” promotes the notion that these models can create a more equitable society through a broader distribution of rights and interests (though this framing was rarely used in the public promotion of the term). The equity inherent in housing as a marketable commodity is not limited to the individuals that own the homes, but is instead shared with the broader community and the households that benefit from the affordability on resale.

The “shared equity” concept includes the important ideas of shared interests and common property claims but it is not without issues. Including CLTs in the same group as LECs and deed-restricted housing is problematic for at least three reasons. First, the basic structure of each model is different. Deed-restricted housing in particular has no community governance to speak of, as it is largely limited to housing programs that are managed by local government. Community land trusts (in theory but not always in practice) have boards that are specifically designed to represent community interests. This board structure is also meant to prevent the dissolution of the trust and the ensuing return of the land back to the market. Second, it connects these three forms of ownership

---

<sup>21</sup> PARCC stands for ‘permanently affordable and resident-controlled or community-controlled’.

along the single dimension of individual ownership of housing, which has two consequences: it plays down the common ownership and community control in CLTs and LECs and also frames CLTs as primarily housing organizations, not land organizations. The focus on homeownership also marginalizes community-based forms of rental housing like mutual housing associations (MHAs)<sup>22</sup> that provide community control without ownership (see Krinsky and Hovde 1996 and DeFilippis 2004 for more on the connection between CLTs and MHAs). Third, the inclusion of the term “equity” focuses on the fungible aspects of property. This undercuts a community-oriented, “use value” understanding of property that community land trusts emphasize.

Despite these criticisms, the term does important work. “Shared equity homeownership” is carefully constructed to convey what is notable about CLTs, LECs, and deed-restricted housing: the sharing of rights, interests, and equity. In contrast, the recent introduction of the term “permanently affordable homeownership” (PAH) marks a significant change in the discourse around community land trusts (see Thaden 2013). Part of the reason for this terminological renovation is practical. It is meant to avoid any confusion of “shared equity” and “shared appreciation” housing, though the difference between these is fairly obvious once explained. A second, and more reasonable, justification for introducing a new term is to combat the marginality of CLTs, LEC, and deed-restricted housing by creating a coalition for advocacy. Creating this

---

<sup>22</sup> A mutual housing association is a nonprofit corporation that owns rental housing, with the membership of the association constituted by the residents. They are similar to LECs but focus on rental units and are actively expansionist.

coalition between community land trusts and similar forms of affordable homeownership programs under the umbrella of “permanently affordable homeownership” (and under the leadership of the Network and its partners) is meant to increase their overall clout in terms of advocacy (Thaden 2013).

‘Shared equity’, for any issues it might have, intentionally included reference to a shared investment, something held in common between the lessees, the sponsoring organization, and the broader community. It is not simply the equity that is shared. It is, in fact, “*the entirety of the owner’s interest*, i.e., the total package of rights, responsibilities, risks, and rewards that accompany the ownership of residential property” (Davis 2010c, page 265, emphasis in original). The term “permanently affordable homeownership”, however, entirely removes the suggestion of community or communal ownership. It instead emphasizes an individualistic form of ownership, which is the absolute lowest common denominator between the shared equity family members. “Permanently affordable homeownership” doubles down on the generalization already at work in the term “shared equity”. Community land trusts certainly have something in common with the other forms of organizations placed under this broad umbrella but they also have their own unique characteristics. Their inclusion in such a broad category obscures these characteristics.

The shift in terminology may be subtle but it is important in terms of performance. The National CLT Network has also taken the more expansive definition of “permanently affordable homeownership” to heart in broadening the definition of its organizational membership. It has increased the scope of its

mission to include “Community Development Corporations, Community Development Financial Institutions, Habitat for Humanity affiliates, government-based inclusionary zoning programs, and deed-restricted programs that are providing permanently affordable housing” (NCLTN 2014). In addition, the NCLTN and The Cornerstone Partnership have made the decision to merge and create a new organization dedicated to advocating for permanently affordable homeownership.<sup>23</sup>

The loss of the sole organization that is committed to advocating specifically for the community land trust may end up being significant in the development of the model. It is perhaps true that the National CLT Network had never fully embraced the full transformative potential of the community land trust for social reform. However, having an organization with “community land trust” in its name suggests there was something about them that made it worth advocating specifically for them.

There are two exceptions to the trend in CLT advocacy of focusing on affordable homeownership. The first exception is a study by Rosenberg and Yuen (2012) on the non-residential uses of CLTs, which was sponsored by the Lincoln Institute. In this paper, the authors examine how various CLTs nationwide have been successful in implementing non-residential development projects.

Their focus on urban agriculture and commercial development keeps the focus

---

<sup>23</sup> This dissertation was largely completed before the merging of NCLTN and Cornerstone had actually happened. The new organization was announced in January of 2016 with the name of Grounded Solutions. The role of CLTs in this new organization has yet to be determined.

on common policy metrics and community development goals but does work to expand the literature beyond housing. The study's findings suggest CLTs are well suited to a wide variety of land uses, and the authors outline particular strengths and weaknesses in implementing non-residential programs. This conclusion is in line with the original ideas of the CLT taking the broadest possible perspective on community development.

The second exception is a paper on community engagement by CLTs (Thaden and Lowe 2014) that was also sponsored by the Lincoln Institute. Along with Rosenberg and Yuen, I single it out here because it is one of the only attempts to evaluate CLTs along a dimension other than the provision of homeownership. There are two main points to take away from it. First, the stance of the authors on CLTs is very clear from the initial description of the purpose of the community land trust: "[T]he heart of the CLT model - and its greatest innovation - is the provision of resale-restricted, owner-occupied homes that remain affordable in perpetuity" (page 1). This explicitly defines the central purpose of community land trusts as affordable homeownership rather than acknowledging it as one of the many roles that CLTs can play. Indeed, labeling resale-restricted, owner-occupied housing as the model's "greatest innovation" is one of the most emphatic denials of the significance of the other aspects of the community land trust. Community control is mentioned briefly and only in the context of residents having control of the design of the housing units: "Informants from these CLTs explained that community control of land with deep community

engagement is more effective by being ‘very neighborhood based...and [having] residents plan the units’” (page 11).

Second, while Thaden and Lowe are quick to define CLTs as affordable housing, they do recognize the broader political implications of engaging a community in governance decisions. The older CLTs in their study “appeared to be rooted in the history of the civil rights era and originated in a climate of social movements and community activism” while the more recent additions to the field tended to “position themselves more as expert collaborators with measurable outcomes than community organizers endorsing resistance” (page 17). The newer CLTs, they note, are “less likely to ‘take to the streets’ or lead confrontational (or controversial) resident and community engagement activities that may alienate partners, block access to funding sources, or hinder scale” (page 18). The authors acknowledge that their study was too limited to make conclusions regarding the broad field of CLTs, but their conclusions suggest that CLT field has become less prone to pursuing more radical goals as it has matured. Their article touches on the same tension as this dissertation, yet manages to deepen that tension by emphatically defining the CLT as a model of housing.

### **Mission statements**

The disavowal of land tenure reform in Thaden and Lowe’s paper is not particularly unique in the CLT literature and is certainly not unique in the broader performance of the community land trust. The organizations themselves rarely

use the language of land reform. This can be seen in a brief analysis of the mission statements of community land trusts. After selecting mission statements according to the methodology described in a previous chapter, these mission statements were analyzed for a word count (n=128). After excluding common words like “and”, “or”, “the”, etc., the four most common words were “affordable”, “housing”, “community”, and “land”. The total count between these terms was 89 uses of the term “affordable”, 73 uses of the term “housing”, 44 uses of the term “land”, and 43 uses of the term “community” (this is when the phrase “community land trust” is excluded).

“Affordable” was used almost twice as often as land, suggesting an emphasis on affordable housing programs over other functions of a community land trust. Listed below are some mission statements that can be considered representative.

“[S]upports vibrant neighborhoods by creating and maintaining sustainable housing opportunities for families and individuals who value living in the [city].”

“[S]trengthens our communities by creating opportunities for permanently affordable, quality housing for people otherwise not being served.”

“[T]o provide and foster stewardship of perpetually affordable home ownership opportunities for low- and moderate-income families throughout [our city]”

“[T]o develop, safe, permanently affordable housing for persons of low to moderate income and to work with all interested public and private parties towards this objective.”

“[C]reates and preserves permanently affordable home ownership opportunities for low-income households by fostering stewardship of land as a community asset.”

“[T]o increase the supply of permanently affordable housing while developing and supporting homebuyers through innovative programs and partnerships.”

“[T]o assist residents of [our two counties] on the road to economic self-sufficiency via income-restricted home ownership and rentals.”

“To strengthen communities by providing permanently affordable, sustainable housing for families and individuals at or below 80% of the area median income; and, to promote the land trust model as a method of preserving affordable housing.”

The language used in these mission statements is one of the most important aspects of performing CLTs, as mission statements shape the identity of organizations in relation to funders and the general public. The words they use to describe themselves constitute how they are perceived. With this in mind, it is important to notice that very few of the mission statements mention community or community ownership of land, and references are often made to using CLT homes as a step towards traditional homeownership. Without language that emphasizes the communal aspects of community land trusts, CLT mission statements are not including a large part of what makes CLTs powerful instruments of social reform..

While some mission statements focus exclusively on housing, others describe a broad set of goals that extend far beyond housing, such as the protection of the environment or promoting walkability in neighborhoods:

“[T]o exercise land stewardship as the basis for creating pedestrian-centered neighborhoods emphasizing affordable housing, work and recreational spaces that are economically and socially sustainable, and that integrate urban living with nature.”

“To promote the quality of life through the integration of community and the natural environment by preserving land, creating energy-efficient and affordable housing, and revitalizing neighborhoods.”



Others have more complex missions that seem to reflect a more holistic understanding of CLTs. These mission statements do not exclude affordable housing but list it as one priority among many:

“[T]o transform the economics of land ownership, to build a multi-generational land-base for social movements, and to protect and steward affordable housing, undeveloped wildland, farmland and water for our communities and for future generations.”

While many of the mission statements include mentions of land alongside the creation of affordable housing, only four of the organizations have mission statements that exclusively mention land. Given the important role that mission statements have in defining the purpose and direction of organizations, this suggests that the vast majority of community land trusts do not hold land to be their primary purpose. However, a clear conclusion cannot be made without a more thorough analysis of the organizations themselves. What can be concluded is that they are compelled to employ the language of affordable housing, which contributes to the performance of the community land trust as affordable housing.

This discussion on mission statements is not meant to be critical of the fact that these organizations have recognized the utility of the community land trust model and have applied it to the problem of creating affordable housing. The production of affordable housing is, in many places needed and the land trust approach makes its provision possible. However, the question in this dissertation is in regards to the role of land tenure reform in community land trusts. Any consideration of my analysis should be framed according to the questions driving this dissertation, and not as a judgment on the value of affordable housing. That

being said, the terms used in these mission statements suggest that affordable housing is the main concern for the majority of CLTs whose mission statements were available.

The institutional context of community land trusts and their various advocates may also be contributing to the performance of CLTs as affordable housing. The Lincoln Institute for Land Policy, the Ford Foundation, Capital Impact Partners, and the Cornerstone Partnership have been the major funders of CLT activity over the past 10 years. They provide the context in which CLTs are being created, understood, and performed. While the influence of these organizations may be seen as positive at best, or benign at worst, the influence of funders in community development cannot be underestimated. Trudeau (2008) observes that the sponsors of nonprofit organizations (federal agencies, in Trudeau's case) "are...instrumental in defining...the rules and norms to which non-profits are accountable" (page 2820). Promoting affordable housing is a very different goal than promoting communal land tenure reform, and some of the same entities at work in the CLT field were at work when CDCs became less political and more professionalized.

While the cases in Trudeau's study have to do with federal regulations, Martin (2004) suggests that private foundations that control independent or intermediary channels of funding are just as capable of influencing the activities of the organizations they support, observing that "the demands of governance...may alter the conditions of community organizing as groups require greater financial support for their expanded service programs while

simultaneously risking diversion from the political agendas that motivated them in the first place” (page 395). As the CLT field develops, the institutions that are most engaged with the model are likely to have an influence on what CLTs will look like as more are created. Change like this might be inevitable as social movements solidify into institutions (Piven and Cloward 1979).

The largest institution to date in the CLT field, the National CLT Network, demonstrated a strong tendency to perform the community land trust as a form of affordable housing, rather than a form of community governance. Despite the proliferation of the community land trust, the Network’s focus on housing development demonstrates the impact that institutionalization has on performance. What the National CLT Network promoted was permanently affordable housing, not community governance of land. It was an institution focused on the ends and not the means. Even if there is an inherent transformation of property in the community governance of land (which is not guaranteed to be present to the same degree in every CLT), the degree to which that transformation counts in terms of citation and reiteration is limited by the institutional performance of the CLT as affordable housing by advocates and institutions.

### **Practitioner interviews**

The previous sections largely describe the performance of the community land trust as affordable housing. The following section uses a series of interviews with CLT practitioners to partially challenge that, and to open up a space for

alternative performances of CLTs. It finishes with a discussion on the implications of this for alternative performances of the CLT.

The practitioner interviews presented here are limited to the perspectives of one single individual from each organization but it should be noted that these individuals were not chosen at random; they were often suggested by other staff as being most capable of representing the organization's goals and values. Their words cannot carry the weight of the entire organization. However, as practitioners who are doing the everyday work of community land trusts, the language and concepts that they employ to discuss their respective community land trusts (and their relationship to the field at large) have implications for both the individual organizations and the field as a whole. They are key elements in the performance of community land trusts and their responses to the interview questions are treated as such.

The interviews began by asking about the reason each organization was created. As might be expected, each reason was unique. However, there was one particularly strong common theme that stood out – the need to create affordable housing, which was stated by 10 out of the 12 practitioners:

Practitioner E: “The local workforce was priced out of the private markets, and they were not able to be homeowners. Also, there's two reasons. The second reason is that the programs that existed did not preserve the subsidy, and so you were serving one, maybe two families, and the entire subsidy was lost.”

Practitioner T: “[T]here was a group of folks that [were] looking at where things were at in the late 1990s, early 2000s as far as housing costs in [our city] and wanting to find an opportunity for other options for affordability. There was a group of different folks - stakeholders, residents, funders, all different types of individuals that got together - who looked at some different models, and decided that the land trust was what they wanted to see manifest.”

Practitioner N: “It was a twofold one. There was a desire to continue creating affordable housing. Two, there was a need to address all the housing that they were losing.”

Practitioner K: “It was a group of people trying to figure out some housing solutions at a time when there weren't a lot of choices or options. I think it started more as a vision of an intentional community sort of thing, and then evolved into an affordable housing sort of thing.”

The origin stories quoted above could apply to nearly any housing-focused community development corporation created in the last 15 years. By the time most of these organizations were created, the community land trust had long been integrated in community development as a form of affordable housing and implementations of the CLT model was strongly tied to the “bricks and sticks” model of community development that has become dominant.

All but three of the practitioners focused on the housing that the land supports, rather than the community empowerment that comes with it.

Practitioner T emphasizes the importance of creating affordability and maintaining land as an asset:

Practitioner T: “While it takes the land out of speculation, *it really is more about creating the affordability and ownership of the land*. For example...if we just tied our assistance directly to the value of the land, we'd barely be able to help anybody, because you're talking 5 and 10 thousand dollar lots, and yet you're talking about a household that may have 50 or 60 thousand in need from an affordability investment. So, you're using...how do I say this...*it's leveraging the land in order to create the affordability more so than...creating that community asset.*” (2015)

Similar to T's emphasis on land as an economic asset, Practitioner E emphasizes the importance of using land to create wealth through homeownership:

Practitioner E: “[T]he land does two things. One, it creates community wealth. So, we set land aside within a community where everything around it just keeps getting more expensive. Land is a finite resource. [Y]ou can have all the [funding] in the world, but if you don't have any land to build on you're out. Thirdly, land is a subsidy that we use to create homeownership opportunities. *We're trying to do two things, we're trying to get people to stop renting, start owning, and then hope they get a small return on their investment, a gain.*” (2015)

Practitioner M works for an organization that has taken several different approaches to creating affordable housing:

Practitioner M: “The big part of our work here, it's not in the purest sense purely a land trust. *[O]ur mission is about extending opportunities for permanent affordable homeownership.* We've embraced any mechanisms that would provide for that.” (2015)

Despite the overall focus on housing, the observations given by these practitioners are still mixed, and suggest that there is a multitude of goals within them. Common ownership is mentioned alongside the goal of creating wealth. Land is described in terms of community and also in terms of subsidy. A commitment to housing with or without the use of land (something mentioned by the last practitioner quoted above) was also echoed to a certain degree by others:

Brian: “You talked about how you've seen the role of land change over time. In general, but at [your organization] too. Do you associate that change with anything in particular, any kind of new policies or ideas that came out of anywhere? What would you point to as the cause of that?”

Practitioner F: “I might push back a little bit on the statement that the role of land has changed. I don't believe that the role of land has changed; I believe that the perception of the role of land has changed. If it is, as I said, a mechanism for providing more social justice, and/or in an intermediate way providing more permanently affordable homeownership, it still does that. The role is the same. But, I think we perceive the importance of that differently. I don't know why that is. I could speculate, particularly in large cities that are

having to grow more dense and the sacred cow of the single family detached home with a yard is becoming less and less a reality for affordable housing providers (or any housing providers), that we have had to think about air rights, we've had to think about vertical development and whether or not that can still fulfill our goals.” (2015)

Land, however, remains at the center of it, as suggested by Practitioner E when asked what the role of land is in their organization:

Practitioner E: “Well, it's so intrinsic to what we're doing that when you ask the question, I guess it's so obvious and so intrinsic...I think that's why you get people pausing [when you ask about the role of land], because that's the whole point. Everything else comes after that, but the whole point is, how do you get a piece of land and set aside like you set aside [national parks] or something. *You set it aside for the benefit of the community.* Now, whether you've got rivers, or trails, or picnic areas, or whatever...that's something that you'll have to think about and plan and strategize and whatever. *The part about setting the land aside for the community in perpetuity is a no-brainer.*” (2015)

Another practitioner saw land as having an essential role in their organization but treated any public discussion of the CLT's heritage of common land tenure with some hesitance:

Practitioner K: “When we're fundraising, when we're marketing, we need to be smart about the amount of attention we get from people. We're not going to be preaching or droning on about our roots and the way we do things and the way we do them, but [land] is embedded in the business.” (2015)

Even if land tenure reform is important to Practitioner K's organization, the use of the words “preaching” and “droning” indicated that foregrounding the more fringe aspects of community land trust politics can be fraught. Funders for community development organizations may be committed to a mission of social justice, but they still operate within the norms of modern community development. That is to say, the agenda of the institutions involved in funding community development organizations generally does not include a revolution in

the fundamental relationships between capital and communities (land-based or otherwise).

It was not only the language the practitioners might feel pressured to use when they are presenting themselves publicly. Some also felt that committing too heavily to land-based strategies for housing, to the point of avoiding other forms of housing development, could be detrimental to an overall positive contribution to a community. Practitioner F described the emphasis on land in a CLT as essential in pursuing a broader political agenda of property reform, but that this emphasis should not be maintained at any cost:

Practitioner F: “Is there a role for land? Absolutely, yes, it is the undeniable piece that doesn't depreciate, and I don't mean necessarily economically, but I mean in terms of real value. In terms of the ability to occupy space. Homes do [depreciate], entropy happens, they fall apart, period. And so, do we need to own land? Yes. Should we be owning more of it? Yes. Should it not be able to be owned [by individuals] at all? Probably. [But] I don't think I'm going to get very far if that's what I'm focused on.” (2015)

Clearly, concerns about an excessive focus on land to the detriment of creating more housing indicate that housing is the priority. However, Practitioners K and F also recognize the importance of pursuing land tenure reform, and indicate that there is indeed a larger project around land to be considered that extends beyond affordable housing.

Of the ten that indicated a focus on housing, these two practitioners, K and F, were the only ones that were open about a conflict between the underlying ideology of land tenure and the expression of that ideology at the organizational level. Their statements illustrate the tension between pursuing the reform at the heart of the community land trust and the imperatives of community



development, which tend to revolve around affordable housing development. The tension is between the pursuit of communal land tenure (which may lead to the development of affordable housing) and the pursuit of affordable housing with the use of land tenure as the mechanism of affordability.

