

ON COMMON GROUND

INTERNATIONAL PERSPECTIVES ON
THE COMMUNITY LAND TRUST



John Emmeus Davis, Line Algoed,
María E. Hernández-Torrales

EDITORS

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the Community Land Trust



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The Burden of Patience in a Long March Toward Racial Justice



Tony Pickett

The modern community land trust (CLT), by purpose and design, was always intended to be one part of a broader strategy for systemic social and economic change. It was to be a platform for increasing opportunity and economic prosperity for American families of color who were historically excluded from land ownership, one exclusion among many that reinforced widespread racial segregation. CLTs, in this regard, attempt to provide both a corrective action and a challenge to many current American socio-economic systems that are the result of flawed public policies often aligned with racist goals. Richard Rothstein’s highly acclaimed book, for example, *The Color of Law: A Forgotten History of How Our Government Segregated America*, presents incontrovertible evidence of this racist intent in shaping public policy and institutionalizing discrimination across housing, education, and employment.

As CLT leaders contemplate our goals for the next 50 years of progress, we must question whether we too are inadvertently supporting the same systems that limit power and success for people of color. It is fine for us to challenge our peers and the larger society to make a commitment to embrace diversity and inclusion, but we cannot avoid examining the many ways that we fall short ourselves. A limited number of CLT leaders of color is merely one indicator of our collective shortfall. If, in Gandhi’s words, we are to “be the change that you wish to see in the world,” there must be honest self-examination and an intentional shift in our priorities. Within our own sector, that should include an acknowledgement that we have not done nearly enough to nurture and provide leadership opportunities for diverse candidates. The first CLT was implemented by African-American organizers and leaders, but the harsh reality is there hasn’t been a substantial increase in their numbers, visibility, influence, and power over the past 50 years of CLT expansion and evolution.

We must never forget that the modern CLT was created out of necessity. It was a practical strategy to provide collective ownership of precious land to support African-Americans in realizing and exercising their constitutional right to vote, as well as to lessen and eventually eliminate the daily suffering and often violent oppression faced by descendants of African slaves who were living in the rural American South. It was born out of the American Civil Rights Movement. The notable milestones of that nonviolent struggle for racial justice included:

- The 1955 bus boycott sparked by the refusal of Rosa Parks to surrender her seat on a city bus to a white man in Montgomery, Alabama;
- The 1957 desegregation of Central High School in Little Rock, Arkansas by nine African-American students;
- Year-long mass protests to end all forms of segregation and discrimination in Albany, Georgia, 1961–1962; and
- Passage of the Voting Rights Act of 1965 and the Civil Rights Act of 1968, the latter of which is commonly called the Fair Housing Act.

Despite the sweeping changes caused by these events, the actual realization of equality, economic security, and the freedom to enjoy the many privileges of our nation remain elusive for far too many African-Americans, as well as for many other people of color in the United States. Governmental policies, legal systems, and societal norms are still deeply flawed, a result of both the passive legacy and the still-active tolerance of racism.

SELF-EXAMINATION IS REQUIRED

A simple statement by Civil Rights activist and CLT pioneer, Mrs. Shirley Sherrod, summarizes the longing of so many of us who remain committed to achieving a nation of equals: “*I wish that somehow, some way we could learn to live together in this country.*” That desire is inherently expressed when using the term *community*. As the CLT model continues to evolve and expand to achieve an increasing number of goals and a widening variety of land uses, defining exactly whose interests are being served by our work remains an essential requirement for measuring CLT progress. CLT residents, leaders, partners and investors routinely seek to balance the role of *community* in our work, but often overlook the multiple, nuanced interpretations captured by the word *community*.

Varying understandings of the word tend to fall within the range of two distinct classifications derived from highly personal perceptions: (1) a group of individuals with common interests, based largely on their shared proximity within a defined physical space, geography, or neighborhood; or (2) a group of individuals who acknowledge and value

their social cohesion with some implied level of trust, due to a shared racial or cultural experience or heritage. Tensions often arise in conversations when *community* is used without acknowledging these distinctions and without first reaching a common understanding of which classification of *community* is being discussed.