The other eight practitioners did make mention of land only in terms of its utility in creating affordability. However, even though they did not openly acknowledge it, they used language that suggested an ideology of land tenure is an essential aspect of their programs. While K and F were open about the tensions in their work, their colleagues in the other eight organizations were less willing to admit to it.

Though affordable housing and the use of land for affordable housing tends to dominate the language used by the practitioners discussed above, there were two practitioners who explicitly indicated that their organizations had a broader agenda in implementing the community land trust. One of these, Practitioner O connects the decision to create a CLT to the changes occurring in their neighborhood:

Practitioner O: “[T]he reason for why a community land trust is because [our neighborhood] has been disinvested over the years but there has been a renewed interest just recently. [D]evelopment is starting to spread out...so there's more interest in [this neighborhood].”

Practitioner C describes the impetus for their CLT as a desire to develop and strengthen local economic relationships:

Practitioner C: “[E]ngaging citizens in land use, taking land off the speculative market, keeping lands locally owned for local people for the local economy, and using the land to manage the fundamentals of the local economy, that is, supply and demand.”

Of the twelve organizations discussed here, these were the only two organizations to express a strong commitment to the vision of the “social and economic reconstruction of America” that was described by the original creators of the CLT. The quote from Practitioner O relates to how her organization has recognized the value of the community land trust in giving communities greater control over place. When asked about the goals of her organization, she elaborated even further:

Practitioner O: “It's important for us to gain control over this land to bring stability to the neighborhood. Geography is so important, as much as some people might think it isn't anymore, but folks have not just emotional ties, but social and economic ties to the neighborhood, and if there is no intervention, then people won't have control over whether or not they can remain, whether or not they can keep those ties. It's happening on a systemic or systematic level. It's not just a one-time thing. There are these huge forces that are causing this, and are stressing the entire community.” (2015)

This description of Practitioner O's organization goes further than any other in framing the community land trust as a form of social and economic transformation. This understanding of the community land trust recognizes the potential of the model for changing how communities and capital relate to each other. Community is often very strongly tied to place, and the transformation of a place according to the logic of speculative capitalism can have ruinous effects on a community. Implementing the community land trust as the means of resisting such a transformation underscores the model's true value to a community.

Practitioner O's description highlights why the community land trust is such a powerful concept, and why the understanding of it should be expanded beyond affordable housing. The ownership of land by a community gives that community a tool to resist change that is forced on it from outside the

neighborhood. Without that fundamental control of land, communities are vulnerable. Creating permanently affordable housing is part of this, to be certain, but the broader project extends from land and housing into the property relationships that define them.

### *Community organizing and community participation*

The way most of the practitioners described the role of land (as an economic asset or a foundation for affordable housing) suggested that though land was essential to each organization, it was used more for housing than as a platform for community empowerment. To better understand the ultimate role of land tenure in each organization, the practitioners were asked about other activities they engaged in that promoted a political agenda beyond affordable housing. An organization that is focused on housing exclusive to other forms of community development is unlikely to have an interest in pursuing a politics of land tenure reform. The two topics specifically covered in these interviews were community organizing and the community-led boards.

Community organizing – defined here as a mobilization of a community towards a common end – was the first topic discussed with the practitioners. This topic was introduced to gauge how interested the organizations were in pursuing goals beyond provision of affordable housing. Compared to the ubiquitous invocation of land, it was fairly rare for a practitioner to say her organization engaged in community organizing, at least according to the ways in which the

practitioners defined it. The three quotes below are representative of the 10 that did not do claim to do organizing:

Brian: "Does your organization commit any resources to community organizing?"

Practitioner T: "Not in the traditional sense. So, not community organizing for the sake of community organizing."

Brian: "What do you mean by traditional?"

T: "What I consider to be the community organizing, where we're advocating around a particular issue, we're trying to build support, doing grassroots organizing, all the theories of community organizing. That's when I think of community organizing in the traditional, conventional sense...Whereas I think that there's a way to empower people, engage people, and engage with community that isn't...I don't consider myself a community organizer and yet I'm very engaged in the community. When I think of that conventional piece, I would say we do not put resources towards that. We do put resources towards engaging our homeowners in areas that they're passionate about. We may reach out and say there's a policy training, so if you're interested we might have two or three scholarships available to cover that cost. Or if there's an opportunity like the National CLT ambassador program, we make sure the homeowners know about that and support their interest. Making sure homeowners are aware of those opportunities, providing the support letters, writing the recommendations. Those activities I just don't consider being community organizing, because I'm playing a role but we're not actually trying to rally the troops around a specific issue."

Brian: "It's politically active, but it's not necessarily...confrontational, I guess, or more focused on power."

T: "Yeah, and that's the piece that I've never been able to embrace. I think there's a role but I think...I think that resources and energy can sometimes be leveraged differently to achieve more. I think it's...for us, the advocacy that we call upon from our homeowners is asking them to write a letter about their experience so that we can share it with a funder. To just say, you know, 'if you're willing and if you can sincerely share what it meant to you to buy a land trust home, then please contact your council members'. Those types of things, because this is what we're trying to achieve, not just for the land trust but for affordable housing in general...so I don't think folks would look at that as community organizing."

(2015)

Brian: "So, one more question. Does your organization commit any resources to community organizing?"

Practitioner N: "No, absolutely not."

Brian: "Is there any reason? Did you ever?"

N: "We have not done community organizing within the community because there hasn't been a need to do that. We have devoted resources towards outreach and advocacy at a state legislative level, however, to see some state laws changed to make it easier for land trusts to operate in [our state]. Of course we'd benefit from that. But we're not doing any grassroots work within the community, there has not been a need to do that. We don't want to spend our resources where there's no need to do that."

(2015)

Brian: "So beyond owning the land, do you have any other services or programs that you provide to people?"

F: "That's really it. We are a homeownership organization. I mean, we do all of the things needed to ensure ongoing affordability and ongoing success. You know, education and counseling up front, certainly on the back end should they run into trouble paying their ground lease fees or paying their mortgage. We assist with loan modifications and refis, capital improvement requests, etcetera. So, additional programs? That's all just an expansion of the same program."

Brian: "So would you say...have you ever done any kind of community organizing or active political action?"

F: "So, insofar as there were specific policy advocacy opportunities, we would enlist our donors, supporters, and homeowners to help us: testify in front of city council, write letters, etc. To that extent we did modest mobilization, but not just general community building or organizing for a larger purpose. Really just sort of specific asks in that regard, if that makes sense."

(2015)

The response from practitioners T, N, and F are representative of statements from their colleagues. However, as with T, N, and F, this claim likely depended on how they went about defining the concept of organizing. While T, N, and F do not necessarily see the things they are doing as community organizing,

keeping the community active and engaged in policy advocacy is perhaps more than many nonprofits attempt. In denying that they do community organizing, they seem to be reacting to the idea that organizing involves “rallying the troops” and marching on City Hall against injustice. However, organizing need not be as confrontational as that, and can solely involve getting community members to engage in political action for the purposes of making policy changes. The language used by the practitioners quoted above (“specific policy advocacy opportunities”, “outreach and advocacy at a state legislative level”, “engaging homeowners in areas they’re passionate about”) all indicates they have an interest in and have pursued community engagement and organizing.

This echoes the way in which practitioners talked about the role that land plays in each organization. All but two practitioners used language that recognized the significance of land ownership in their organizations without elevating it above housing, indicating a tension between their commitment to land tenure and their commitment to creating affordable housing. The performance is what makes the underlying differences apparent between organizations. Openly referring to land tenure (or organizing) marks an organization apart from those that are more focused on service provision. These differences in the ultimate goals of the organizations matter, as they produce different versions of the community land trust.

Only two organizations explicitly said that they do community organizing. It should be noted that Practitioner C’s organization, which was described earlier as having a focus on land tenure, does not claim to do organizing either, but instead

focuses on implementing land tenure reform through various forms of local economic activities. Of the two that do explicitly engage in organizing, one focuses on the organizing of tenants in apartment buildings in attempts to purchase the buildings. The other, which is Practitioner O's organization, frames the organization's community organizing in a way that emphasized that they were interested in pursuing a broader agenda of community empowerment:

Brian: "What would you say your goals are? I guess this could translate to 'mission statement' but...if there's any way you would rephrase your mission statement to indicate what you're trying to accomplish there."

O: "I think a big part of our mission is to build power in [our neighborhood]. *When I say power, it's not limited to political power. It's not limited to political power, but it's just power to influence our own lives.* For residents to have a say in their life. Just because they live [in this particular neighborhood] doesn't mean that they're limited and can't do things. *A big part of our mission is building power, identifying leaders, and gaining community control over land.*" (2015)

In an earlier quote, Practitioner O described the organization's mission as a struggle against the systemic inequities in the development of neighborhoods. The strong desire to build power in the community speaks to the organization's commitment to providing more to the community than just housing. The CLT is the means to changing the relationships between the community and the external pressures of development.

The other topic of questioning meant to evaluate the organizations' interests in broader political goals focused on the structure and role of the board of trustees. The board structure was discussed because it is the part of the community land trust that is meant to provide community control of land. How the governance is implemented has implications for the organization's ultimate

treatment of land tenure. The variations on the role of the board in different organizations suggest that the relationship between governance and land tenure is not fixed. The specific implementation of the tripartite board defines whether the organization is interested in community control of land or simply community control of the organization.

The importance of having a tripartite board included in the CLT was not universal in the organizations discussed. In fact, two out of twelve organizations did not use a tripartite board structure, though only one of these organizations that do not have the tripartite structure explicitly described the tripartite board as entirely unnecessary:

Practitioner Q: "There was a whole concept that the board ought to be made of up of one third homeowners in the project, one third community members at large, and I think one third people from the jurisdiction, city employee kind of people...it was sort of democratic, fair, had a cross section of people from the community, and I think there was an implicit concept that therefore, the board would do good because it had a good make-up...Our mindset was solely on 'we want to put families that deserve housing, but can't afford it, in homes', and we figured the community would come later. And that's happened. It happened more organically. They're aren't on the board, they don't care to be on the board, they're just thrilled they got a house at a price they could afford." (2015)

Practitioner Q works for an organization that has had great success in developing affordable housing through collaborations with local jurisdictions but has no interest in promoting community governance of the organization itself. The board has no community members serving on it. Successfully creating the housing was considered more important. This housing was considered to be the foundation for the community to develop on its own. Like a more traditional



nonprofit housing developer, the measure of success is the number of families in homes and not the degree of their participation in governance.

In contrast, Practitioner U emphasized the importance of having a community-based governance structure for her organization. In fact, in this practitioner's view, that is the defining element of the community land trust:

Practitioner U: "The board is elected every year, once a year, with two year staggered terms. And that's what puts community in community land trust. We value that greatly."

Brian: "Say some more about that. When you say the community in the community land trust, what does that mean to you? How do you position yourselves in terms of other community land trusts?"

U: "Well, other community land trusts, there's a division within the Network. Some of us believe that you must be a member-based, democratic organization to be a community land trust. Otherwise you're just a traditional nonprofit housing organization with a self-appointed board. We believe that the only way to have community controlled, community owned land in the land trust is to be democratically structured organization, so that if the land trust, for some reason, needed to sell off some of its real estate, the community member base has to vote on that. That can't be done behind closed doors by a board of directors." (2015)

In this case, the practitioner sees democratic governance as the unique characteristic of the community land trust rather than the ownership of land, which is not the distinction made in this dissertation. Distinguishing it in these terms suggests that their experience with nonprofits has involved organizations with limited community participation, which is not unheard of in community development. Comparing Practitioner U's experience with Practitioner Q's emphasizes the tension between which aspect of community development should be emphasized: service provision or political struggle.

Another practitioner emphasized the leadership that the board provides rather than the democratic governance:

Brian: “The next set of questions talk about how the board is organized. Do you have a board that's organized along the traditional community land trust model?”

Practitioner M: “Yes, we have a tripartite board. Three homeowners, three people from the community and three community partners, essentially. So yes, it's a classic board structure. We're doing board recruitment right now, board development, that will hopefully expand beyond nine to probably twelve, to keep the tripartite balance. We consider that very important, our homeowner board members are...bring a hugely important perspective to the table.”

Brian: “How are they involved in the decision-making? Are they hands on with day-to-day stuff or strategy?”

M: “They are involved in three specific areas. They have a fiduciary responsibility to be sure that we are managing our resources to the letter of the law and a priority on really strong auditing practices. Again, reserves and sustainability are very important. Next of the three responsibilities is strategic. They're part and parcel of the strategic planning and policy development. And finally, we're developing more of what's called a generative role of the board. Problem solving, asking the right questions, going forward...how do we adapt, our market is red hot, help make sure that we are taking advantage of all opportunities and we don't get caught falling behind because we're pretending the market hasn't changed. So, if...yeah, the board plays a really critical role in those three ways: fiduciary, strategic, and generative.” (2015)

The importance of the board is emphasized in terms of the leadership, not in terms of a broader goal of participation. Notably, this same practitioner was hesitant to push engagement on the CLT residents. While the presence of the board in terms of governance was considered important, the organization also recognizes the burden that participation requirements can place on community members with limited resources:

Practitioner M: “We’re also protective of the homeowners who are wanting to live their lives just like everybody else out there. Just because they’re [a] home owner on land trust land doesn’t mean they have higher responsibility to be engaged in the community more than anybody else. Frankly, they’re working parents oftentimes, and we know what their challenges are. We don’t want to require them to do anything more than anybody else.” (2015)

Any broader political agenda that might possibly involve the community members was framed in terms of creating a more favorable regulatory environment for the programs implemented by Practitioner M’s organization:

Practitioner M: “It’s about offering these opportunities to more and more and more families who desperately need it. So we’ll do whatever we can do to expand those opportunities. If it comes through some form of homeowner engagement, that’s great, but we aren’t reliant on that and we see it as a secondary issue. The wave of the future is getting land trusts in HOME reg[ulation]s and more of an emphasis on the CDBG priorities and working on the continuum of [housing] needs from homelessness to needs for subsidized rental to into this final stage of stabilizing people in homeownership. It’s about those broader policy issues. And engaging the broader community, not just those who live in land trust homes.” (2015)

The role of the board in this case is not as the structural implementation of community control of land. It is instead a forum for community participation in governance. This is not to say that community participation in governance is not politically transformative. Community governance can be very powerful and is an important aspect of community development and political action. The question here is whether or not community governance serves a transformation of land tenure. When the focus of the organization is on housing, not land, then any participation in the governance of that organization will be applied towards the development of housing rather than the transformation of land tenure.

### *Practicing possibility*

Of the twelve practitioners interviewed, only two described their organization as concerned with a broader agenda of land tenure reform. Of these two, only one explicitly framed the organization's mission with regard to systemic inequities in urban development. In addition, only two of the organizations discussed indicated an interest in community organizing, and only two of them viewed the tripartite board as a form of land tenure rather than general governance. While the CLT has been more commonly used as a tool to treat the symptoms of this through developing affordable housing, it can also be directly applied to the underlying problem. It is, in the words of the practitioner at the beginning of this dissertation, a "mechanism for social justice".

As a mechanism for social justice, the CLT has the capacity to change how we understand who has the right to live where. Communities that have grown in a place – like those served by Practitioner O's organization – can find in the CLT the means to resist displacement, the means to realize their collective self. There are hints of this understanding in some of the statements from the other practitioners. This is represented by practitioners talking about goals like keeping the land off the speculative market, holding land for the common good, and a general goal of creating permanently affordable housing. These are all connected to the broad political project that the CLT was designed to facilitate.

However, these goals related to land are often in the service of creating affordable housing. The actual significance of land ownership fades from practice if it isn't encouraged, as observed by one practitioner:

Practitioner T: "Yeah, I think it's gotten intertwined as the mechanism. The ownership of the land becomes the mechanism as to how the land trust can

continue to keep things affordable. And I think the more we start to intertwine with other types of programs, other shared equity, other conversations, if there is not a conscious effort to keep that in the forefront of the conversation, that piece or that element will get lost. It's like anything else. If it doesn't effect me on a daily basis...if I'm not brought into this world, this community land trust world without a solid understanding of this history and all of those pieces, that's not what's before me and I haven't been given that context. Part of that is just how land trusts are formed. If there's not those conversations ahead of time, it's just not going to be in the daily thought or integrated strongly into the work that's done on a daily basis.” (2015)

If the only thing practitioners and advocates hear in their everyday lives is that “CLTs are shared equity” or “CLTs are affordable housing”, then those are the things they will cite and reiterate in their everyday performance. These performances will not change without making alternative performances available to cite and reiterate. As Blomley points out, what is enacted through a variety of performances and understandings is similarly accessible through that same variety. The practitioner interviews indicate that there is some space for alternative performances to be enacted. What is required is a more “felicitous” context for those performances, which in turn requires that we celebrate and support these different understandings of CLTs. Realizing the full potential of the community land trust by bringing these tensions to light will only enhance the ability of these organizations to help their communities.

Performing a limited understanding of the community land trust not only reinforces these limited ideas of what the community land trust is capable of, it also has an impact on what community development is capable of. The root problem that community development was created to address is not the affordability of housing; it's the social and economic conditions that underlay these housing inequities. Though some of the practitioners interviewed seem to

recognize this, the overall performance of the community land trust leans towards placing an emphasis on housing.

In the introduction to *The Community Land Trust Reader*, John Davis suggests that the model is perhaps “being pushed beyond the ideological, organizational, and operational boundaries that once defined it” (Davis 2010b, page ix). He acknowledges that the flexibility of the model is one of its greatest strengths but suggests that understanding where the community land trust came from will help CLT advocates “hold the line” in relegating the more politically difficult aspects of the model to obscurity. In another piece, he makes the argument for the powerful role that land can play in community development:

“In the wider world of community development, land continues to be regarded as little more than a fixed obstacle that must be blasted aside before development can occur. It is rarely seen as a pliable opportunity for rearranging traditional relations of property and power in order to make development as equitable and sustainable as possible.” (Davis 2015, page 4).

The practitioner performances discussed in this chapter indicate two things: that there is in fact a general focus on affordable housing, and that there is an internalized tension between broader, land-based political economic reform and the service-oriented tendencies of modern community development. Alongside the more dominant performance of community land trusts as affordable housing are alternative understandings of the community land trust that illuminate the role that it can play in global political economy, urban development, and theories of property. The community land trust is a multifaceted model of tenure that has become both a local balm for a national housing crisis as well as a source of inspiration for struggles against the

commodification of neighborhoods. Preserving the capacity for both requires that practitioners remain aware of both.

## **Chapter 6: The case studies**

The two case studies in this section are the Flagstaff land trust program and the Sawmill Community Land Trust. The differences between these two cases are significant. Most notable is the fact that SCLT is a private organization created by community members, while the land trust program was created and is managed entirely by a municipal agency.

The two cases are first presented without commentary. I discuss the implications of the case studies in a section at the end of the chapter. This section applies to each case the theoretical framework that is discussed in an earlier section, and also considers the cases in comparison to each other.



## **Flagstaff land trust program**

The first case is the land trust program (LTP) run by the City of Flagstaff's Housing Section. As suggested in the methods section, it was chosen for having many characteristics that indicated it is a strong example of one end of the spectrum of understandings of the community land trust. Specifically, the land trust program in Flagstaff is a program run by a city agency with affordable housing as the central goal, rather than the pursuit of communal land tenure. The role of land in the program is as a platform for the development of affordable housing. The program also lacks an active board of directors and has very limited input from the community (if any at all).

### ***Flagstaff and Sunnyside***

Flagstaff started life as a small settlement at the bottom of the San Francisco mountain range. In 1882 (two years after it arrived in Albuquerque) the AT&SF railroad and its construction crews came through Flagstaff. The small town of 200 people had positioned themselves as a supply camp for the crew but the settlement became more permanent when the rail company decided to use the town as a servicing stop. The town continued to grow and was formally incorporated in 1894.

Flagstaff serves as the seat for Coconino County. It is a significantly smaller city than Albuquerque, with a population just over sixty-five thousand people. It is also much less diverse, with only 18% of the population reported as

Hispanic and 73% as white (less than 2% reported as black). It does have a significant Native American presence, largely due to the city's proximity to the Navajo nation (13.1% of Flagstaff and 27% of Coconino County reported as Native American in 2010). The median income in Flagstaff is a little less than \$50,000, while the mean income of about \$67,000 suggests that the income is skewed high.

Flagstaff is perhaps best well known for its scenic location high in the San Francisco Peaks. The city is surrounded entirely by protected forest land. The city itself is located inside the Coconino National Forest, with four others within driving distance (Tonto, Apache-Sitgreaves, Prescott, and Kaibab). Flagstaff is also known as the "gateway" to Grand Canyon National Park, which sits about fifty miles to the north along Highway 180 and receives almost five million visitors annually (Arizona Office of Tourism 2014).

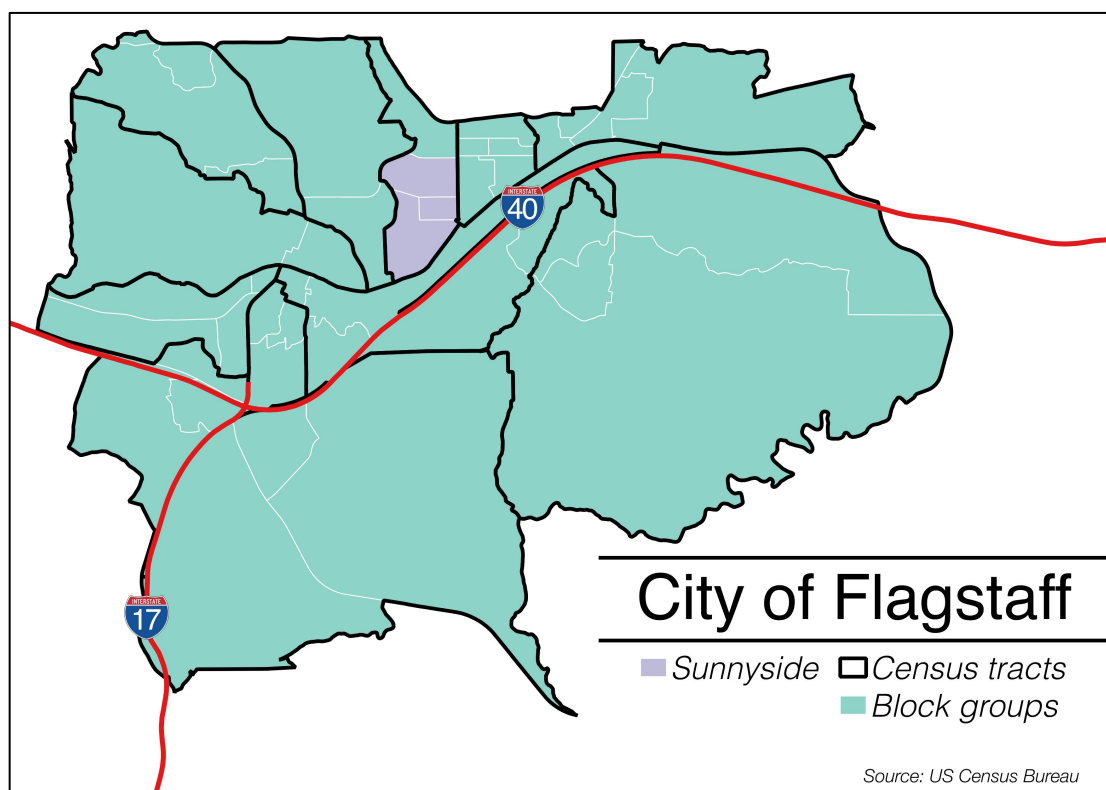
Given the natural beauty that surrounds the city, it is no surprise that the tourism industry in Flagstaff is a significant part of the city's economy. The "leisure and hospitality" sector is second only to the government sector in terms of jobs with almost a fifth (19.2%) of jobs in Flagstaff. For comparison, the rate for the same sector in all of Arizona is 11%, while the national rate is 12.4% (BLS 2014). Coconino County is ranked third in terms of accommodation demand, following Maricopa County, which includes Phoenix, and Pima County, which includes Tucson. While Flagstaff, the main metropolitan area of Coconino County, only has 12% of Tucson's population, it has 74% of Tucson's accommodation demand (Arizona Office of Tourism).

Housing statistics indicate a tight housing situation for low- and middle-income households. Just over 50% of households paying rent in Flagstaff spend 35% or more of their income on rent, suggesting housing costs are problematic for many households in the city. Renters are also the majority in the city. Only 47.5% of the households in Flagstaff own their homes, a percentage that is significantly lower than the national average of 65% (2013 ACS 5-year).

The majority of the land trust units are in the Sunnyside neighborhood of Flagstaff as part of the Izabel Homes development (see figure 6). The location of the Izabel Homes in Sunnyside was a combination of convenience and need. The land on which the Izabel Homes are being built was once covered with dilapidated industrial structures and empty lots, all of which were owned by the City. Sunnyside is also one of four neighborhoods included in the City of Flagstaff's 2011-2015 Consolidated Plan as a "target neighborhood", meaning that at least 51% of a census block group is reported as low-income.

The block groups used by the City to define Sunnyside are 42% Hispanic, which is fairly high in comparison to 18% for the city as a whole. The income of the neighborhood is also relatively low. The average of the median incomes reported for the three block groups is \$33.5K while the median for Flagstaff as a whole is \$50,000 per year (with a mean of \$67 thousand) (2013 ACS 5-year).

Homeownership in Sunnyside is not widespread. The homeownership in the entire neighborhood is 22.4%, and drops to 9.7% in one of the block groups. This is very low in comparison to the citywide rate of 47.5%. Both city and neighborhood tend to have slightly more multifamily units (3 units or more), with 53% of Flagstaff's housing being multifamily and 58% of Sunnyside (2013 ACS 5-year). Most of the housing in the Sunnyside neighborhood is relatively old. 38% of the housing stock there was built between 1970 and 1979. In comparison, the largest percentage of Flagstaff's total housing stock (24.5%) was built between 2000 and 2009.



**Figure 6: City of Flagstaff and Sunnyside census tracts and block groups.**

While the land trust program itself has no specific community development component, there is an informal (e.g. not associated with the city) community organization in place in the neighborhood called the Sunnyside Neighborhood

Association. The Association has been working to develop community programs such as the Market of Dreams, a small market for local artisans, and the Radio Sunnyside, which broadcasts local news and publicizes community events. City staff did not indicate that they are in contact with the Neighborhood Association, although the president of the Association is a council member. It is likely that there is at least some communication between the City government and the Association.

### ***Affordability crisis***

Flagstaff has never been an inexpensive place to live but the market became significantly more expensive in the early 2000s. In the minutes from the City Council meeting where the land trust program was created, one participant cited a study from Arizona State University that showed a large increase in the percentage of residents concerned about housing costs, from 6% in 2001 to 26% in 2006. Census data shows that the city's median home prices saw a significant increase, from \$161,000 in 2000 to \$305,000 in 2007 (Census 2000, ACS 3-year 2007). A report from the city reported on the mean price as well, noting that while "the average home price in 2000 was \$170,372, [i]n 2006, the average home price was \$376,519" (City of Flagstaff 2007, page 7). According to the same report, by 2007 the average home was out of the average household's reach: "The household income needed to purchase [a house in 2006] is \$95,000 but the median household income is only up to \$54,200." The rental market is equally unaffordable. To be able to afford a one-bedroom apartment (e.g. paying 30% of

income to rent) while earning the mean wage in Flagstaff, an individual must work at least 52 hours per week (National Low Income Housing Coalition 2015). Even a studio apartment requires 45 hours per week at the mean wage.

The area's inherent desirability mitigated the impact of the Great Recession to some degree. The cost of housing decreased after 2008 but remained expensive. The median value of a home in 2011 was \$270,800 (2011 ACS 3-year). Unlike ownership, the rental situation became more difficult after 2008. The percentage of households paying more than 35% of their income to rent in 2011 was 53% (2011 ACS 3-year). Given that around 54% of the households in Flagstaff were renting their homes at that time, this meant a significant number of households were heavily cost-burdened.

There are signs that Flagstaff's situation is getting progressively worse. While prices peaked in 2008, the median housing prices in 2013 were 60% higher in 2013 than in 2000. In contrast, the annual median income in Flagstaff only increased by 27% from 2000 to 2013 (2000 Decennial, 2013 3-year). According to the Coconino County Assessor, the median value of a home went up even more from 2014 to 2015, from \$195.7 thousand to \$222 thousand (Adams-Ockrassa 2015, Coconino County Assessor 2015). A 2015 study of wages nationwide listed Flagstaff as having the lowest wages in the country when cost-of-living is taken into consideration (Maciag 2015). The study attributes this to the heavy emphasis on tourism in Flagstaff's local economy, an industry that has the lowest average hourly earnings nationwide (ibid).

This is at least partially due to the fact that a relatively high percentage of housing in Flagstaff are second homes for higher-income households. A 2008 study found that 16% of the homes in Flagstaff are “held for seasonal or recreational use” (City of Flagstaff 2011, page 13). The study also found that the households that owned these homes were well above the city’s median income: 44% of owners of second homes had yearly incomes above \$200,000. This external demand has had an impact on the local housing market, making it less affordable for year-round residents who are competing with higher-income households for limited housing stock.

The high cost of living is not only a result of the city’s proximity to some of the most beautiful landscapes in the country. Another reason for the high cost of housing in Flagstaff is the hard limit placed on development by the city’s geography. Completely surrounded by National Forest land, there is no room for the city to expand. Any new development must be done within the city’s boundaries. As a result, Flagstaff lacks suburban development and residents cannot “drive to qualify” to the same extent as the residents of other large cities (most notably nearby Phoenix, a city with legendary sprawl). In Flagstaff, commuting is not a possibility: “You leave Flagstaff, you’re in the forest. It’s not an option to commute in” (Informant)

As suggested earlier, the price of the existing housing stock in Flagstaff has made it difficult for Flagstaff to attract or retain many industries beyond tourism. In the early 2000s, the two largest companies in the area, W.L. Gore (high-tech textiles) and Purina (pet food), grew concerned about the city’s lack of

a skilled workforce (Informant). W.L. Gore considered moving some production facilities (and the associated workers) to northern Phoenix where land and housing are significantly cheaper. Concern about the high cost of housing is echoed in the economic overview section of the City's 2007-2008 annual budget (City of Flagstaff 2007). Despite the presence of an educated labor force at Northern Arizona University, the report notes that Flagstaff “is challenged to recruit new business” (page 7). This challenge is referred to as “a very circular issue that the City works on from a number of perspectives” (ibid). The reliance on tourism means a reliance on a relatively low-wage, seasonal industry. A failure to develop industries with higher wages will likely perpetuate the affordability crisis that has been intensifying over the past 15 years.

### ***Flagstaff housing programs***

The land trust program is only one part of the City of Flagstaff's attempts at mitigating this affordability crisis. There are two housing institutions run by the City. The Housing Authority, which has been in place since the early 1940s and was folded into the City in 2008, manages the Section 8 rental programs and the public housing programs. In contrast, the programs run by the City of Flagstaff's Housing Section have all focused on ownership. This includes the land trust program.

In 1997, the City Council created a program called “Middle Income Housing Assistance program” (MIHAP) that helped with down payment and



closing costs. This program evolved into the Community Homebuyer Assistance program (CHAP). The program used CDBG funds to cover everything except the actual construction costs, including insurance, management, and interest payments on construction loans. It was discontinued in 2008 due to budget cuts.

The MIHAP/CHAP program had no provision to provide lasting affordability. The client homebuyers took the subsidy with them when they sold. One interviewee estimated the original sales at \$120,000-140,000 with resales around \$200,000. These programs were never considered ideal by the staff in the housing section:

“It didn't feel right. It felt wrong, but good for the family. This is what it was supposed to do, right? It was supposed to create equity so that the family could move out into the open market. But that subsidy in there, they're like 'well, we're just going to pay it off, we're going to take all this equity and we're just going to go.' It didn't feel right” (Informant).

This tension is one of the specific problems with traditional home purchase subsidies to which the community land trust is often invoked as a solution (Davis and Jacobus 2008).

Another common strategy with the community land trust is a partnership between municipal governments and CLTs that often involves inclusionary zoning, or inclusionary housing, where units created through zoning requirements are passed into a CLT's portfolio. This was not an option for Flagstaff. Creating affordable housing is difficult for many cities but it is particularly difficult in Arizona. There are no provisions at the state level for inclusionary zoning and the state's Constitution is written and - perhaps more importantly - has been interpreted in a way that prohibits municipalities from creating any mandatory

requirements. Unlike states such as Massachusetts or New Jersey, there is no legal or legislative framework available to require developers to include affordable units in their developments. Hence, the City of Flagstaff has taken to providing incentives to developers (such as density bonuses) on a project-by-project basis<sup>24</sup>.

One such project produced the City's first permanently affordable housing. Following up on the MIHAP/CHAP program, the City created a 30-unit development using deed restrictions in the early 2000s. The units were part of a deal worked out with a private developer who agreed to make 20% of a new development affordable. However, enforcing the deed restrictions placed on them has been a source of frustration for the staff, so much so that when one unit went into foreclosure, the City's partner decided not to use their right of first refusal and allowed it to go into the open market.

The City Council authorized a Housing Policy Task Force in 2004 to "review all relevant City of Flagstaff policies" and "recommend changes to the Council that result in increasing the supply of affordable housing for all segments of the community" (City of Flagstaff 2005a, page 2). The Task Force was made up of "one representative from a small contractor; one representative from a large contractor; one engineer; one architect; two representatives from non-profit housing; and two citizens at large" (City of Flagstaff 2005b). While the commission produced a number of zoning- and engineering-related

---

<sup>24</sup> This is common practice for many jurisdictions around the country. Some jurisdictions even create de facto mandatory program without corresponding statutes by not approving any projects without affordable housing.

recommendations to increase housing affordability, the central introductory recommendation from the Task Force was that "policies and incentives be tied to...permanent affordability ensured by a legally sound mechanism" (ibid). The commission stopped short of specifically recommending that the City create a community land trust, but the policy recommendation listed above was one of the central factors in the approval of the CLT program.

The introduction of a community land trust to an Arizonan city was not unremarkable, and required a perspective on housing that differed from the dominant attitude in Arizona. Two of the council members serving at the time of the Task Force had roots in the northeastern United States. They were familiar with the community land trust in Burlington (now known as the Champlain Housing Trust) as well as other similar programs and organizations in the region (inclusionary zoning programs, deed-restricted housing, etc.). In contrast to the more progressive politics of the northeastern region of the United States, which has fostered the development of such projects for decades, the more political climate of Arizona is sometimes less supportive. The need for an effective affordable housing program made the land trust approach appealing. The success of the CLT in Burlington made it a good candidate for helping to solve Flagstaff's recurrent affordability problems.

However, the inspiration that the council members found in Burlington was the CLT model's ability to use public funds efficiently in the creation of affordable housing and wealth-building opportunities, rather than its use as a platform for community control:

“[T]here's nothing more inefficient than just sending your subsidy dollars over and over and over again without any say on the outcome. I think that people need to understand that wealth building can come in many different steps, and giving someone access to stable housing, that does appreciate, that builds credit, just because they may not be walking out with 40% appreciation rates in one year, does not mean they are not building wealth.” (Informant)

By turning to the CLT to solve the problem of financial sustainability, Flagstaff is following a trend in both practice and advocacy (Davis and Jacobus 2008). Davis and Jacobus specifically mentions this as a reason for municipalities becoming interested in the community land trust as an affordable housing program, and a study by Angotti (2007) also suggests that land trusts (or other forms of resale-restricted housing) are a good option for cities looking to preserve subsidies.

In the case of Flagstaff, an interest in creating a community land trust predates the conversation around the land trust program by a few years. A community land trust is mentioned in Flagstaff budget plans as early as 2002. A community land trust is included in the “special projects and planning studies” agenda in the FY 2002-2003 budget. The project was listed as a goal for the Community Development division: “Create a community Land Trust structured as private nonprofit organization for the purpose of building affordable homes preserving public land investment” (City of Flagstaff 2002, page 125). Interview subjects who were present at the time stated the land trust program was not originally meant to be a program administered by the city. This is backed up by the description of the program in the FY 2004-2005 Annual Budget’s goals and objectives (using very similar language): “Create A Community Land Trust

Structured As A Private Non-Profit Organization For The Purpose Of Building Affordable Homes Preserving Public Investment In Land” (City of Flagstaff 2004, page 166).

In 2005, the City Council authorized employees from the city’s Housing Section to attend what interviewees referred to as a “Community Land Trusts 101” training in San Francisco. The conference and the program training were presented by the Institute for Community Economics (City of Flagstaff 2004). The Institute was still active at the time and was putting a lot of energy into spreading the word on CLTs around the country.

The training received by the staff convinced them of the merits of the community land trust. The staff presented the concept in full to the City Council and the Council was receptive. The majority of the council members recognized the difficulties that Flagstaff residents were facing in terms of housing affordability:

“[T]here was quite good consensus that this was a reasonable approach...This notion that the speculative real estate market would solve this problem, through market-based mechanisms, was very clearly understood that there was no way that the speculative real estate market is going to produce a product that enables people who are making \$11/hour...to live in a home and provide stability for their family”

Notable here is the realization by the City Council that the real estate market could not be relied on to provide housing at all income levels. That at least one individual on the Council holds such a perspective might explain how an idea like the community land trust found its way into the City Council chambers.

As a result of their deliberations, the City Council authorized the use of HOME funds to hire a consultant from Burlington Associates to help develop the program. In the initial stages of the program's development, the land trust was proposed to the local housing nonprofit BOTHANDS (now known as Housing Services of Northern Arizona) as a program that they could run with the City's support. However, BOTHANDS did not feel like the land trust model was feasible at the time:

"[The question was] 'is there a nonprofit entity that has the capacity, interest, and resources to initiate a nonprofit-based model for a community land trust?' And the answer in the early 2000s was, yes, we had an affordable housing group in town, but they were really not fundamentally geared towards a land trust model."

Without an independent nonprofit organization to take on the project, the decision was made to keep the land trust program in-house. The Council was committed to developing a land trust program, whether it was housed at the city or in a private organization. In 2006, the City Council passed Resolution 2006-30 with only one dissenting vote. This resolution created the land trust program and set up the affordability provisions and the income eligibility rules.

Interview subjects indicated that there was dissent from both within the government and from the community regarding the appropriateness of the municipal government actively participating in the housing market. The business industry was resistant to the idea of the government becoming active in the business of real estate:

"[Arizona] is a weird place, and Flagstaff sometimes considers itself different. We're the only county that voted for Obama, and yet there's this sometimes

hatred towards the city. It's 'the City, the City is taking over, the City is doing these things.' “

Those in opposition to the land trust argued that the private market was the appropriate means of creating housing, and that government participation would cause nothing but problems:

“There was a fair amount of the narrative you hear about how 'you're trying to socially engineer our communities', 'just leave it to the private sector, the private sector will take care of it' “

This argument was countered by pointing out the scale of the land trust program's operations:

“So if we're wildly successful, we're talking about maybe ten homes a year, and not only that, we're talking about clients that you can't serve. We're talking about people that aren't buying homes from you now, but yet, we're developing buyers that can buy from you later once they've developed some equity. And there was this 'the city is getting into housing business', there was just this huge distrust.”

Even more recently, members of the City Council have floated the idea that Flagstaff's municipal government did not need the Housing Section at all and wondered if it could be removed. While it's unlikely that the City Council would actually take this action, it was suggested that maintaining the City's access to CDBG funds was one of the only reasons it wasn't considered more seriously.

### ***How the land trust program works***

The City of Flagstaff's Housing Section administers the land trust program but local nonprofits are responsible for most aspects of the program. There are

two nonprofits that work with the city: Habitat for Humanity and Housing Solutions of Northern Arizona (HSNA).<sup>25</sup> Habitat has done minimal development for the land trust program but remain active. HSNA is the major partner with the City. As of this writing, the land trust program holds sixteen units of a planned twenty. Twelve of these units are part of the Izabel Homes, a small development planned to be sixteen units in the Sunnyside neighborhood of Flagstaff built on city-owned land. The homes built by Habitat are single-family units scattered throughout the city. The units in the Izabel Homes were built by a private contractor hired by the city while Habitat secures its own funding for construction and builds the homes themselves.