It is important, therefore, for CLT practitioners to clarify what they mean when they talk about *community* representation, *community*-led planning, or *community* benefits. Such clarity is especially needed in a time of continuing growth and evolution of the CLT model, along with the emergence of nonprofit entities administering affordable housing programs that are large-scale and regional in scope. Active expansion of their real estate holdings and their service areas will require a reassessment among CLT leaders of our cherished ideals regarding *community*-based decision making, a place-based membership, and a tripartite board as core elements of the “classic” CLT model.

All CLT leaders, particularly those advancing the model across the United States, must also personally explore and come to terms with today’s socio-political context for achieving CLT progress, while striving to maintain alignment with the values and vision of the CLT model’s origins in the Civil Rights Movement. Part of that context must include consideration of progressive national policy proposals, which are intended to redistribute wealth for the benefit of all American working families. These proposals are routinely decried as “socialist” in conservative-led attempts to taint and to discredit their potential effectiveness. This is not a new tactic, since it closely parallels the debate and circumstances of the 1966 Freedom Budget that resulted from the collective work of Martin Luther King Jr., A. Phillip Randolph, and Bayard Rustin. They had wisely proposed leveraging a period of strong U.S. economic growth to provide a guarantee of federal jobs, universal health care, and a basic income for all U.S. citizens, linking the goal of racial justice to that of economic justice.

Similarly, the CLT model was first envisioned by leaders who had conceived and pioneered the model as being a complement to other political and economic strategies for advancing the broader goals of the Civil Rights Movement. I would argue, based on the original intent of our founders and out of respect for their courage and personal sacrifices, that modern CLT leaders should perhaps cease making references to CLTs as a self-contained “*movement*.” Instead, we should highlight, embrace, and acknowledge with conviction our direct connection to the *original* Civil Rights Movement as the source of the model. We should position our own collective work as being a component and continuation of a broader struggle for new national policies and programs, aimed at achieving progressive social, political, and economic changes that directly address the ongoing impact of racism.

Our next 50 years of progress must also include creating a system with clear goals for training the next generation of CLT technical experts and leaders, who embody the values of the CLT model’s founders. Our next generation of leaders must be collectively diverse and intentionally representative of the *communities* we serve. Our most experienced and

seasoned practitioners must be prepared to “pass the baton” in the march toward equity. We must be prepared to mentor and to support a new cadre of leaders who are waiting in the wings, preparing to play a larger role in bringing CLTs and other forms of shared equity homeownership to scale.¹ These leaders must have a variety of skills, including: executive management, real estate finance, fund development, communications, and technical assistance. They must also have personal familiarity with the history of our collective struggle and a deep appreciation for the core values in which the CLT model is rooted.

New CLT formation is rapidly occurring in core urban neighborhoods of color such as the Fruit Belt in Buffalo, NY and Anacostia in Washington, DC. New organizations with local leaders of color are exercising power, as in the Houston CLT in Texas and in the

Our most experienced and seasoned practitioners must be prepared to “pass the baton” in the march toward equity.

City Roots CLT in Rochester, NY. At the national level, the Grounded Solutions Network is leading CLT support and training that has reached more than 5,500 people through its virtual CLT start-up hub aimed at educating and inspiring potential CLT

model adopters. The Network has also formed a multi-racial and multi-cultural group of thirty-two “Resident Ambassadors” who have volunteered their time to promote the benefit and impact of CLTs by sharing their unique experiences as homeowners.

At the same time, a new cohort of larger-scale CLT entities are arising, guided by multi-year growth plans for rapid expansion of their residential portfolios, operating expenses, and revenues. The role of *community* within this new generation of large-scale CLTs remains a work in progress. Their formation provides a working laboratory and the chance to evolve the model toward new best practices which balance continued accountability to a CLT’s local constituency with expanded productivity of both rental housing and homeownership, maximizing a CLT’s scale and impact to meet a broader continuum of housing needs.

This approach recognizes that the trend of declining resources for affordable housing from our federal government is likely to continue. It is not reasonable to assume that increased support from state and local governments will make up the shortfall. We are going to need to embrace and to expand new partnerships with well-capitalized private-sector financial institutions such as the largest U.S. affordable housing lender for each of the last nine years, Citi Community Capital. Citi resources provided over \$6 billion of lending to finance the production of 36,000 affordable rental housing units in 2018 alone.