Access to the land trust program is limited to households living within the borders of the Flagstaff Metropolitan Planning Organization with an income that does not exceed 150% of the city's area median income (AMI). This income must also be high enough to afford the costs of maintaining the unit. The minimum income requirement is a general requirement that the housing costs do not exceed 33% of the household's income. The ground lease, the key document in any CLT-type program, contains the provisions to maintain affordability. The terms of the ground lease have several provisions:

---

<sup>25</sup> HSNA was founded as the Affordable Housing Coalition in 1990 before changing names to BOTHANDS, Inc. in 2004. In May of 2014, the organization's Board of Directors voted to change the name BOTHANDS to HSNA because they "believed Housing Solutions says more clearly what our organization does, making it easier for clients to access our service". Their mission, "building opportunities for sustainable, affordable housing in Northern Arizona", is carried out through a variety of housing-related programs. This includes transitional housing for women and children survivors of domestic abuse, homebuyer and foreclosure help, rental assistance, and housing construction (both rehab and new).



[P]rovide a renewable 99-year lease term.  
 [L]imit the use of the land to residential purposes.  
 [D]ictate responsible use and compliance with all laws.  
 [R]equire owner occupancy of the home constructed on leased land.  
 [S]tipulate that the lessee shall pay a ground lease fee.  
 [S]pecify that all improvements are the property of the lessee and provide parameters for construction and alteration.  
 [P]rohibit liens from being filed against the land.  
 [S]tipulate that the lessee is responsible for all maintenance and services.  
 [P]rohibit the lessee from mortgaging the land, although refinancing is allowed.  
 [S]pecify the lessee's liability and the lessor's indemnification.  
 [R]equire the lessee to obtain and maintain casualty and liability insurance.  
 [P]reserve right of first refusal of the City regarding purchase of the improvements.  
 [L]imit the resale of the home to eligible buyers.  
 [D]ictate the resale price of the improvements.

(City of Flagstaff 2014)

The city advertises available units and interested individuals pick up an application at the Housing Section offices. After the process begins with the city, the applicant is handed off to HSNA who then evaluate the applicant for eligibility. If the applicant is approved, then HSNA provides them with down payment and closing cost assistance using CDBG funds along with first-time homebuyer counseling. These services along with some others are provided by HSNA according to terms in a contract with the City of Flagstaff.

HSNA is the principal contact for the homeowners, and provide them with the majority of the services:

“We collect the monthly ground lease fees, are responsible for plowing the common driveways and ensure the home is owner-occupied. If there is a resale of a land trust home, we would help facilitate that, determining eligibility for a future buyer.”

HSNA also evaluates income eligibility for the deed-restricted units in the city's portfolio, but when it comes to the land trust homes:

“[W]e (HSNA) are the ‘face’ of the land trust and have the interaction with clients. If we need to elevate something to the city (like nonpayment, etc.) then we can, but they pay their ground leases to us and contact us if there is a problem.”

Community engagement by HSNA does not extend beyond homebuyer counseling, driveway plowing, and the collection of the ground lease fees. There are no current plans to develop any programs explicitly aimed towards community empowerment or community governance.

### ***Community land trust versus land trust program***

Clearly, there are important differences between the Flagstaff land trust program and the traditionally defined community land trust. City staff and officials acknowledge this; they do not run a community land trust as the model is commonly defined. Beyond the simple fact that it is a municipal program, there are some specific reasons for their use of the term “program” as opposed to “community land trust”, tied to two basic institutional limitations of Flagstaff’s municipal government. The first limitation is a legal restriction based on the City’s attorney and the City Council’s interpretation of Article 9, Section 7 in the Arizona constitution, commonly known as the ‘gift clause’:

“Neither the state, nor any county, city, town, municipality, or other subdivision of the state shall ever give or loan its credit in the aid of, or make any donation or grant, by subsidy or otherwise, to any individual, association, or corporation, or become a subscriber to, or a shareholder in, any company or corporation, or become a joint owner with any person, company, or corporation, except as to such ownerships as may accrue to the state by operation or provision of law or as authorized by law solely for investment of the monies in the various funds of the state.”

(Arizona State Constitution, Article 9, Section 7.)

The City of Flagstaff's legal staff interpreted this to mean that the City couldn't give city-owned land to a private entity without receiving something of equivalent value in return, nor could the City sell it for a nominal amount. Even if there was an organization interested in housing a land trust program, the gift clause prevented the City from gifting or selling land to an independent nonprofit. If the city was going to continue developing a CLT using city-owned land, it was necessary to house it in the City itself.

The second limitation is that the land trust program, housed as it is in Flagstaff's Housing Section, is not able to have a community-controlled board of directors. Its nature as a program and not an independent organization prevents this from being a possibility. Two solutions have been put in place instead. The City Council passed Ordinance 2008-15 in May of 2008 to create a Community Land Trust Commission. This commission was to be appointed by the City Council and could only make recommendations to the Council and the Housing Section staff. The commission was designed to include representatives from across the housing sector in Flagstaff:

1. Three (3) members shall be lessees of the Land Trust or people who qualify to participate in the land trust program, if there are no lessees available for appointment;
2. Three (3) members from the housing industry: one member from a State of Arizona or federally chartered financial institution that makes loans for affordable housing; one member who is a real estate agent; and one member who is a contractor or a real estate developer;
3. Three (3) community members: one member from a non profit housing or social services organization; one member who represents a local employer with more than 100 employees; and one member who represents a local employer with 5 to 25 employees.

(City of Flagstaff 2013)

Interviews with staff suggested that they recognized that a city commission is an imperfect replacement for the traditional CLT board but there wasn't much else they could do given the program's municipal nature. It was legally impossible to do anything more. Despite apparent support for establishing an analogue to the tripartite board, the commission's membership was never filled, and the commission itself was removed in 2014 during a reorganization of the City's commissions.

The removal of the land trust commission led to the second attempt at remediating the program's lack of a board: the replacement of the Community Land Trust Commission by the board of commissioners of the Housing Authority. This administrative body is composed of "six (6) persons who are residents of Flagstaff," all of who are appointed by the Mayor (who is automatically a member of the board).

The board of the Housing Authority, like the Community Land Trust Commission, includes community representation. However, the Authority's board has a much more limited role for such representation. It is only required to have one 'resident member', and the requirements are that that individual:

"1) is directly assisted by the federal public housing or rental assistance programs administered by the City, either by being a resident of City public housing or by being a recipient of housing assistance in the City's tenant-based Section 8 program; and 2) is expressly named in the lease for City public housing or for City-administered Section 8 tenant-based housing"

(Flagstaff City Code Chapter 1-13).

Clearly, as the only requirement is for the resident member to be a beneficiary of the rental programs, there is no guarantee that she will be a participant in the land trust program. In fact, given how few land trust units are available, the odds are good that she won't be.

The matter of who actually has oversight of the program is also important to consider. The Housing Authority board has direct influence on the Housing Authority but the Housing Section is the institution that administers the land trust program. This undermines the relevance of the Housing Authority in relation to the land trust program and weakens any community governance that might be in place. However, there are plans to merge the Authority and the Section into a single agency in the near future while maintaining the same board composition. This brings the board closer to the land trust program but it is still miles away from the Community Land Trust Commission, let alone a tripartite board. The various attempts to create an analogue to the tripartite board speak to the dedication of the officials involved to retaining some semblance of the traditional CLT's elements of community control. That being said, it is difficult to imagine how such a governance structure could exist given the legal and political realities of having the land trust in the Housing Section. The program would have to be removed from the City and made an independent organization before such a change could come about.

### ***Limitations and benefits of a municipal land trust***

The individuals involved in creating the land trust program considered the limitations that would come with creating an in-house land trust program instead

of an independent CLT. The pros and cons of creating a municipal land trust were discussed during the program's development and are still recognized by the staff that manages the program. These concerns are reflected in the minutes from the City Council meeting in which the resolution was passed to create the program. Notably, the minutes show that community input was not only desirable, but also integral to the idea of a community land trust:

“A community land trust is defined by the community, it is what works for the community, it is what brings benefit to the community, it provides access for its citizens, and it should be called the Community land trust program”  
(City of Flagstaff 2006).

An “oversight/advisory” board was also included as part of the initial discussion, which was eventually implemented in the form of a city commission as discussed above.

Additional notes from the Council meeting acknowledge the community-controlled nature of a community land trust and that a land trust run by the city would not be the same kind of thing: “It is not truly a community land trust, and therefore should not be named that until such time as a private entity operates the program” (City of Flagstaff 2006). There was also an apparent desire to make the land trust's administrative placement with the city temporary: “A sunset clause should be included as to when the program will be transferred” (ibid). This sunset clause has yet to be implemented.

The potential influence of local politics on administrative decisions, one of the most important considerations for a municipal land trust, was also recognized early on in the process. Placing a program like a land trust under the control of a

municipal government makes it, in the words of one interviewee, “subject to the political realities of electoral politics, which is, that some people might feel more strongly about a public sector role in providing housing solutions than others”. Support for the land trust program has waxed and waned as council members have come and gone. As mentioned earlier, some council members’ distaste for governmental participation in the housing market (even participation as limited as the land trust program’s twenty units) has prompted a questioning of the entire notion of city-funded housing development.

These two limitations are significant and speak to the issues with a purely municipal community land trust. However, there is a major benefit to implementing the land trust program as a municipal program: the weight of authority that comes with being state-run. It is true that municipal governments are beholden to the whims of local politics, but programs run by government benefit greatly from being part of the structure of authority:

“[O]ne of the pros is that, if you do have good political capital behind the land trust, you actually have leverage to bring properties in through the development process... when a development project comes in...and the council has said that making sure permanently, deed-restricted, affordable homeownership is a political priority...they can act as a good negotiator through the entitlement process.”

As city programs, municipal land trusts can also coordinate with other elements of the city government to improve the effectiveness of their programs. Integrating a land trust with a city’s inclusionary zoning program is a powerful tool for increasing the land trust’s housing stock, though this does solidify their role as an affordable housing program rather than a platform for community-control and

land reform (Davis and Jacobus 2008). This is perhaps the ultimate consequence of housing a land trust in a city, instead of the city simply providing support as in the case of the Burlington Community Land Trust (Davis 1994).



## **Sawmill Community Land Trust**

The Sawmill Community Land Trust (SCLT) is based in the Sawmill neighborhood, which is situated just east of the Rio Grande in Albuquerque, New Mexico. The neighborhood boundaries are traditionally defined as bounded on the west and east by Rio Grande Boulevard and 12<sup>th</sup> Ave NE and on the north and south by I-40 and Mountain Road NE (see figure 5).

The Sawmill Community Land Trust is a small organization. It only has a staff of 5 and an annual budget that has ranged from \$400-650,000. The primary funding source for the organization is the City of Albuquerque, but they also take in money from the Department of Housing and Urban Development, the New Mexico Mortgage Finance Authority, internal land lease fees, and private donations. They currently have 93 owner-occupied units for Albuquerque residents that earn less than 80% of the Area Median Income and 168 affordable rental units that are targeted at a variety of income ranges<sup>26</sup>.

The largest city in New Mexico, Albuquerque is a city of just over 550,000 people (U.S. Census 2013) and sits in the middle of a dry and scrubby land. The distance to other major cities enhances the sense of isolation. The closest city is Rio Rancho, a large swath of single-family tract housing that was carved from an old Spanish land grant and initially developed in the 1960s. The state capital Santa Fe, with a population just below 70,000, sits about 60 miles to the north, a dozen Native American pueblos are scattered between there and Albuquerque, and the closest major cities are a significant distance away: El Paso is almost

---

<sup>26</sup> 122 units for 60% or below and 46 units for seniors earning 50% or below.

three hundred miles to the south, Phoenix is over four hundred miles to the west, and Denver is four hundred and fifty miles to the north.

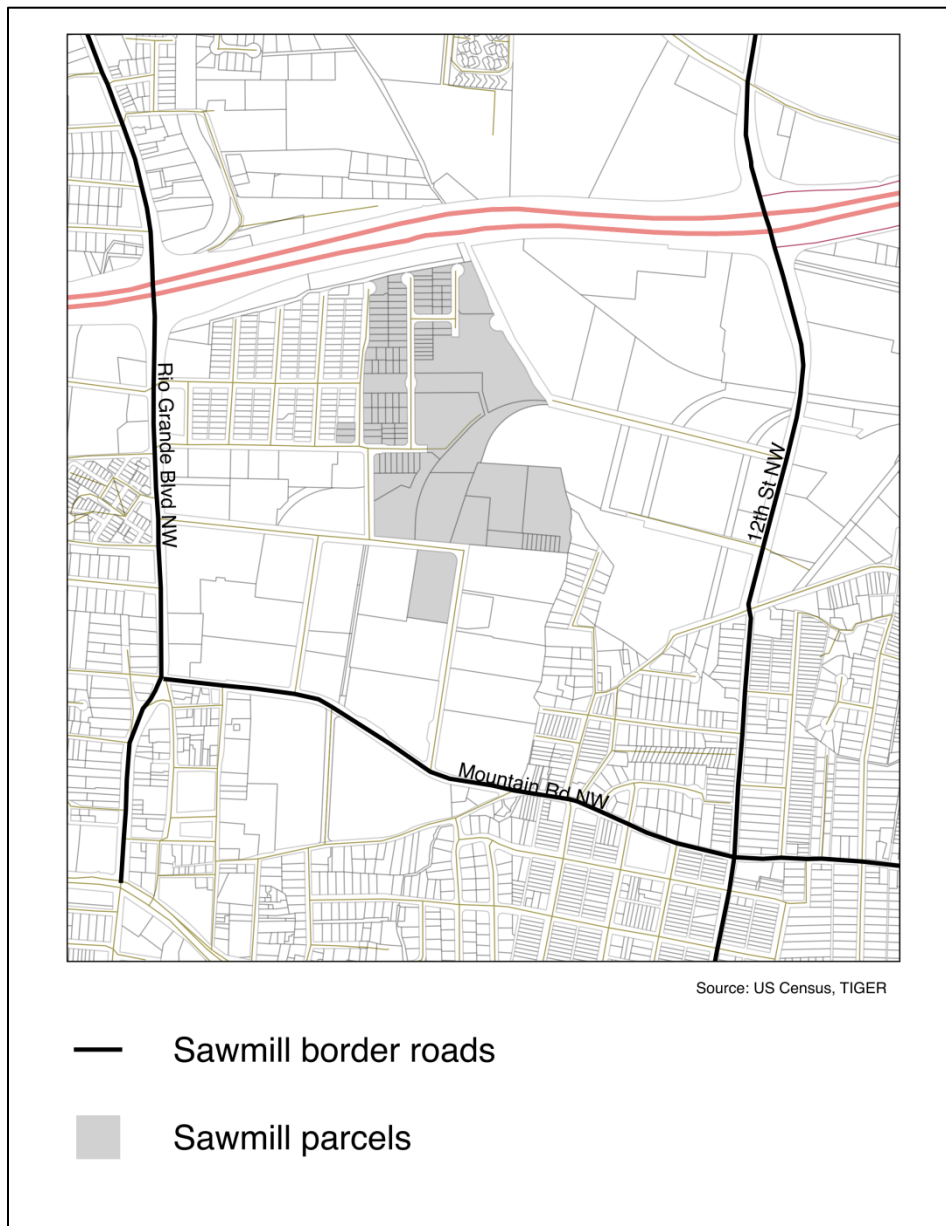


Figure 4: Sawmill neighborhood and SCLT parcels.

### ***The Sawmill neighborhood***

Albuquerque has a heavily Hispanic population, with just under half of population reporting as Hispanic or Latino in 2010 (47.6% according to the 2010 Census). This is as much a reflection of the region's history as it is a reflection of

recent immigration. Native Americans are also relatively well represented in the city. There are over a dozen independent American Indian pueblos in the region and 4.6% of the Albuquerque's population reports as Native American (not a large number but significant when compared to the national figure of .9%). Income statistics suggest the city is not as well off as most other places in the US. The median income for households in Albuquerque is \$47,989 (91% of the national median income) and the poverty rate in Albuquerque in 2013 was 18% (compared to the national rate of 14.3%).<sup>27</sup>

The housing stock in Albuquerque is largely single-family detached homes, a product of the city's massive suburban expansion in the postwar era. The city's homeownership numbers are slightly lower than national rates, with 60% of occupied housing units reported as occupied by the owner (U.S. Census 2010). The housing market in Albuquerque is relatively calm. The median property values rose steadily, from \$127.6 in 2000, \$167.8 in 2007, \$195 in 2010, and \$183.6 in 2013. In all, the median property value rose by 44% from 2000 to 2013, which is comparable to the national increase of 45% (U.S. Census 2013).

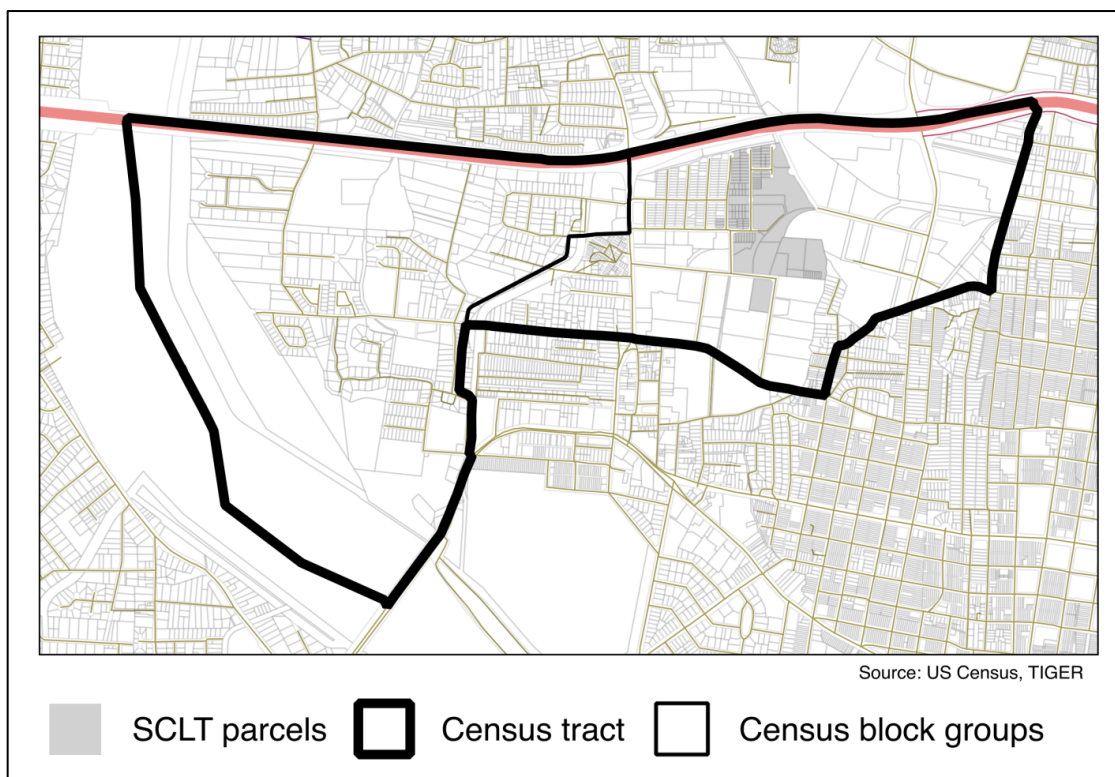
While housing costs for owner-occupied housing have remained reasonable, the situation is different for the rental population. First, the median income for renters is \$29,350, only 60% of the city's median income. In addition to this, a large percentage of renters in the city (42.9%) pay 35% or more of their income in rent, easily qualifying them as rent-burdened. 52% of renters in

---

<sup>27</sup> For the past ten years, the city has consistently had a poverty rate between 3-5% above the national rate.

Albuquerque have an annual income less than \$35,000, and 27% of those making less than \$20,000 use almost a third of their income to pay rent.

The Sawmill block group had a population of 791 across 416 households according to the 2010 census, though this does not account for the new multifamily buildings on the southeastern corner of the CLT (see Figure 6). As the



**Figure 5: SCLT parcels, census tracts, and block groups.**

map clearly shows, the Sawmill neighborhood is extremely small compared to the rest of the city. As a result, some statistics are only available at the census tract level, which covers a much greater area than the block group. The geographies are noted when numbers are cited.

A little over 40% of the block group's population is Hispanic. The homeownership rate is also much higher than the city overall at 90.4% in 2000,

which stayed steady at 90% in 2010 (the most recent year data is available).

While ethnic character and homeownership remained relatively steady, the property values in the surrounding census tract nearly doubled, from \$177.6K in 2000 to \$308.5K in 2010 (U.S. Census 2000, U.S. Census 2010). This is markedly higher than the property values in the rest of the city. What impact SCLT development might have had on this is unknown as there have also been other moves made by developers that could have had an impact. The iExplora! science discovery center opened its current location adjacent to Sawmill in 2003 and the City of Albuquerque has been open about planning development in the downtown area that is directly south of Sawmill. These property values most likely reflect that.

### ***Albuquerque as context***

Two significant elements of Albuquerque's regional history are discussed below, each contributing to the depth of the case study. The first is the relationship that New Mexicans have with land and the significance that is attached to it. This relationship with the land contributes to the performance of the SCLT. The second is the development of the city itself, and how its development shaped the context for the Sawmill CLT's emergence.

Cultural identity in New Mexico is complex because of the region's long history of successive immigration and the blending of different populations over time. Though the Anglo population grew quickly after New Mexico became a territory of the United States, the agricultural pre-Anglo society, known as *Manito*,

persisted nearly unchanged until the early twentieth century (Gonzales 1993), and many residents of Albuquerque today can trace their ancestry back to the area's earliest settlers. Land is an important part of this cultural heritage, expressed well in a quote from Gonzales (2003): "The heirs [of the land] are convinced that social and cultural well-being are tied to the pride of once again possessing the mountains, valleys, and waterways as their ancestors once did" (page 322).

A large part of this is made up of the community land grants, which are large pieces of land that were given to settlements for common use by the Spanish. Claims on these land grants have been the source of political conflict throughout the region's history. One land grant in particular, the Atrisco land grant, has the potential to play a large role in Albuquerque's future development.<sup>28</sup> According to informants, the combination of land grants and the strong cultural ties to land were part of the reason the community land trust was appealing to the Sawmill residents.

These strong ties to the land were tested as Albuquerque grew from agricultural village to a regional capital. A slowdown in the lumber and rail industries during WWII was mitigated by a massive postwar growth in population. From 1940 to 1950, the population increased from 35,449 to 96,815 (an increase

---

<sup>28</sup> A series of legal decisions and legislative actions on the part of the land's legal heirs created the Westland Development Company, Inc. in 1967, in which the various heirs held shares. In 2006, Westland Development Company sold its stock to SunCal, a California-based development company that specializes in purchasing large tracts of land for development. The corporation created by SunCal in the course of purchasing the land eventually filed for bankruptcy in 2010 and the large majority of the land is currently undeveloped. It is the single largest piece of developable land near the city and the politics around it are bitterly contested.

of over 150%). The growth accelerated in the next decade, exploding from 97,000 in 1950 to around 201,000 in 1960, another decade that more than doubled the city's population (US Census 1980).

The growth in Albuquerque was not evenly distributed. The commercial activity once found in the city's downtown relocated itself to strip malls in the new suburban-style neighborhoods. The construction of the I-40 and I-25 interstates also signaled the end of an era in Albuquerque's tourism industry. Since 1937, Route 66 had run through Albuquerque as Central Avenue, supporting a tourism industry composed of motels, roadside services, and souvenirs promoting a kitschy interpretation of Southwestern culture. While some of the once-prolific motels are still active, many others are nothing but asphalt lots with dead neon signs. By 1960, Old Town was all but forgotten, despite having received Historical District status in 1955:

"Back in those days, people that lived up in the Heights or up in New Town didn't go down there because it was considered dangerous. Knife fights, and cantinas, and...you know, 'good folk' didn't go there."

However, by the end of the 1960s, downtown Albuquerque was undergoing significant change, and Old Town was becoming a tourist draw. Organizations such as the Albuquerque Metropolitan Development Company and the Albuquerque Urban Development Association began pushing for the demolition of abandoned buildings and the redevelopment of the city's downtown.

### ***The Sawmill Advisory Council and Ponderosa Products***

This all happened just to the south of the Sawmill neighborhood, where the lumber industry was still operating and drawing its labor force from the surrounding community. The Sawmill neighborhood that produced the SCLT was a small, neglected *manito* community surrounded by a freeway and the industrial lumber yards. It was a poor, working-class community with a strong identity and connection to the land. This is still a defining characteristic of the neighborhood, but things changed significantly when the residents organized themselves in the mid-1980s. The original goal of the Sawmill community's organizing was simple: clean up the neighborhood:

"I don't think there was necessarily this big endgame. First of all, it was like 'we got pollution problems, we have to improve our neighborhood, we don't even have any stop signs, we don't have any storm drainage.' This was a forgotten neighborhood."

A small group of residents in the John Baron Burg houses began to meet in the back of Max Ramirez's house around 1986: "It was a poor neighborhood that was realizing it was getting shit upon and dumped upon by the powers that be because they had no power, no politics, no nothing". Max, largely through his personal charisma, became the de facto leader of the group (Suazo 1992).

The target of the community's frustrations was the Ponderosa Products, Inc (PPI) factory that was located about a mile to the southeast of the neighborhood. The residents had noticed some disturbing environmental phenomenon in their neighborhood, which included soot gathering on their cars and clothing, a strong chemical smell, and a yellow glow in the sky on certain



nights. Like other historically *manito* neighborhoods, Sawmill lacked basic infrastructure like sidewalks, streetlights, and stop signs. These small but persistent injustices piled on top of each other, and the collective realization of the factory's pollution seems to have been the catalyst for action.

The Ponderosa Products, Inc (PPI) particleboard factory was first opened in 1975 but significantly increased production about ten years later (Suazo 1992). The labor came from the neighborhoods surrounding the factory while the management and ownership lived somewhere outside of the city. The factory had 125 employees at its peak. The factory's location near the sawmill was meant to take advantage of the waste material produced by lumber processing. Sawdust, shavings, and all the other waste from the cutting of raw trees were sent down a long tube into the PPI factory where it was pressed into particleboard (Suazo 1992).

Particleboard is used as a less expensive alternative to solid wood in a wide array of products, from kitchen cabinets to bookshelves. It is made by compressing small pieces of wood material (sawdust, shavings, etc.) and a mix of chemicals into large sheets. These sheets are dried and then shaped to size by cutting and sanding. At PPI, the waste material produced by the shaping process was then vented from the factory floor into the air. This mixture of sawdust and the chemical binders settled on the Sawmill neighborhood, covering houses, cars, and people. Besides the sawdust, which was the most visible of the pollutants, the factory also illegally burned piles of waste material and cleaned the factory floor by spraying the floor with water, which rinsed the binding

agents straight into the ground. The burning produced soot that had been settling onto the neighborhood, while the rinsing created an underground plume of chemicals under the factory that was spreading to the east (Suazo 1992, City of Albuquerque 2002)

The full extent of PPI's polluting activities, including the presence of the plume and the formaldehyde, were unknown when SAC was founded. As Suazo points out: "all the residents knew was that their families and friends in the neighborhood, especially the children, suffered from skin rashes, eye irritations and upper respiratory tract problems, and that somehow this seemed related to the presence of PPI (City of Albuquerque 2002, page 15). The pollution by the factory had intensified when PPI increased production around a decade after it was opened. Hence, it wasn't until the mid 1980s that the community's quality of life had been affected to the point that they were motivated to organize against the factory's impact on the community.

Around the same time as the residents had begun meeting with each other, the Southwest Organizing Project (SWOP) arrived in Sawmill. SWOP's main purpose from its creation in 1980 up until their arrival in Sawmill in 1985 was minority voter registration. According to Suazo (1992), SWOP had just begun to expand their activities beyond voter registration and came to the Sawmill neighborhood in the course of doing research on polluted sites around the city (page 17). In Sawmill, SWOP encountered a community that had already put significant effort into organizing itself. Having found a community that was at

once active and receptive to their assistance, SWOP worked with them to create the Sawmill Advisory Council (SAC).

Over time, a division began to develop between SAC and SWOP. Specific accounts of what caused the division vary depending on individual perspectives, but a general consensus is that SAC did not think SWOP was sufficiently concerned with their neighborhood problems. At least part of this was due to the use of funds raised in Sawmill being used by SWOP on other projects elsewhere in the city. SWOP wanted to translate their environmental victories into a broader, citywide agenda and SAC felt that this pursuit of broader priorities would make them less responsive to the needs of the neighborhood. According to Suazo:

“[T]he appearance of SWOP served as the catalyst that mobilized the community to action, but its relationship with the community tended to serve as an internal form of social control, limiting that mobilization...The ‘full community participation’ that SWOP had envisioned did not occur until after they left the community, but it did occur and the techniques learned from SWOP assisted in the process” (Suazo 1992, page 20)

Crediting SWOP with the community’s mobilization might be exaggerating their role given how much energy the community members brought to the effort. However, the formalization SWOP brought was undoubtedly important. When SWOP transitioned to a membership organization in 1988, SAC declined to join. They continued to meet and act as an independent organization with even stronger ties to the Sawmill community (Suazo 1992).

### ***Sector Development Plan update***

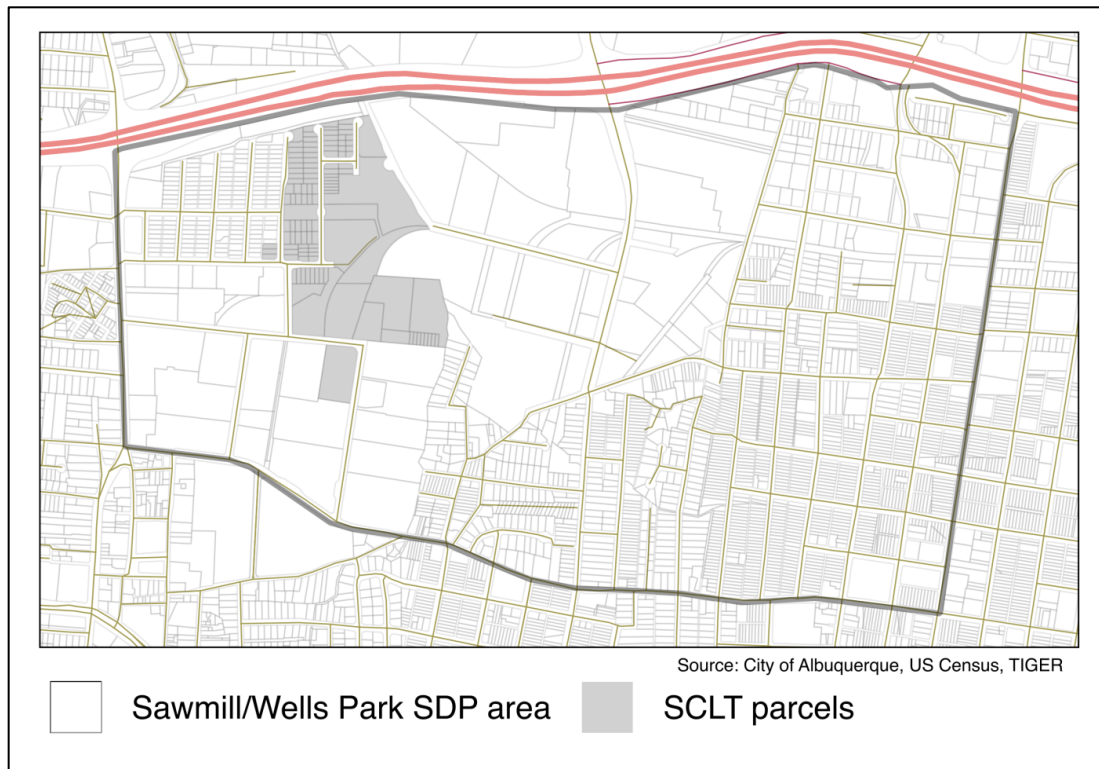
The next major chapter in SCLT's development started in 1991 when the City began the process to update the Sawmill/Wells Park Sector Development Plan (hereafter referred to as SDP, see City of Albuquerque 2002). The original Sawmill Sector Development plan was written in 1978, with the corresponding geography defined in order to qualify for CDBG funding. The geography was only slightly modified for the plan that was eventually passed in 1996 (see Figure 7).

According to the informants, the update to the Sector Development Plan – initiated by the City Planning Department and supported by SAC – was a very inclusive process. The documents for the update back this up with an extensive list of organizations and individuals who contributed to the plan's development (City of Albuquerque 2002). Having established itself in the eyes of both the community and the city, SAC was one of the leaders in the update process. This involvement meant SAC had a large influence on the Sawmill Revitalization Strategy, which the City published as a companion document to the SDP<sup>29</sup>.

---

<sup>29</sup> The Sawmill/Wells Park SDP is one of several in the Downtown/Old Town area, including the Downtown Core SDP, the Barelitas SDP, and the Historic Central SDP. Albuquerque's Sector Development Plans can be found at <http://www.cabq.gov/planning/residents/sector-development-plan-updates>

The Sawmill SDP covers both the Sawmill neighborhood and the Wells Park neighborhood directly to the east (see figure 7). These neighborhoods have much in common in terms of history, relationship to the local industry, housing stock, and socioeconomic characteristics. Wells Park lacks a strong organization



**Figure 6: Sawmill/Wells Park Sector Development Plan**

like SCLT but there has been an active Wells Park Neighborhood Association in place for some time (the Executive Director of the SCLT serves on its board as the “Sawmill Liaison”). Despite the similarities, interview subjects tended to be quick to point out that the neighborhoods were distinct. In general, neighborhoods in Albuquerque have very strong identities and resist any suggestion of being lumped in with their neighbors.

SAC and other local organizations were heavily involved in the update to the SDP. SAC, unsurprisingly, was particularly interested in the development of the 27 acres that comprised the former Duke City Lumber site and was included in the SDP. Their chance came in 1992 when the Duke City Lumber site and the PPI factory were listed as “groundwater pollution threats” and added to a list of sites that would be monitored for air pollution (City of Albuquerque 2002). The same document listed PPI, with their containment plume, as a Superfund site. This gave the community some amount of leverage in acquiring the land by offering to take responsibility for cleaning up the pollution.

Placing such a large plot of land under community control would be considered a huge success for any community group. The funding for this purchase was created by combining money from the Community Development Block Grant program, the City General Obligation Bond Capital, and grants from the state of New Mexico. These funding sources included stipulations that required both the participation of a community organization and the creation of affordable housing (City of Albuquerque 1999, Informant). This ensured community involvement in the site’s development.

No matter what other development happened around Sawmill, the leaders of SAC believed that the development of the Duke City site was key to the future of the neighborhood. Their tenacity and political capital put them in a strong position in relationship to the city. A letter from Max Ramirez to City staff clearly indicates the confidence SAC had in pushing their agenda in redeveloping the site:

“We have no doubt the City of Albuquerque is committed to the successful revitalization of the Sawmill; however, as we have expressed to you, it is important to us that the City acknowledges and values our commitment and investment in time spent over the last several years taking the leading role in this revitalization effort. Our investment has created value in real dollars and economic and housing opportunities that might not otherwise exist. For this reason, we felt a Memorandum of Understanding between the City and our organization(s) concerning the development of the Duke City Lumber property was needed.” (Ramirez 1995)

### ***Pivot to housing***

The City Council passed the SDP in January of 1996 with the inclusion of the community-led redevelopment of the former Duke City Lumber site, led by the Sawmill Advisory council. To qualify as a potential developer of the site, the City required that SAC demonstrate the ability to successfully complete a housing development project. To that end, members of SAC created the Sawmill Community Development Corporation (SCDC), which worked with Neighborhood Housing Services of Albuquerque to redevelop seven properties: three properties in Sawmill’s John Baron Burg neighborhood and four in Wells Park (Sawmill Advisory Council 1996).

This project, done through a contract with the City, was known as the Sawmill Infill Housing Development SCDC received a line of credit from

Neighborhood Housing Services, acquired the properties, and worked with a small local builder to successfully build, market, and sell the seven units. This project was done in order to give SAC/SCDC credibility as a developer and marked their transition from a community organizer to a community development corporation.

The creation of the SCDC was the culmination of years of significant effort on the part of several community members. However, this effort was not towards transforming land tenure (at least not explicitly):

“The original idea being that...the goal was to create an organization, first of all, that was long-lasting and that it had some permanence and with the goal that we were going to do everything we could to create a stock of affordable housing, high-quality affordable housing. We wanted to make sure that people took ownership of this when we were gone, when we moved on.”

Community governance was not mentioned as an original goal by any of the informants that I spoke with, but using the land in a way that would benefit the community over time certainly was:

“What was the land trust for? For permanent affordability. We wanted to make sure that families and their kids would have the ability to stay in this community if they wanted to. And, so we can't have this situation where taxes are going through the roof and the affordability changes, and so that was a lot of that discussion. That's primarily what the purpose was to doing the land trust. You know, this was just a way to deal with gentrification. And we realize that it wasn't going to affect anything outside the land trust, but it would create some stock of affordability, it would create some stock. We thought that would make a difference, and it has.”

Communal land tenure may have provided the foundation for SCLT's activities but housing was the focus. The role of land appears to have been largely instrumental but also very significant. The introduction of the land to SAC



was what shifted the focus from community organizing to community-controlled development. According to informants, part of the early intention of the SCDC was to resist the same sort of gentrification that was occurring in Santa Fe at the time. The Old Town neighborhood shared some similarities with the Plaza of Santa Fe, and there was a perceived threat of displacement of the community that had been in Sawmill for several generations. How the SCLT proceeded in the years since it was founded give a strong indication that this early focus on housing was central in shaping the organization's goals..

Ground was broken by the SCLT for the first phase of construction on March 26, 1999. The first phase of the site's redevelopment included the first dozen homes on 19<sup>th</sup> Street, which were quickly followed by the construction of the Arbolera de Vida Plaza (see Figure 8).



## ARBOLERA DE VIDA MASTER PLAN

Figure 7: Original SCLT master plan.

The second phase of construction included the remainder of the single-family homes, the Sawmill Lofts, a multifamily building with a large common area and 60 live/work rental units for individuals making 60% or below the area

median income, and the Villa Nueva apartments. Villa Nueva, part of the original master plan, is composed of 46 units of affordable housing for seniors whose income is 50% or less of AMI.

The third component of SCLT's development plan is Sawmill Village. The Village was built on the land formerly occupied by Ponderosa Products, Inc. In 2002, Ponderosa Products, Inc, ceased production and closed its doors. The Sawmill Village units are the penultimate residential project in the SCLT's original service area (barring the acquisition of more land). They are a set of mixed-use multifamily buildings being built with low-income housing tax credits, with commercial spaces on the bottom and market-rate rental units on top. The first building, known as the Mix, was completed in 2011. The second building, the Artisan, was completed in 2012.



Figure 8: Current SCLT Master Plan

Both the Mix and the Artisan were developed in partnership with PacifiCap Properties, a development company based in Portland, Oregon. Prior to working with SCLT, PacifiCap had a history of purchasing low-income multifamily buildings as investments. PacifiCap's involvement and their ability to access large amounts of capital will greatly expand SCLT's operational scale.

PacifiCap will also participate in the fourth and final SCLT development in the Sawmill neighborhood, this time of two plots of land to the east of Sawmill Village. The buildings on the lots, called Madera Crossing, will comprise a "56-unit affordable multifamily rental development", with the majority of the units reserved for working households making 50% or less of area median income (\$28,900 or less),<sup>30</sup> 6 units reserved for households making 30% or less, and 20% of the units reserved for individuals with special needs (City of Albuquerque). This will be very likely be the final development by SCLT in the Sawmill neighborhood, though they do partially own a lot directly southwest from Sawmill Village. The lot is shared by SCLT with a local development company and the ¡Explora! Children's Museum. Preliminary ideas for its development range from a parking lot to a permanent flea market. Given the growing popularity of the area, a mixed-use development of some sort is very likely.