In light of the recent 2019 study by Habitat for Humanity, which reported that 1 in 6 American families — 19 million households — are spending at least *half* their income for a place to live, we CLT leaders must push ourselves to address such key questions as: How big can a single CLT become? How can we advance our often-discussed collective

goal for increasing CLT housing production at a reasonable pace? Can we achieve greater scale and leverage partnerships with private financial institutions and development partners without sacrificing our commitment to community-led values?

EXTERNAL CRITICISM CAN BE ADDRESSED

During 2019–2020, CLTs in the United States are celebrating the 50th Anniversary of the founding of the first CLT, New Communities Inc. In that 50-year span, the model has been extended and adapted from its original focus on agrarian working-land ownership

Families only earn wealth from homeownership if they are able to hang onto their homes over time, despite the ups and downs of a fluctuating economy.

to mitigate the effects of sharecropping and discrimination for rural farmers. Fifty years later, with some 260 CLTs in existence across the USA, the model is focused largely on *community* ownership of land

and the creation of housing with permanent affordability.

Ironically, a model that emerged from African-American innovation and leadership has attracted its fair share of African-American critics, who object to the standard CLT practice of imposing resale controls on owner-occupied homes. They argue that families of color deserve the same full wealth-building opportunity offered by real estate ownership that white families have historically enjoyed.

Such criticism ignores two practical realities. Families only earn wealth from homeownership if they are able to gain access to homeownership. Once they do, families only earn wealth from homeownership if they are able to hang onto their homes over time, despite the ups and downs of a fluctuating economy. Research conducted by the Grounded Solutions Network and the Lincoln Institute of Land Policy, some of which is summarized below, has shown that CLTs are increasingly helping families of color to purchase homes. The majority of these first-time homeowners are building wealth. And, as previous studies have shown, the owners of CLT resale-restricted homes rarely lose their homes to foreclosure.

Beyond these practical rebuttals to CLT critics, I believe we must also directly challenge our critics to address the broader question of whether the main performance metric of racial equity should be based primarily on comparison to a benefit resulting from a racist system of land ownership and wealth creation. That system was created by white American culture, another undeniable expression of white privilege, dominance, and assumed superiority.

A baseline for the next 50 years of CLT progress has been established by a recent research paper commissioned by the Grounded Solutions Network entitled, *Tracking Growth and Evaluating Performance of Shared Equity Homeownership Programs During*

Resale-restricted, owner-occupied homes are increasingly benefiting lower-income families of color.

Housing Market Fluctuations.² Published by the Lincoln Institute of Land Policy in 2019, it is the largest study of the performance of shared equity housing programs to date. It evaluates the impact of 58 shared

equity homeownership programs in the USA, documenting homeowner characteristics and performance outcomes for 4,108 homes over a 33-year span, 1985 to 2018. Thirty-two (32) of these programs are administered by CLTs; 73% of the properties included in the study are CLT homes. Key findings highlighted by the report, based on quantitative data include:

- The shared equity sector is increasingly serving people of color. Homeowners of color have steadily increased from 13% in the pre-2001 period to 43% today.
- Wealth building in these shared equity homes is benefitting homeowners. The median shared equity household accumulates approximately \$14,000 through their participation in shared equity programs, while the median equity investment that was originally made by homeowners at purchase was \$1,875.
- A majority of shared equity homeowners are eventually choosing to transition to traditional homeownership. When the owners of shared equity housing resold their homes, a majority (58%) purchased another home, instead of reverting to renting.
- The majority of shared equity home purchasers are first-time homebuyers from households headed by women in their late 30s, earning 51%–80% of Area Median Income, and employed predominantly in office, retail, or service jobs.

The shared equity housing sector, of which CLTs make up a major part, now boasts a track record of *equitable* performance, whereby resale-restricted, owner-occupied homes are increasingly benefiting lower-income families of color. This represents indisputable proof that the CLT model can be effective in addressing our nation's documented racial wealth gap for African-American households.³ These benefits will remain limited to a small fraction of the population, however, unless our programs are expanded in capacity and unless our portfolios are increased. We need to focus on such practical aspects as standardization of shared equity mortgages, consistent governmental guidelines for resale formulas, a uniform appraisal methodology, access to greater amounts of dedicated public funding, greater access to private commercial financing, and increased attention to the sustainability of our organizations. Unless we rise to the challenge of shared equity expansion, a majority of Americans still suffering the impact of discrimination — and those who are most in need of quality housing — will remain untouched by our efforts.