---

<sup>30</sup> According to HUD's AMI calculations for FY2014: <http://www.huduser.org/portal/datasets/il/il2014/2014summary.odn>.

### ***Leaving Sawmill***

The final single-family units in the original Arbolera de Vida development were completed in 2013. As authorized by the board of directors in 2008 (a development discussed in more detail below), SCLT is currently involved in two projects outside of the neighborhood. The first is a small, 4-unit development in the Barelás neighborhood several miles to the south at Iron and 7<sup>th</sup> Street. This project is being undertaken in collaboration with the Barelás Community Coalition, who invited SCLT to participate as a supporting organization and as the eventual steward of the land.

The other project is the redevelopment of an abandoned Route 66 motel called El Vado. This is a redevelopment project that is being led by the City of Albuquerque's Metropolitan Redevelopment Agency. The City released an RFP in March of 2014 and SCLT competed for the project in partnership with Palindrome communities (an offshoot of PacifiCap) and a group of architects from Oregon. SCLT and its partners won the contract over other community development organizations. SCLT will be responsible for developing the affordable housing that is required on part of the site, while its commercial partners will be responsible for the commercial redevelopment of the actual motel. While the land underneath the affordable housing development will be owned by SCLT, there is no clear plan as of yet for integrating the residents into the CLT's membership. Groundbreaking is scheduled for January of 2016.

The El Vado project is a significant break from SCLT's previous projects. Not only is it going outside of the original neighborhood, it is not a community-led

project like Arbolera de Vida or the smaller project in nearby Barelás. The City had approval over the Duke City redevelopment but the community drove that particular project. The El Vado renovation is a city-led project that is one part of a larger strategy of redevelopment hoping to capitalize on the abandoned or neglected post-industrial and Route 66 structures around the city. El Vado is only the first of several Route 66 motels that are slated for redevelopment. Given SCLT's strong position as one of the few affordable housing developers in Albuquerque and PacifiCap's enthusiasm for tax credit developments, it is likely that SCLT will continue to be involved in similar projects around the city (assuming there are similar affordable housing requirements).

The decision to leave the Sawmill neighborhood is perhaps the most important moment in SCLT's relatively short history. SCLT's Board of Directors voted to extend the scope of SCLT's development activity outside of the neighborhood after debate in 2008. This decision was not made lightly and included the requirement of certain conditions to be met. These included the requirements that the project have relevance to the organization's general mission of affordable housing and community engagement, and for the SCLT to be invited into the community.

This decision was discussed at a retreat held for SCLT staff, board members, and some stakeholders, and was moderated by staff from Burlington Associates. The conclusion was that SCLT had a "responsibility to expand". Internal documents that describe the decision make it clear that the questions of locality and community that are often raised in critical discussion of community

development (Stoecker, Fraser, for example) were at play in this decision. For example:

“There is a connection between SCLT’s tenacity and commitment and the place-based nature of SCLT.” (Sawmill CLT 2008)

SCLT was created by a community with a very strong sense of place. The community’s identity is very much tied into the land and the place itself. The organizing was successful because they drew on the strength of this connection to the neighborhood. Compare this to the following:

“SCLT is a true development organization. Phase 2A households came to buy a home (not necessarily out of a sense of commitment to ‘the struggle’).” (ibid)

A strong internalized tension is clearly on display here. Not only is SCLT an organization that heavily focused on development, but the residents who came to SCLT as homebuyers lack the same connection to the neighborhood that defined SAC’s efforts. Instead, they are clients of an organization that was produced by SAC’s “struggle” but has since moved away from community organizing. The tensions between confrontational organizing and neighborhood development were clear in the board’s internal debate.

Two choices were presented to the group in moving forward. First, that SCLT would remain “at home” and focus on the community and properties in and on the original acreage. Second, the SCLT would expand its activities, on an “invite only” basis, and bring its mission to other neighborhoods. The board eventually voted to take the second path. The minutes (supported by



conversations with former board members) indicate that there was some clear recognition of why that would be problematic:

“Cons

- Expansion has the potential to dilute SCLT’s current focus - challenge SCLT’s ability to do well what it is committed to do well. Could tax SCLT’s community building ability.
- SCLT could become ‘just another big CDC’.
- Challenge SCLT’s current sense of community and of place.
- No longer solely place-based organization”.

(Sawmill CLT 2008)

The requirement of being invited by a community has been respected in SCLT’s recent decisions in terms of development projects. The project in Barelás was introduced to SCLT by the Barelás Community Coalition itself, and they will be responsible for managing the property once it’s completed. The Barelás community, like Wells Park, has a strong identity. According to interview subjects, its community leaders are hesitant to give too much access to SCLT in terms of developing projects in the neighborhood. They recognize the benefits that working with SCLT provide but prefer to maintain control over their own space.

The El Vado differs from the Barelás project. While SCLT was careful to consult with the community before moving forward on it, the project itself was initiated by the City of Albuquerque through a request for RFPs. SCLT’s executive director and PacifiCap’s representative in Albuquerque met personally with the four neighborhood associations from the area around the proposed development, and also held public meetings to get feedback before they submitted their RFP application to the city. Their efforts to bring the community on board with the project produced very positive relationships between SCLT,

PacifiCap, and the community groups, to the point where community members offered to attend the Albuquerque Development Commission meeting in which the RFP applications were being considered. From the transcript of SCLT's presentation to the Commission:

“[O]ne of the key things that floated to the top is criteria for any new community in which we venture to develop is that we must have a robust trusting relationship with community entities anywhere that we go. These residents are going to be a part of this neighborhood, and it is our role to facilitate that and satisfy the concerns and make that the local neighborhood feels that they have a direct line to us if there are issues of concern that need to be raised.”

(Former SCLT Executive Director Wade Patterson, City of Albuquerque 2014)

SCLT expanding beyond the neighborhood was, in some ways, the plan from the beginning. According to founding members of SAC, SCLT was meant to follow its own path as it matured. Interview subjects were very clear that the expansion of the CLT's activities is in line with their original intentions for the SCLT to act as a steward for the neighborhood and the community that lived in it. One interviewee described the board as “conflicted” in regards to expanding the SCLT's service area, but also mentioned the fact that financial solvency in an organization that intends to support 99-year leases is essential. The SCLT was created to preserve the community's relationship with the neighborhood, and the preservation of this relationship can only be achieved if the organization created to do so survives. SCLT is financially stable but is not an overly well-funded organization. To keep its promise to its lessees and to achieve the goals of its founders, SCLT needs to find revenue streams that keep it afloat in the long term. In this respect, the expansion of its development activities outside of Sawmill

makes good strategic sense. The consequences for its connection to the community, however, may be significant.

### ***The future for SCLT (as a developer)***

The future of SCLT would seem to be tied to the future of Albuquerque, especially in the development of the downtown neighborhoods adjacent to Sawmill. The land trust holds over 30 acres in the area covered by the Sawmill/Wells Park Sector Development Plan and is well positioned, both in political terms and in terms of organizational capacity, to become the major nonprofit housing developer in the downtown area, if not the city. Given the push for development by the City of Albuquerque in the downtown area, the central issue for the CLT moving forward is how it will settle into its role as a property developer. This is never directly articulated by interview subjects but becomes very evident in looking at the historical trajectory of the organization. As the organization gets deeper and deeper into its role as a developer, there is less ability to act as an organizer. That CLT's founders recognized that conflict and resolved it by separating the Sawmill Advisory Council and the Sawmill CLT: "We [didn't] want to tie it into development. The development organization should stand alone and not be the advocacy organization because it's a development corporation, they're the business, you know. So we separated the two".

Having completed final of the 93 homes included in the original master plan, SCLT and their partners PacifiCap have focused efforts on developing multifamily, mixed-use properties. The first to be built was the Sawmill Lofts,

which was completed in 2006 and was part of the original master plan. The Lofts has 60 units of affordable rental housing and a large community space that is used by various groups. The second is the Artisan, which is the first of several mixed-use buildings that comprise the Sawmill Village in the southeastern corner of SCLT's land. The Artisan has 77 units of "workforce" housing. The Mix, another of the mixed-use buildings in the Sawmill Village, was completed in 2013. The Mix has 20 market-rate rental units and 8,200 square feet of commercial space.

While it is a separate project from the original development of the Sawmill neighborhood, the El Vado project might point the way forward for SCLT. It is a mixed-use development with an ambition to be a "catalytic" spark for further development in the Historic Central area. It will include 60 units of "workforce or income-restricted housing" along with a "community food court, an amphitheater, a boutique motel and a small events center" (Metcalf 2014). The proposal also includes the conversion of the hotel rooms into small food-service spaces described in the proposal as "food pods"<sup>31</sup>. An overwhelmingly large part of SCLT/Palindrome's application to the City's RFP consists of a discussion of the for-profit commercial elements of the redevelopment. The development experience of SCLT's partners in the venture is heavily focused on commercial redevelopment of under-utilized sites. While the development of the commercial space is thoroughly discussed, the role of the land trust in terms of providing

---

<sup>31</sup> Essentially, these would be permanently installed food trucks used by small-scale, local restaurateurs.

community control is not elaborated on at any point. A discussion of how SCLT's model of community engagement will relate to residents in the new development is absent.

The El Vado project fits with the larger strategy of redevelopment in the city. The development of downtown Albuquerque appears to be following the same pattern as other cities seeking to revitalize or reclaim older industrial neighborhoods: buildings that were once dedicated to industry have become vacant through the collapse of industrial production. These properties – once considered lost through disinvestment – are being targeted for revitalization strategies that focus on repurposing abandoned industrial areas as neighborhoods for residents to “live-work-play” (Smart Growth America's work on adaptive reuse is a good example). The design of the mixed-use development that was built on the old Ponderosa Products site intentionally calls back to that industrial activity as though celebrating it. This is notable, considering how hard the community worked to erase that activity. Part of the factory structure is mounted near one of the buildings like a trophy (see Figure 12).



Figure 12: The Artisan.

The Sawmill neighborhood is also attracting for-profit development that might ultimately have a more significant impact. One of these developers, Jim Long, whose company Heritage Hotels & Resorts, Inc. is the owner of the Hotel Albuquerque, has announced plans for another luxury hotel (the Hotel Chaco) just down the road from SCLT's offices (Dyer 2014). An article in the Albuquerque Journal (Metcalf 2014) describes Jim Long's investment group as looking to create a "trendy area" composed of a mix of light industry, commercial and residential units. The article's author compares this plan to Denver's River North Art District, or RiNo, a nickname in line with the long string of real estate

abbreviations that have become ubiquitous in the patois of real estate<sup>32</sup> developers.

Long also has plans to turn an empty warehouse located just down the street from SCLT's newest development into a space for "artist studios, showroom space, exercise facilities, breweries, art galleries, furniture makers, and other similar uses" (Metcalf 2014). Bernalillo County has decided to support Long's mixed commercial project (known as Sawmill Market) to the tune of \$10 million worth of industrial revenue bonds, and an additional \$40 million of bonds for the Hotel Chaco project (McKay 2015). The influx of development in SCLT's neighborhood suggests that the early concerns on the part of the SAC members were well founded. Their predictions were just off by a decade or so.

---

<sup>32</sup> SoHo, NoHo, SoHa, NoMa, etc. Since it already has a two-syllable name, Sawmill might escape this particular fate. The "East Downtown" neighborhood in Albuquerque is already known as EDo.

## Case studies conclusion

What becomes increasingly clear as the case studies unfold is the fact that land tenure reform is only weakly present in both performances of the community land trust model. This was expected in the Flagstaff case, where the nature of the land trust as a city program would seem to preclude alternative land tenure politics having any significant presence. SCLT, however, was chosen as a case *because* of its apparent politics. The roots in community organizing and empowerment, the stated mission of supporting civic engagement, and the importance of land in New Mexican culture all seemed to point towards SCLT providing a strong example of the communal governance of land. What the research revealed was that the use of the community land trust model in Albuquerque was, in some ways, incidental. Similar to the use of land in Flagstaff simply as an available resource, the nature of the organization that was created in Sawmill was determined by the land given to the SCDC to develop, as opposed to an interest in land from the beginning. Without this focus on land, the performance of SCLT owes more to the CDC than the CLT. The security of the housing in the neighborhood could have been provided just as easily through deed restrictions.

The SCLT case also brings up a question regarding the role of CLTs in the privatization of social services. The success of private organizations like SCLT in community development is the product of a wider trend in policy (discussed in the earlier section on community development). The privatization of public services over the last twenty years has meant that services that were once rendered by



the state are now provided by private organizations (both for-profit and non-profit). Many of these organizations have progressive social missions but the argument could be made that they have come to prominence because of reactionary policies.

Stoecker's (1997) critique of the limited scope of community development has some relevance here. In particular, I am referring to the focus that SCLT has placed on place-based economic development: a market-based strategy of improving the lives of community members by improving neighborhood amenities. The problematic aspects of this are obvious: creating a stock of permanently affordable housing in anticipation of increased property values is a strategy that can help the households that are in them, but it does little for those who are not. Once Sawmill becomes a more desirable place to live (which seems inevitable given the development plans on the horizon from SCLT and others), what happens to the people who are not lucky enough to live SCLT land? What happens to the families who are not SCLT lessees, but have deep roots in the neighborhood? Part of the argument for using the community land trust model was to preserve access to the neighborhood for future generations. The inter-generational argument for SCLT's ownership of the land doesn't work when the people living in the homes have no ties to the neighborhood, and the idea of community control is also tested when the membership is extended outside of the neighborhood.

A comparison of the Flagstaff and the Sawmill cases also provokes a question of property relationships, and how community interests are best served.

Is property made more communal by a local, community-based private organization, or by the established institutions of the state, which have their own entrenched interests but are also beholden (in theory) to a relatively open and democratic decision-making process? Either type of organization may push property towards a more communal performance than the individualist performance that is dominant, but each has its own limitations.

The City of Flagstaff is the institutional expression of the common interest of its citizens. The resources that it controls are used (again, in theory) in the best interests of the public. In this case, that resource is land. This is in contrast to the SCLT case, which is also committed to the common interest of community members but with a significant difference. Like other organizations that are part of the broader community development field, SCLT is a private organization that is ultimately controlled by its membership and has no requirement to respond to the concerns of those outside that membership. SCLT has never acted in a way that indicated they were not concerned with the needs of its community and the communities around it, but this does not mitigate its nature as a private organization. This observation can be applied to any other community land trust, as most of them operate as private organizations.

As a private organization, SCLT is much less beholden to the interests of the population at large. SCLT has an inherently exclusive aspect to it. Any consideration of the interests of individuals and communities outside of their membership is voluntary, and the consequences for making decisions that go against those interests will be limited. In contrast, elected politicians face the

consequence of being removed from office if they fail to adequately represent their constituents. SCLT is therefore much more inwardly responsible, while the City of Flagstaff is more outwardly responsible.

SCLT's decision making has so far had a large participatory aspect to it. The process of developing their El Vado proposal in particular suggested that SCLT would not pursue development projects without first talking with the residents in the affected neighborhood. However, there is no guarantee that future leadership at SCLT will be as concerned with building a connection between the organization and the various communities around Albuquerque. A public institution is structured specifically to manage the resources under its control for a common benefit.

All of this is rendered moot, however, if the government in question has stopped providing the social services that these resources are meant to support. Having the institution in place is not guarantee that this is how the resources will be managed. This is especially true given the changing nature of the state from "government" to "governance" (Harvey 1989, Martin 2004, Newman and Lake 2006) and the increasing importance of private organizations in fulfilling the duties of the institutions in question.

SCLT is very much a part of this narrative. Like community development as a whole, SCLT has gone through several phases: from a small advocacy organization to a start-up affordable housing organization to a citywide development partner commanding significant capital and local influence. These changes over time show it moving from the confrontational politics of community

organizing to less politically fraught strategy of market-based economic development (Stoecker 1997). The early decision by the founders of SCDC/CLT to separate development from advocacy seems to have set SCLT on its path very early on. The initial use of the CDC model as an organizational template was also a likely contribution to the overall performance, as is the broader context of community development. The focus on economic development and affordable housing are hallmarks of the “neoliberal communitarianism” of modern community development (DeFilippis 2004).

Cities with limited funds to provide services like affordable housing (such as Albuquerque, which has \$1700 per year to spend on each citizen compared to the national average of \$2600)<sup>33</sup> are particularly prone to relying on nonprofits to fill the gaps left by for-profit private developers, who are notoriously averse to building housing for lower-income households. SCLT’s success partially hinges on a context that has proved felicitous for a non-government, non-profit-based organization. Similarly, the City of Flagstaff’s land trust program was never meant to be a municipal program. The initial concept for it was to create an independent nonprofit organization that would manage the land. This proved to be untenable for various reasons, but none of them were related to an ideological conflict with privatization. A private solution was, in fact, preferred, but a lack of interest on the part of the nonprofits in Flagstaff forced the City’s hand. Indeed, the preference in Flagstaff for a private solution highlights an interesting fact about the growing use

---

<sup>33</sup> Data from [https://ballotpedia.org/Analysis\\_of\\_spending\\_in\\_America's\\_largest\\_cities](https://ballotpedia.org/Analysis_of_spending_in_America's_largest_cities). Accessed on 2/4/2016.

of the CLT: it has been supported by the competitive economic individualism that shaped community development, and that the CLT was created to disrupt.

Despite the fact that the community land trust model is a model of communal land tenure, CLTs are implemented in *an agencement* that favors the use of competitive privatization for economic development.

Flagstaff and Sawmill demonstrate how the community land trust is understood and implemented. The individual organizations may have a corporate structure that creates, or at least encourages, some form of common property. What matters here is the actual practice. Like the practitioner organizations discussed in the previous chapter, the CLTs here have land at their core but do not have an explicit goal of land tenure. This does not negate the significance of land in their programs, or the benefits that their affordable housing programs bring to the community. It does mean that their impact is limited and their agenda is foreshortened. The political content of how CLTs are implemented must be examined closely if the goal of land tenure reform is to remain as part of the CLT, and support should be given to performances that challenge the broader context. Community land trusts have the power to fundamentally change property relationships but only if they are given the space to do so.

## Chapter 7: Conclusions

The goal of my dissertation project was to answer the question: what role, if any, does land tenure reform play in community land trusts? Based on the empirical work I have done, I feel I can provide an answer. The role of land tenure reform in community land trusts is determined by the performance in each instance, making a general characterization of the role of land tenure both difficult and inappropriate. There is clearly a strong tendency in the various performances of the community land trust for land tenure to be used as a platform for affordable housing and for the politics of community governance to become a secondary concern.

However, I cannot claim that land tenure is a universally secondary concern. Land tenure reform is, in some ways, unavoidably central to the CLT no matter the performance, since land is at the heart of the model, but the role of land tenure varies widely across the field. Some organizations view communal ownership of land as a distraction from the more pragmatic goal of creating affordable housing. Others see community governance and community empowerment as an essential aspect of community development. If governance of land is not a central concern, then that seems to me to be a very different type of organization.

Like all performance, the performance of CLTs does not arise from the ether. It is shaped by its context. CLTs are not only the product of their staff. They are also the product of the larger institutions that support their operations and fund the research on them. In a short article quoted at the beginning of this

dissertation, Greg Rosenberg notes that the language used around CLTs tends to reinforce certain understandings of what CLTs *should* be. His observation that CLT advocates have begun to use the language of “lenders, funders, and lawyers” rather than the language of movement, land reform, and social justice provides a perfect summary of how language and discourse shape the world. The performance of CLTs has changed over time according to changes in the surrounding *agencement*. The literature that has been promoted to represent the community land trust has had a large focus on the use of CLTs as affordable housing. Discussions of the community land trust that touch on the politics of land and community control are available but are not part of the larger narrative of CLTs. Land tenure reform is a difficult sell to policymakers and funders. Perhaps most importantly, the institutions that have supported community land trusts are unlikely to promote land tenure. They engage in less politically fraught discourse by promoting concepts like shared equity and permanently affordable homeownership.

The consequences of this performance can be seen in the expanded use of affordable housing mechanisms that do not rely on the ownership of land (largely deed restrictions). Some of the organizations discussed in this dissertation that started off as community land trusts have considered removing that term for their name, as they feel that it has become too restrictive. The performance of the CLT now includes an intentional drift from the land into other forms of affordability. This drift from land emphasizes the use of the community

land trust as a mechanism of affordability rather than one of community governance.