AN EXCITING PATH FORWARD

Among several ambitious large-scale shared equity housing initiatives currently unfolding is a new CLT in Washington, DC. Its origin story is noteworthy as an example of the interplay of land ownership, public policy, and community control as we attempt to shape a vision for the next cycle of CLT growth. The Washington neighborhoods of Wards 7 and 8, located east of the Anacostia River, have a combined population of approximately 154,000 people, 93% of whom are African-American. Ward 8 contains the historic Anacostia neighborhood, one of Washington's first African-American suburbs. Here, in September 1877, the celebrated African-American abolitionist and social reformer, Frederick Douglass, paid \$6,700 to purchase a home on 9¾ acres of land.⁴

Today, the residents of both Wards 7 and 8 face a mounting threat of massive displacement, a consequence of Washington's robust real estate market, which has gentrified one low-income neighborhood after another.⁵ This process has been encouraged by bad public policy through which thousands of federally subsidized rental housing units were created with short-term affordability protections designed to lapse in the near future.⁶ Area residents and small business owners fear that displacement pressures will also be heightened by the planned construction of the 11th Street Bridge Park, a new elevated public park, the first of its kind in Washington, DC, that will span the Anacostia River.

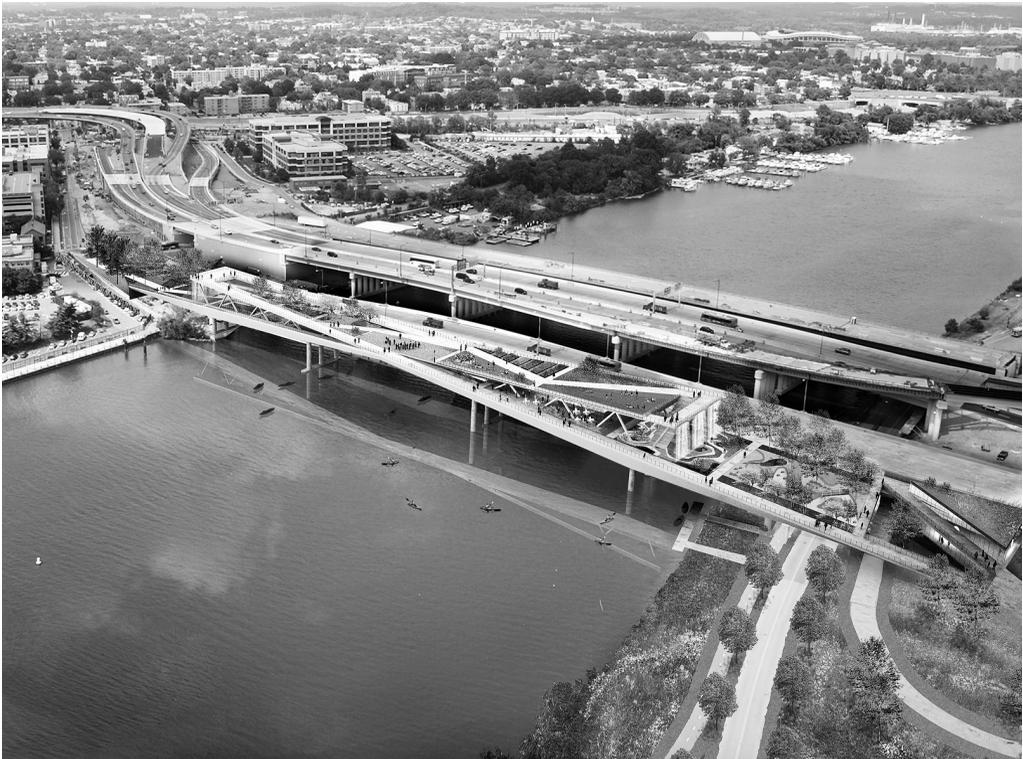


Fig. 22.1. Bridge Park rendering, aerial view. IMAGE COURTESY OF OMA+OLIN



Fig. 22.2. Cultural Equity Open House, Anacostia Arts Center. Ward 7 resident, Dennis Chestnut. COURTESY OF SCOTT KRATZ, 11TH STREET BRIDGE PARK

These concerns spurred organizing and outreach within the Anacostia neighborhood where the threat of gentrification loomed the largest, especially those areas adjacent to the proposed 11th Street Bridge Park. Residents were mobilized to inform the Bridge Park Equitable Development Plan, completed in 2015. The Plan acknowledged that “*construction of signature public parks can significantly change land values and uses in surrounding areas.*” It recommended, as an antidote to displacement, the creation of a new CLT to secure and to re-position existing residential properties located east of the Anacostia River as new permanently affordable housing.

The area’s resident leaders and Bridge Park advocates agreed on shared priorities for the new park and acted decisively. They found a partner in a local nonprofit developer of shared equity housing, City First Homes, secured dedicated philanthropic funding, and retained expert technical assistance from the Denver-based Urban Land Conservancy. In August 2017, they invited me to deliver a public presentation on the CLT model’s origins in the Civil Rights Movement. This “Power to the People” presentation occurred at the Anacostia Arts Center. It was filled to capacity and helped to fuel efforts by various community leaders, nonprofits, and funders to establish the appropriately named “Douglass Community Land Trust.”

Today, the Douglass CLT (<http://douglassclt.org>) boasts a 12-person board that is predominately African-American. Neighborhood residents make up a majority of the

board. The new CLT has already secured funding and partnerships to preserve an existing 65-unit multifamily rental project in Ward 8, as the first step toward creating a total portfolio of 750 permanently affordable homes over the next ten years, balanced equally between rental and homeownership.

Some may take issue with this ten-year timespan as being too little or too slow, but we must all exercise patience, recognizing that one decade is a brief moment in the cycle of neighborhood change and community development, as well as a fraction of the full lifespan of a single generation. Although still a work in progress, the Douglass CLT shows promise as a new approach for using the CLT model to mitigate displacement and to manage equitable growth.

Resident concerns about the potential for market-driven investments and publicly funded infrastructure improvements leading to displacement and gentrification in communities of color are certainly not limited to Washington, DC. The federal government's national Opportunity Zone Program, for example, is the newest attempt to direct private capital investment toward low-income communities, providing tax incentives for investors to re-invest unrealized capital gains in eligible low-income census tracts. There is no provision in the program's guidelines, however, for including community decision making

We hope to achieve a “new normal” of community-owned land, community-led decision making, and access to opportunity for current residents.

ing in directing this private investment, nor are there any specifics as to the types of community benefits or outcomes that will be used in evaluating the program's success.

We cannot continue to allow federal policy to remain silent on the challenges of including community decision making and achieving equitable outcomes. We must demand, in particular, that our elected leaders and policymakers fully integrate a racial equity lens across a range of federal policies, new and old, spanning housing, economic development, and environmental justice. Such a lens might include targeted reparations for African-Americans, stemming from the historic injustice of slavery, and could be combined with the investment of billions of dollars required to improve the aging public infrastructure of our nation.

One potential example of this transformational infrastructure investment is suggested in the current work of the High Line Network, a national alliance of 19 transformative public open space infrastructure project leaders. The Network's website states:

As cities become denser and land for traditional parks becomes scarce, citizens are finding creative ways to bring greenspace to their neighborhoods. Projects in the High Line Network transform underutilized infrastructure into new urban landscapes. Redefining what a park can be, these hybrid spaces are also public squares, open-air museums, botanical gardens, social service organizations, walkways, transit corridors, and more.⁷

The 11th Street Bridge Park in Washington, DC is included among the High Line Network's partners. It will serve as an early proof-of-concept, validating the critical need for equitable development strategies which use the CLT model. Working together, we hope to achieve a "new normal" of community-owned land, community-led decision making, and access to opportunity for current residents, prioritizing existing neighborhood cultures and traditions instead of focusing only on the highest market-based returns.