However, the complete disappearance of a community land trust movement that is committed to land tenure reform is unlikely. Community governance is ingrained deeply enough into the model that the torch will be carried by some individuals and organizations. In addition, the transformation of the National CLT Network may have created space for a different configuration of the community land trust field. Tensions between different understandings of the community land trust can now be negotiated without the overhanging presence of an “official” organization, a presence which inherently codifies certain aspects of the model. Indeed, the transformation of the Network may herald the development of new forms of community development organizations that are more aware of the importance of land tenure in their work. Just as the performance of the CLT has been influenced by community development, the proliferation of CLTs and CLT-style programs may have a lasting effect on how community development is performed in the future.

The community land trust field may be shedding the aspects of its performance that draw it away from its essential nature. As organizations begin to remove “community land trust” from their names and as the National CLT Network embarks on its great transformation, the organizations that do not see a benefit in following in that particular path will continue to focus on what they’ve been doing all along. The benefit of losing the Network is that the performances of the CLT are no longer being negotiated through an institution. Any tensions



produced by competing understandings of the model *within in the institution* will be dissipated, though many tensions will likely remain. Whether new organizations appear along the lines of these tensions remains to be seen.

### **Why a more radical CLT matters**

If the community land trust is a model of community governance of land, and community governance has been gradually fading from the broader performance of the CLT, then the question should be asked: what benefit does a CLT with an enhanced focus on land tenure reform provide? Should a disappearance of community governance be lamented? And if so, why? I would argue that community land trusts could make a strong contribution to community development, particularly in the current political economic context. The reform of land tenure that they bring into neighborhoods is more than a theoretical challenge. It has real implications for capital's ability to access local neighborhoods and exploit them for their exchange value.

Placing land into a model of community governance like the community land trust directly addresses the use of land for speculative reasons, with the added incentive of politically empowering a community. In a world that is heavily shaped by the processes of global financial investment, CLTs are a powerful local tool for preventing this. The exchange value of neighborhoods is the focus of these processes, processes, which require that the material aspects of a neighborhood (the land and the improvements on it) are rendered entirely fungible in order to be transformed into profitable assets. Communities rely on

preserving the use value of the neighborhood, as their daily lives are tied to it.

The community governance of the CLT (more so than the apparatus of local government, which is more easily swayed by neoliberal, business-friendly politics) prevents globalized investment interests from rendering their homes and neighborhoods fungible, both immediately and into the future.

CLTs actively engage with the “complex set of institutional arrangements and spatial formations that have allowed areas in cities to decline” rather than simply providing “a hopeful vision of the city” on which some forms of community development rely (Fraser et al 2003, page 421). Community land trusts build community by actively producing a more just city through community governance, whereas some forms of community have acted to “cordon off participating impoverished neighborhood residents from the broader spatial productions that more directly affect the future of the city” (ibid, page 434). The community land trust gives communities the capacity to engage in these spatial productions. Just as global financial investment requires access to the local scale of neighborhoods in order to realize a return, CLTs act at a very local level to prevent that access through the community governance of land.

The use of the community land trust as an insulation against global financialization flows naturally from its nature as a “legitimate alternative institutional expression of landownership” (Swann et al 1972, page xvi). This is being prevented from happening by the performance of the CLT that has been developing momentum over the model’s lifetime. Some interviewees refer to the importance of keeping land off the speculative market, suggesting that there is

some recognition of the community land trust's potential to influence the broader political economy. What is missing is a willingness to fully engage with the implications of this: that community land trusts are not simply a model of affordable housing but are in fact a foundation for a new set of economic relationships that promote the claims of local communities over those of global capital.

### **Closing thoughts**

For some, the community land trust is a platform for affordable housing. For others, it is the foundation for a movement towards social and economic reform. For many, it is some combination of both. It is this variety that first inspired my research, and it is the flexibility that created that variety that has made CLTs increasingly popular. Community land trusts like the ones discussed in this dissertation have produced a net positive for their communities. They will likely do so for as long as they exist. This creates another tension, one that I have found in myself while doing this research. Critiquing the efforts of organizations and individuals working to increase social and economic justice because they are only using pieces of the community land trust model might appear counter-productive.

Despite this, I wonder about the point at which the CLT becomes more of an inspiration than an actual thing. The grand early ambitions of economic reform described by Robert Swann, Ralph Borsodi, and their colleagues seem to be

fading. The performance of the community land trust has developed strong momentum towards a focus on affordable housing and little else. This momentum is the product of a particular understanding of CLTs, which in turn encourages a particular performance. The literature, the terminology, the daily practice; all of these things contribute to this momentum.

One of my faculty advisors has often observed that what we say and the stories we tell matter. Such things have implications for how we understand the world around us; for how we understand community development, for how we understand community, and for how we understand the property relationships involved in community and capital. To that end, the transformative potential of CLTs should, as Rosenberg argues, be embraced and celebrated. In my research, I hoped to show that there is indeed a “contest for the soul of the community land trust” as described by John Davis. This is not done in order to take sides in this contest (though my sympathies are not particularly well hidden), but to provide a more complete context for future discussions. I cannot hope to resolve all the tensions of this field in a single dissertation. Such tensions are, in many ways, inherent to any attempt at community-based action. I only aim to provoke a conversation around the broad and largely untapped potential of the community land trust for creating real and lasting economic reform, lest that potential remain unrealized.

## References

- Aalbers, Manuel B., and Kenneth Gibb. 2014. "Housing and the Right to the City: Introduction to the Special Issue." *International Journal of Housing Policy* 14 (3): 207–213.
- Abromovitz, David. 2008. *Addressing foreclosures: A great American dream neighborhood stabilization plan*. Washington, DC: Center for American Progress.
- Achtenberg, Emily Paradise and Peter Marcuse. 1986. "The Causes of the Housing Problem." In *Critical Perspectives on Housing*. Chester Hartman Rachel G. Bratt, and Ann Meyerson. Philadelphia, Temple University Press.
- Adams-Ockrassa, Suzanne. 2015. "Flagstaff-Area Home Values Soar by 13%." *Arizona Daily Sun*. [http://azdailysun.com/news/local/flagstaff-area-home-values-soar-by/article\\_96ebdc4e-726c-5eb1-9620-f6716fd00fa6.html](http://azdailysun.com/news/local/flagstaff-area-home-values-soar-by/article_96ebdc4e-726c-5eb1-9620-f6716fd00fa6.html).
- Angotti, Tom. 2007. *Community Land Trusts and Low-Income Multifamily Rental Housing: The Case of Cooper Square, New York City*. Cambridge, MA: Lincoln Institute for Land Policy.
- Apgar, William, Amal Bendiremad, and Ren S. Essene 2007. *Mortgage Market Channels and Fair Lending: An Analysis of HMDA Data*. Joint Center for Housing Studies.
- Arrighi, Giovanni. 1994. *The Long Twentieth Century*. London: Verso.
- Bakker, Karen. 2000. "Privatizing Water, Producing Scarcity: The Yorkshire Drought of 1995." *Economic Geography* 76: 4–27.
- — —. 2005. "Neoliberalizing Nature? Market Environmentalism in Water Supply in England and Wales." *Annals of the Association of American Geographers* 95: 542–65.
- Bassett, Ellen M. 2005. "Tinkering with Tenure: The Community Land Trust Experiment in Voi, Kenya." *Habitat International* 29 (3): 375–98.
- — —. 2007. "The Persistence of the Commons: Economic Theory and Community Decision-Making on Land Tenure in Voi , Kenya." *African Studies Quarterly* 9 (3): 1–29.

Bassett, Ellen M, and Harvey M Jacobs. 1997. "Community-Based Tenure Reform in Urban Africa: The Community Land Trust Experiment in Voi, Kenya." *Land Use Policy* 14 (3): 215–29.

Beauregard, Robert. 2006. *When America Became Suburban*.

Belsky, Eric, Nicolas P. Retsinas, and Mark Duda. 2005. "The Financial Returns to Low-Income Homeownership." Cambridge, MA: Joint Center for Housing Studies.

Bess, Kimberly D., Douglas D. Perkins, Daniel G. Cooper, and Diana L. Jones. 2011. "A Heuristic Framework for Understanding the Role of Participatory Decision Making in Community-Based Non-Profits." *American Journal of Community Psychology*. 47:236-252.

Blomley, Nicholas. 2005. "Remember Property?" *Progress in Human Geography* 29 (2): 125–27.

— — —. 2008. "Enclosure, Common Right and the Property of the Poor." *Social & Legal Studies* 17 (3): 311–31.

— — —. 2011. "Cuts, Flows, and the Geographies of Property." *Law, Culture and the Humanities* 7 (2): 203–16.

— — —. 2013. "Performing Property: Making the World." *Canadian Journal of Law and Jurisprudence* 26: 23.

— — —. 2014. "Making Space for Property." *Annals of the Association of American Geographers* 104 (6): 1291–1306.

— — —. 2015. "The Territory of Property." *Progress in Human Geography*, July: 1-17.

Blomley, Nicholas, and Janet C. Sturgeon. 2009. "Property as Abstraction." *International Journal of Urban and Regional Research* 33 (2): 564–66.

Blumgart, Jake. 2015. "Affordable Housing's Forever Solution: Are Community Land Trusts the Answer for Cities Seeking Neighborhood Stability?" *Next City*. August 10. <https://nextcity.org/features/view/affordable-housings-forever-solution>.

Blumgart, Jake. 2016. "How Bernie Sanders Made Burlington Affordable." Slate, January 19.

[http://www.slate.com/articles/business/metropolis/2016/01/bernie\\_sanders\\_made\\_burlington\\_s\\_land\\_trust\\_possible\\_it\\_s\\_still\\_an\\_innovative.html](http://www.slate.com/articles/business/metropolis/2016/01/bernie_sanders_made_burlington_s_land_trust_possible_it_s_still_an_innovative.html).

Brenner, N., and N. Theodore. 2002. "Cities and the Geographies of 'Actually Existing Neoliberalism.'" *Antipode* 34 (3): 349–79.

Bond, Meg A. and Christopher B. Keys. 1993. "Empowerment, Diversity, and Collaboration: Promoting Synergy on Community Boards." *American Journal of Community Psychology* 12(1): 37-57.

Brenner, Neil, Peter Marcuse, and Margit Mayer. 2009. "Cities for People, Not for Profit." *City* 13 (2-3).

Bromley, Daniel W. 1992. *Making the Commons Work: Theory, Practice, and Policy*. San Francisco: Institute for Contemporary Studies.

Burlington Associates. Letter correspondence.

Center for Community Progress. 2016. "Land Banking FAQ". Available at <http://www.communityprogress.net/land-bank-faq-pages-449.php>. Accessed on 4/1/2016.

Champlain Housing Trust. 2015. 'About Us'. <http://www.getahome.org/about-us>. Accessed on 8/5/2015.

Chasnoff, Debra, and Helen S. Cohen. 1998. *Homes and Hands: Community Land Trusts in Action*. GroundSpark.

Christman, J. 1993. *The Myth of Property*. New York, Oxford University Press.

Christophers, Brett. 2010a. "Geographical Knowledges and Neoliberal Tensions: Compulsory Land Purchase in the Context of Contemporary Urban Redevelopment." *Environment and Planning A* 42: 856–73.

— — —. 2010b. "On Voodoo Economics: Theorising Relations of Property, Value and Contemporary Capitalism." *Transactions of the Institute of British Geographers* 35: 94–108.

City of Albuquerque. 1998. "Development Agreement with Sawmill CDC."

City of Albuquerque. 2002. "Sawmill/Wells Park Sector Development Plan."

City of Albuquerque. 2013. "Development Agreement with Sawmill Community Land Trust for the Purpose of Developing Madera Crossing."

City of Flagstaff. 2004. Ordinance 2004-97. Created the Community Housing Policy Task Force.

City of Flagstaff. 2005a. Summarized Minutes City Council Meeting. February 15, 2005.

City of Flagstaff. 2005b. Final Report. Flagstaff Community Housing Policy Task Force. December 5, 2005.

City of Flagstaff. 2006. Resolution 2006-1.

City of Flagstaff. 2007. "2007-2008 Annual Budget and Financial Plan."

City of Flagstaff. 2008. Resolution 2008-15.

City of Flagstaff. 2013. City Council Special Budget Meeting Minutes. January 22, 2013.

City of Flagstaff. 2013. Flagstaff City Code. Section 2-22: Flagstaff Community Land Trust Commission. Amended in 2014.

City of Flagstaff. 2013. Flagstaff City Charter Chapter 2-22 (as of January 2013). "Flagstaff Community Land Trust Commission."

Cornerstone Partnership. 2013. "Policy Update: FHA Shows Continued Commitment to Affordable Homeownership."

<http://affordableownership.org/2012/05/30/policy-update-fha-may-2012/>. Accessed on 5/2/2013.



Curtin, Julie Farrell and Lance Bocarsly. 2008. "CLTs: A growing trend in affordable home ownership." *Journal of Affordable Housing and Community Development Law* 17(4): 367-394.

Davis, John Emmeus. 1984. "Reallocating Equity: A Land Trust Model of Land Reform." In *Land Reform, American Style*, edited by Charles C. Geisler and Frank J. Popper. Rowman & Allanheld.

— — —. 1991. *Contested Ground*. Ithaca, NY: Cornell University Press.

— — —. 1994a. "Building the Progressive City: Third Sector Housing in Burlington, Vermont." In *The Affordable City: Toward a Third Sector Housing Policy*, edited by John Emmeus Davis. Philadelphia: Temple University Press.

— — —. 1994b. *The Affordable City: Toward a Third Sector Housing Policy*. Philadelphia, PA: Temple University Press.

— — —. 2006. "Shared Equity Homeownership: The Changing Landscape of Resale-Restricted, Owner-Occupied Housing." Montclair, NJ: National Housing Institute.

— — —. 2008. "Homes That Last." Shelterforce.

— — —. 2010a. "Origins and Evolution of the Community Land Trust in the United States." In *The Community Land Trust Reader*, edited by John Emmeus Davis. Cambridge, MA: Lincoln Institute of Land Policy.

— — —. 2010b. *The Community Land Trust Reader*. Cambridge, MA: Lincoln Institute of Land Policy.

— — —. 2010c. "More than Money: What is Shared in Shared Equity Homeownership?" *Journal of Affordable Housing* 19(3&4): 259-277.

— — —. 2014. "Origins and Evolution of the Community Land Trust in the United States." <https://dl.dropboxusercontent.com/u/4088576/clt-roots/eBooks/Origins-Evolution-CLT.pdf>.

— — —. 2015. "Common Ground: Community-Led Development on Community-Owned Land."

Davis, John Emmeus, and Amy Demetrowitz. 2003. "Permanently Affordable Homeownership." Burlington, Vermont: Burlington Community Land Trust. <http://www.burlingtonassociates.net/resources/archives/resale%20complete.pdf>.

Davis, John, and Rick Jacobus. 2008. "The City-CLT Partnership: Municipal Support for Community Land Trusts." Cambridge, MA: The Lincoln Institute of Land Policy.

DeFilippis, James. 2004. *Unmaking Goliath: Community Control in the Face of Global Capital*. New York: Routledge

— — —. 2008. "Community Control and Development: The Long View." In *The Community Development Reader*, edited by James DeFilippis and Susan Saegert. New York: Routledge.

de Soto, Hernando. 2000. *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else*. New York: Basic Books.

Dodge, William A. 2012. *Historic and Architectural Resources of Central Albuquerque, 1880-1970*. United States Department of the Interior.

Dyer, Jessica. 2014. "New retail plans add to Sawmill momentum." *Albuquerque Journal*.

Fabricant, Michael B. and Robert Fisher. 2002. *Settlement Houses Under Siege: The Struggle to Sustain Community Organizations in New York City*. New York: Columbia University Press.

Federal Reserve Bank of Richmond. "Shared Equity Housing: a Forum on Financing and Capitalization." [http://www.richmondfed.org/conferences\\_and\\_events/community\\_development/2012/sharedequity\\_20120622.cfm](http://www.richmondfed.org/conferences_and_events/community_development/2012/sharedequity_20120622.cfm). Accessed on 5/2/2013.

Ferro, David. 1976. *An Overview: The History of Preservation Activity in Albuquerque, New Mexico*.

Fraser, James, Jonathan Lepofsky, Edward L. Kick, and J. Patrick Williams. 2003. "The Construction of the Local and the Limits of Contemporary Community Building in the United States." *Urban Affairs Review* 38(3): 417-445.

Gans, Herbert J. 1962. *The Urban Villagers: Group and class in the life of Italian-Americans*. New York: The Free Press.

Geisler, Charles C., Gail Daneker, Ed. 2000. *Property and Values: Alternatives to Public and Private Ownership*. Washington, DC: Island Press.

George, Henry. 1879. *Progress and Poverty*.

— — —. 1883. *Social Problems*.

Gibson-Graham, J. K. 1996. *The End of Capitalism (As We Knew It): A Feminist Critique of Political Economy*. Minneapolis, MN: University of Minnesota Press.

— — —. 2005a. "Surplus Possibilities: Postdevelopment and Community Economies." *Singapore Journal of Tropical Geography* 26: 4–26.

— — —. 2005b. "Traversing the Fantasy of Sufficiency: A Response to Aguilar, Kelly, Laurie, and Lawson." *Singapore Journal of Tropical Geography* 26: 119–26.

— — —. 2006. *Poscapitalist Politics*. Minneapolis, MN: University of Minnesota Press.

— — —. 2008. "Diverse Economics: Performative Practices for 'Other Worlds.'" *Progress in Human Geography* 32 (5): 613–32.

Gittell, Marilyn. 1980. *Limits to Citizen Participation*. Beverly Hills, CA: Sage Publications.

Goetz, Edward G. and Mara Sidney 1994. "Revenge of the Property Owners: Community Development and the Politics of Property." *Journal of Urban Affairs* 16(4): 319-334.

Gonzales, Phillip. 1993a. "Historical Poverty, Restructuring Effects, and Integrative Ties: Mexican American Neighborhoods in a Peripheral Sunbelt Economy." In *In the Barrios: Latinos and the Underclass Debate*. New York: Russell Sage Foundation.

— — —. 1993b. "The Political construction of Latino nomenclature in twentieth-century New Mexico." *Journal of the Southwest*: 35(2).

Gonzales, Phillip. 2003. "Struggle for Survival: The Hispanic Land Grants of New Mexico, 1848-2001." *Agricultural History*: 77(2): 293-324.

Gray, Karen A., and Mugdha Galande. 2011. "Keeping 'Community' In a Community Land Trust." *Social Work Research* 35 (4): 241–48.

Greenstein, Rosalind. 2007. "Henry George and community land trusts." *The Housing Journal* 6 (Winter/Spring).

Greenstein, Rosalind and Yesim Sungu-Eryilmaz. 2007. *Community Land Trusts: A Solution for Permanently Affordable Housing*. Cambridge, MA: Lincoln Institute for Land Policy.

Gunn, Christopher, and Hazel Dayton Gunn. 1991. *Reclaiming Capital: Democratic Initiatives and Community Development*. Ithaca, NY: Cornell University Press.

Haila, Anne. 2007. "The Market as the New Emperor." *International Journal of Urban and Regional Research* 31: 3–20.

Halpern, Robert. 1995. *Rebuilding the Inner City*. New York: Columbia University Press.

Harvey, David 1974. "Class-Monopoly Rent, Finance Capital, and the Urban Revolution." *Regional Studies* 8.

Harvey, David. 1989. *The Urban Experience*. Baltimore, MD: The Johns Hopkins University Press.

Harvey, David. 1999. *The Limits to Capital*. London: Verso.

Herbert, Christopher E., and Eric Belsky. 2008 "The Homeownership Experience of Low-Income and Minority Households: A Review and Synthesis of the Literature." *Cityscape* 10 (2): 5–59.

Hickey, Robert, Emily Thaden, Lisa Sturtevant. 2014. *Achieving Lasting Affordability through Inclusionary Housing*. Cambridge, MA: Lincoln Institute of Land Policy.