PERSONAL COMMITMENTS ARE REQUIRED

The CLT model must continue to adapt and to expand over the next 50 years to remain relevant, especially if we hope to adequately address the needs of communities in the face of profit-focused economic interests. In place of the current status quo and repeated public policy and systemic failures, CLT leaders must foster a new vision, evolving toward a more responsive system of proactive economic development with a racial equity lens. Our work must be intentionally targeted to promote *community* values, while preserving social and cultural cohesion, leading to an expanded exercise of democracy with broader civic engagement and inclusion.

CLT leaders must also be thoughtful regarding the individuals we collectively support and train for the next generation of expert practitioners. I challenge us all to expand our personal relationship circles and to provide more opportunities for leaders of color to champion and to expand the impact of our work. Future CLT leaders will be required to do a better job of educating the general public, real estate developers, financial investors, and policy makers to prioritize *development without displacement* as a goal. We all must advocate and implement progressive land use and zoning policies that balance community-driven priorities with a reasonable financial upside for those assuming the significant risk of investment in future development.

I have come to accept that I personally may not see the full flowering of the CLT model's acceptance, adoption, and growth during the span of my working years. No doubt this conclusion has been reached by many other CLT pioneers and practitioners who have come before me, some of whom have been serving as my own trusted mentors for over a decade. Like many of them, I now see myself as making a place and holding the space for future leaders, who will hopefully inherit from our efforts better tools, dedicated resources, and new policies with which to expand the scale and impact of our CLT model. Progress in growing our model, I have come to understand, like our nation's prolonged and grudging progress toward racial justice, will neither come rapidly nor easily. Each of us is required to commit to continuing the long march toward a better collective future, based on the social justice ideals that were clearly envisioned and effectively stated by inspirational leaders of the American Civil Rights Movement.

While the bold opportunities and enormous challenges ahead may appear intimidating and burdensome to many, I draw strong motivation from my exchanges with CLT

leaders across the world and directly from the words of Mrs. Shirley Sherrod, who repeatedly has known both tragedy and triumph during her 50-year journey with the model that she and her partners were the first to call a “community land trust.” In November 2018, I visited Albany, Georgia. As I stood beside her at *Resora*, the community-controlled farm and retreat center that represents the latest incarnation of New Communities Inc., she gestured to the 1,600 acres that surrounded us and shared these words: “Don’t give up! If we had given up, we would never have achieved all this.”

Notes

1. “Shared equity homeownership,” as defined by the Grounded Solutions Network, is “a self-sustaining model that takes a one-time public investment to make a home affordable for a lower-income family and then restricts the home’s sale price each time it is sold to keep it affordable for subsequent low-income families who purchase the home.” This sector includes CLTs, limited-equity cooperatives, deed-restricted homes, and other forms of permanently affordable housing. See: John Emmeus Davis, *Shared Equity Homeownership*, National Housing Institute, 2006 (<https://shelterforce.org/wp-content/uploads/2008/04/SharedEquityHome.pdf>); and Emily Thaden, “The State of Shared Equity Homeownership,” *Shelterforce*, May 7, 2018 (<https://shelterforce.org/2018/05/07/shared-equity/>).
2. Ruoniu Wang, Claire Cahen, Arthur Acolin, and Rebecca J. Walter, *Tracking Growth and Evaluating Performance of Shared Equity Homeownership Programs During Housing Market Fluctuations* (Cambridge, MA: Lincoln Institute of Land Policy, 2019).
3. Brian Thompson, *Forbes Magazine*, February 18, 2018, “The Racial Wealth Gap: Addressing America’s Most Pressing Epidemic” (<https://www.forbes.com/sites/brian-thompson1/2018/02/18/the-racial-wealth-gap-addressing-americas-most-pressing-epidemic/#10d3ab317a48>).
4. Frederick Douglass National Historic Site (<https://www.nps.gov/frdo/index.htm>).
5. The experience of Washington’s U Street Corridor provides a cautionary tale, where a once-thriving community of working-class and middle-class families, 90% of them African-Americans, was rapidly transformed through cycles of economic decline and gentrification. By 2001, the Corridor’s African-American population had plummeted, composing just 30% of the area’s families (Daniela Deane, “Going Upscale on U Street,” *Washington Post*, March 24, 2001).
6. In Ward 8 alone, there are estimated to be 10,925 units of publicly subsidized, privately owned housing with affordability restrictions that are due to expire.
7. High Line Network (<https://network.thehighline.org/about/>).