Hirsch, Arnold. 1998. *Making the Second Ghetto: Race and Housing in Chicago, 1940-1960*. Chicago: University of Chicago Press.

Howell, Benjamin. 2006. "Exploiting Race and Space: Concentrated Subprime Lending as Housing Discrimination." *California Law Review* 94(1): 101-148.

Huron, Amanda. 2012. "The Work of the Urban Commons: Limited-Equity Cooperatives in Washington, D.C." Dissertation, New York: City University of New York.

Immergluck, Daniel. 2009. *Foreclosed: High-Risk Lending, Deregulation, and the Undermining of America's Mortgage Market*. Cornell University Press.

International Independence Institute. 1972 (2007). *The community land trust: A guide to a new model for land tenure in America*. Cambridge, MA: Center for Community Economic Development. Reprinted by DRA of Vermont.

Jacobus, Rick. 2007a. *Shared equity, transformative wealth*. Washington DC: National Housing Council.

Jacobus, Rick. 2007b. *Stewardship for lasting affordability: Administration and monitoring of shared equity homeownership*. Presented at NeighborWorks symposium 'Taking Shared Equity to Scale', Portland, OR.

Jacobus, Rick. 2015. "Inclusionary Housing: Creating and Maintaining Equitable Communities." Cambridge, MA: Lincoln Institute of Land Policy.

Jacobus, Rick and John E. Davis. 2010. *The asset building potential of shared equity homeownership*. Washington, DC: New America Foundation.

Jacobus, Rick and Jeffrey Lubell. 2007. *Shared equity homeownership: An effective strategy for balancing affordability and asset-building objectives*. Washington DC: Center for Housing Policy.

Jacobus, Rick and Ryan Sherriff. 2009. *Balancing durable affordability and wealth creation: Responding to concerns about shared equity homeownership*.

Report prepared for Annie E. Casey Foundation. Washington, DC: Center for Housing Policy.

Jefferson, Thomas. 1816. Personal letter to Samuel Kercheval.

Joint Center for Housing Studies. 2009. "State of the Nation's Housing 2009." Cambridge: Joint Center for Housing Studies of Harvard University.

Joint Center for Housing Studies. 2010. "State of the Nation's Housing 2010." Cambridge: Joint Center for Housing Studies of Harvard University.

Joint Center for Housing Studies. 2015. "State of the Nation's Housing 2015." Cambridge: Joint Center for Housing Studies of Harvard University.

Kasen, Raphael, John Manieri, Christopher Rodriguez, Julie Thibault Grof, and Amy Winter. 2013. "Assessing Fundamental Issues of Central Server CLTs: Strategies for the Essex Community Land Trust." Bloustein School of Planning and Public Policy: Studio Report, Fall 2012 Community Development Studio.

Kemeny, Jim. 1981. *The Myth of Home Ownership*. Boston: Routledge.

Kerner Commission. 1968. "Report of the National Advisory Commission on Civil Disorders."

Kirkpatrick, L. Owen. 2007. "The Two Logics of Community Development."

Krinsky, John, and Sarah Hovde. 1996. "Balancing Acts: The Experience of Mutual Housing Associations and Community Land Trusts in Urban Neighborhoods." New York: Community Service Society of New York.

Krippner, Greta R. 2005. "The financialization of the American economy." *Socio-Economic Review* (2005)3: 173-208.

Krueckeberg, Donald A. 1995. "The Difficult Character of Property." *Journal of the American Planning Association* 61 (3): 301.

Krueckeberg, Donald 1999. "The Grapes of Rent: A History of Renting in a Country of Owners." *Housing Policy Debate* 10(1): 9-30.

Krueckeberg, Donald A. 2004. "The Lessons of John Locke or Hernando de Soto: What If Your Dreams Come True?" *Housing Policy Debate* 15 (1): 1–24.

Latour, Bruno. 2005. *Reassembling the Social: An Introduction to Actor-Network-Theory*. New York: Oxford University Press.

Lefebvre, Henri. 2003. *The Urban Revolution*. Minneapolis: University of Minnesota Press.

Li, Tania Murray. 2014. "What Is Land? Assembling a Resource for Global Investment." *Transactions of the Institute of British Geographers* 39: 589–602.

Locke, John. 1704. *Second Treatise on Government*.

Logan, John R, Molotch, Harvey L. 1987. *Urban Futures: The Political Economy of Place*. Berkeley and Los Angeles, California: University of California Press.

Lyon, Larry. 1987. *The Community in Urban Society*. Philadelphia: Temple University Press.

Maciag, Mike. 2015. "Where Wages Are Lowest and Highest in America." <http://www.governing.com/topics/mgmt/gov-metros-where-wages-are-lowest.html>.

MacPherson, C.B. 1978. *Property: Mainstream and Critical Positions*. Toronto: University of Toronto Press.

Marx, Karl. 1867. *Capital: Volume 1*.

Matthei, Chuck. 2000. Speech to the Opening Plenary Session of the National CLT Conference. In *CLT Reader*.

McKay, Dan. 2015. "County OKs tax break for Sawmill hotel, market." *Albuquerque Journal*.

Meehan, James. 2014. "Reinventing Real Estate: The Community Land Trust As a Social Invention in Affordable Housing." *Journal of Applied Social Science* 8 (2): 113–33.

Merenlender, A.M., L. Huntsinger, G. Guthey, and S.K. Fairfax. 2004. "Land Trusts and Conservation Easements: Who Is Conserving What for Whom?" *Conservation Biology* 18 (1): 65–75.

Metcalf, Richard. 2014. "Sawmill District Enjoying Renaissance." *Albuquerque Journal*, February 17. <http://www.abqjournal.com/354227/biz/sawmill-district-enjoying-renaissance.html>.

Midheme, Emmanuel. "Laying the Foundations for the 'Just City': Collaborative Spatial Planning and Settlement Upgrading in Voi, Kenya." Leuven: Katholieke Universiteit.

Midheme, Emmanuel, and Frank Moulaert. 2013. "Pushing Back the Frontiers of Property: Community Land Trusts and Low-Income Housing in Urban Kenya." *Land Use Policy* 35 (November): 73–84.

Miller, Stephen R. 2013. "Community Land Trusts: Why Now Is the Time to Integrate This Housing Activists' Tool Into Local Government Affordable Housing Policies." *Zoning and Planning Law Report* 36(9): 1-20.

Mitchell, Timothy. 2005. "The Work of Economics: How a Discipline Makes Its World." *European Journal of Sociology* 46 (2): 297–320.

Munzer, Stephen R. 1990. *A Theory of Property*. New York: Cambridge University Press.

National Community Land Trust Network. 2013. "Network-Sponsored Research Projects." Link: <http://www.cltnetwork.org/index.php?fuseaction=Content.NetworkProjects>. Accessed on 5/2/2013.

National Low Income Housing Coalition. 2015. 'Out of Reach 2015'. <http://nlihc.org/oor>. Accessed on 6/26/2015.

Newman, Kathe. 2009. "Post Industrial Widgets: Capital Flows and the Production of the Urban." *International Journal of Urban and Regional Research* 33 (2): 314–41.



Newman, Kathe and Elvin Wyly. 2004. "Geographies of Mortgage Market Segmentation: The Case of Essex County, New Jersey." *Housing Studies* 19(1): 53-83.

Newman, Kathe and Robert W. Lake. 2006. "Democracy, Bureaucracy and Difference in Community Development Politics Since 1968." *Progress in Human Geography*. 30(1):1-18.

Logan, John R. and Harvey L. Molotch. 1987. *Urban Fortunes: The Political Economy of Place*. Berkeley, CA: University of California Press.

Martin, Deborah. 2004. "Nonprofit Foundations and Grassroots Organizing: Reshaping Urban Governance." *Professional Geographer* 56(3): 394-405.

O'Connor, Alice. 1999. *Swimming Against the Tide: A Brief History of Federal Policy in Poor Communities*. In *Urban Problems and Community Development*. Edited by Ronald F. Ferguson and William T. Dickens. Washington, DC: Brookings Institution Press.

Pateman, Carole. 1970. *Participation and Democratic Theory*. New York: Cambridge University Press.

Peck, Jamie, and Adam Tickell. 2002. "Neoliberalizing Space." *Antipode* 34 (3): 380–404.

Phillips, K. 2002. *Wealth and Democracy: A Political History of the American Rich*. New York: Broadway Books.

Radin, Margaret Jane. 1993. *Reinterpreting Property*. Chicago: Chicago University Press.

Rail Yards Market. 2015. "Homepage." Accessed September 2, 2015. <http://www.railyardsmarket.org/>.

Reagan, Ronald. 1987a. Statement on the President's Commission on Privatization.

Reagan, Ronald. 1987b. Remarks on Administration Goals to Senior Presidential Appointees.

Retsinas, Nicolas P., ed. 2002. *Low-Income Homeownership: Examining the Unexamined Goal*. Washington, DC: The Brookings Institution.

Rohe, William M. and Michael Stegman 1994. "The Impact of Homeownership on the Social and Political Involvement of Low-Income People." *Urban Affairs Quarterly* 30(1): 152-172.

Rohe, William M 1995. "Converting Public Housing to Cooperatives: The Experience of Three Developments." *Housing Policy Debate* 6(2): 439-479.

Rohe, William M., George McCarthy, and Shannon Van Zandy 2000. *The Social Benefits and Costs of Homeownership: A critical assessment of the research*. Washington DC, Research Institute for Housing America.

Rosenberg, Greg. 2010. "Troy Gardens: The accidental eco-village." In *The Community Land Trust Reader*. John Emmeus Davis (ed). Cambridge, MA: The Lincoln Institute of Land Policy.

Rosenberg, Greg. 2013. "Sell the CLT Movement for What It Is: Radical and Superior." *Rooflines*, the Shelterforce Blog.  
[www.rooflines.org/3389/sell\\_the\\_clt\\_movement\\_for\\_what\\_it\\_is\\_radical\\_and\\_superior](http://www.rooflines.org/3389/sell_the_clt_movement_for_what_it_is_radical_and_superior).

Rosenberg, Greg and Jeffrey Yuen. 2012. *Beyond Housing: Urban Agriculture and Commercial Development by Community Land Trusts*. Cambridge, MA: Lincoln Institute for Land Policy.

Saegert, Susan, Efrat Eizenberg, Melissa Extein, Tsai-shiou Hsieh, Lymari Benitez, and Chung Chang. 2003. *Limited Equity Co-ops as Bulwarks Against Gentrification*. Conference of the Urban Affairs Association. Cleveland, OH.

Sawmill Advisory Council. Undated. "Sawmill Redevelopment Project: Planning Proposal."

Sawmill Advisory Council. 1995. Letter to City regarding Sawmill redevelopment.

Sawmill Community Development Corporation. 1998a. Minutes of the Sawmill Community Development corporation: January 15, 1998.

Sawmill Community Development Corporation. 1998b. Minutes of the Sawmill Community Development corporation, Annual Board Meeting: March 19, 1998.

Sawmill Community Land Trust. 2008. 2008 Strategic Planning Process.

Schwartz, Alex. 2010. *Housing Policy in the United States*. New York: Routledge.

Schumpeter, Joseph A. 1942 [2008]. *Capitalism, Socialism, and Democracy*. New York: Harper Perennial Modern Thought.

Scott, James C. 1998. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven, CT: Yale University Press.

Semuels, Alana. 2015. "Affordable Housing, Always." *The Atlantic Monthly*. July 6. <http://www.theatlantic.com/business/archive/2015/07/affordable-housing-always/397637/>.

Shapiro, Thomas M. 2004. *The Hidden Cost of Being African American: How Wealth Perpetuates Inequality*. New York: Oxford University Press.

Simmons, Marc. 1982. *Albuquerque: A Narrative History*. Albuquerque: University of New Mexico Press.

Smith, Neil. 2002. "New Globalism, New Urbanism: Gentrification as Global Urban Strategy." *Antipode* 34(3): 434-457.

State of Arizona. 2014. "Arizona Lodging Performance." Arizona Office of Tourism. <https://tourism.az.gov/research-statistics/data-trends/research>.

State of New Mexico. 2014. <http://newmexicohistory.org/places/tiguex>

State of Wyoming Division of Economic Analysis. "Historical Census of Housing Tables: Homeownership". [http://eativ.state.wy.us/housing/Owner\\_0000.html](http://eativ.state.wy.us/housing/Owner_0000.html)

Stein, Samuel. 2014. "De Blasio's Doomed Housing Plan." *Jacobin Magazine*. <https://www.jacobinmag.com/2014/10/de-blasios-doomed-housing-plan/>.

Stephens, Alexis. 2014. "Should Community Land Trusts Rank Higher in the Affordable Housing Toolbox." *Next City*. November 3.

<https://nextcity.org/daily/entry/should-community-land-trusts-be-higher-in-the-affordable-housing-toolbox>.

Stevenson, M. L. 2000. "Visions of Certainty: Challenging Assumptions." Paper presented at Speaking Truth to Power: A Treaty Forum, Vancouver, BC.

Stoecker, Randy. 1994. *Defending Community: The Struggle for Alternative Redevelopment in Cedar-Riverside*. Philadelphia: Temple University Press.

— — —. 1997. "The CDC Model of Urban Development: A Critique and an Alternative." *Journal of Urban Affairs* 19: 1.

Stoutland, Sara 1999. "Community Development Corporations: Mission, Strategy, and Accomplishments." In *Urban Problems and Community Development*. Ronald F. Ferguson and William T. Dickens. Washington DC, Brookings Institution.

Suazo, Mark. Undated. Unpublished thesis. University of New Mexico.

Sugrue, Thomas. 2005. *The Origins of the Urban Crisis: Race and Inequality in Postwar Detroit*. Princeton: Princeton University Press.

Sungu-Eryilmaz, Yesim, Rosalind Greenstein. 2007. *A National Study of Community Land Trusts*. Cambridge, MA: Lincoln Institute for Land Policy.

Swann, Robert. 1992. An Interview. In *The Community Land Trust Reader*. Cambridge, MA: Lincoln Institute of Land Policy.

Swann, Robert. *Peace, Civil Rights, and the Search for Community: An Autobiography*. Center for Community Economics. Accessed at <http://www.centerforneweconomics.org/publications/peace-civil-rights-and-search-community-autobiography>

Tarrow, Sidney. 2011. *Power in Movement: Social Movements and Contentious Politics*. New York: Cambridge University Press.

Temkin, Kenneth, Brett Theodos and David Price. 2010. *Balancing Affordability and Opportunity: an Evaluation of Affordable Homeownership Programs with Long-Term Affordability Controls*. Washington, DC: The Urban Institute.

Thaden, Emily. 2010. "Outperforming the Market: Making Sense of the Low Rates of Delinquencies and Foreclosures in Community Land Trusts." Cambridge, MA: Lincoln Institute of Land Policy.

— — —. 2011. "Stable Home Ownership in a Turbulent Economy: Delinquencies and Foreclosures Remain Low in Community Land Trusts." Lincoln Institute of Land Policy.

Thaden, Emily. 2012. Results of the 2011 Membership Survey. National Community Land Trust Network.

Thaden, Emily and Jeffrey Lowe. 2014. Resident and Community Engagement in Community Land Trusts. Cambridge, MA: Lincoln Institute of Land Policy.

Thompson, Jonathan. 2015. "How 'Amenity Migrants' Push out Locals." High Country News. <http://www.hcn.org/articles/west-housing-crisis-local-labor>.

Trudeau, Dan. 2008. "Junior Partner or Empowered Community? The Role of Non-Profit Social Service Providers amidst State Restructuring in the US." *Urban Studies* 2008(45): 2805-2827.

U.S. Census. 1980. 1980 Census of the Population.

U.S. Census. 2010. 5-year American Community Survey.

U.S. Census. 2010. Decennial Census.

U.S. Census. 2013. 3-Year American Community Survey.

U.S. Forest Service. History of lumber industry in the US. <http://www.foresthistory.org/ASPNET/Publications/region/3/cibola/cultres6/sec2.htm>

U.S. Department of Labor. 2015. "Economy at a Glance for Flagstaff, AZ." Bureau of Labor Statistics. [http://www.bls.gov/eag/eag.az\\_flagstaff\\_msa.htm](http://www.bls.gov/eag/eag.az_flagstaff_msa.htm).

UN-Habitat. 2010. The Organisation, Management and Finance of Housing Cooperatives in Kenya. Nairobi: UN-Habitat.

Vidal, Avis C. 1996. "CDCs as Agents of Neighborhood Change: The State of the Art." In *Revitalizing Urban Neighborhoods*. Norman Krumholz W. Dennis Keating, and Philip Star. Lawrence, KS: University of Kansas Press.

Warren, Mark 1992. "Democratic Theory and Self-Transformation." *The American Political Science Review* 86(1): 8-8.

Weber, Rachel. 2002. "Extracting Value from the City: Neoliberalism and Urban Redevelopment." *Antipode* 34(3): 519-540.

White, Kirby. 2010. "Bob Swann: An Interview." In *The Community Land Trust Reader*. Cambridge, MA: Lincoln Institute of Land Policy.

Witt, Susan and Robert Swann. 1995. *Land: Challenge and Opportunity*.

Accessed at:

<http://www.centerforneweconomics.org/publications/essays/swann/robert/land-challenge-and-opportunity>

Wolford, Wendy. 2005. "Agrarian Moral Economies and Neoliberalism in Brazil: Competing Worldviews and the State in the Struggle for Land." *Environment and Planning A* 37 (2): 241–61.

Wyly, Elvin K., Daniel J. Hammel, Mona Atia. 2004. "Capital is the Landlord: Class-Monopoly Rent and New Geographies of Subprime and Predatory Mortgage Lending."

Wyly, Elvin K., Markus Moos, Daniel J. Hammel, and Emmanuel Kabahizi. 2009. "Cartographies of Race and Class: Mapping the Class-Monopoly Rent of American Subprime Mortgage Capital." *International Journal of Urban and Regional Research* 33(2): 332-354.

## Appendix A: Interview Protocols

### Initial case study interview protocols:

CLT employees (45-60 minutes)

- I. Introduction
  - a. Background statement about the research.
  - b. Tell me briefly about your current position.
- II. Background
  - a. How did you come to work with the community land trust?
    - i. What was your prior experience working with affordable housing?
  - b. What has kept you working here at the land trust?
- III. CLT Practices
  - a. What problems do you see the CLT solving?
  - b. What limitations do you see CLTs having?
  - c. How does the CLT make decisions?
  - d. What kind of institutional relationships are important for CLTs to succeed?
- IV. Wrapping up
  - a. Is there anything you would like to add that I have not covered today?

CLT leaseholders (45-60 minutes)

- I. Introduction
  - a. Background statement about the research.
  - b. Tell me briefly about your current situation.
- II. Background
  - a. How did you come to the CLT?
- III. CLT Practices
  - a. What kind of benefits do you see in living on CLT land?
  - b. What kind of limitations come from living on CLT land?
  - c. How does the CLT make decisions?
    - i. Has the CLT ever made a decision that you disagreed with?
  - d. How do you interact with other CLT leaseholders, if at all?
    - i. Board meetings? Social functions? Any non-CLT related interactions?
- IV. Wrapping up
  - a. Is there anything you would like to add that I have not covered today?

## **Practitioner interview protocol:**

### General information

1. How large is your service area?
  - a. For example, neighborhood, city/county, metropolitan area, state
2. What prompted the creation of your organization?
3. Why a community land trust?
4. What kind of improvements are on your organization's land?
5. How many housing units are in your portfolio, or located on CLT land?
6. What programs, services, or forms of land use does your organization offer?
  - a. Examples: Homeownership, youth programs, financial counseling, rental housing, commercial space/development, community garden, open space, political advocacy, senior housing, childcare

### Land

1. What are the goals of your organization?
2. What role does land play in achieving your goals? Is ownership of land part of a guiding ideology or is it the means to an end?

### Community engagement

1. Does your organization's decision making process involve residents and/or lessees? If so, in what way?
2. Do you have a board of directors? How are they chosen?
3. What is the board composition?

### Community organizing

1. Does your organization commit any resources to community organizing? If so, what kind of resources or programs?
2. What issues do you organize around?
3. If you do not do any organizing currently, do you have plans in the future or did you ever do it in the past? If no, is there any particular reason?
4. If resources were redirected, what led to that happening?