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Community land trusts, affordable housing and community organising in low-income neighborhoods --Manuscript Draft--

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Abstract

Community Land Trusts (CLTs) offer a community-led response to housing problems and can provide affordable housing for low-income residents. Generally the academic work on CLTs remains underdeveloped, particularly in the UK, although some argue that they can be an efficient way in which to manage scarce resources while others have noted that CLTs can provide a focal point for community resistance. In this article we provide evidence on two active CLTs in inner urban areas in major US cities, New York and Boston. In Cooper Square, Lower East Side Manhattan and Dudley Street, south Boston we see the adoption of different approaches to development suggesting that we should speak of models of CLTs rather than assuming a single operational approach. The cases we present indicate both radical and reformist responses to the state and market provision of housing and neighbourhood sustainability. They also suggest community activism can prove to be significant in the securing of land and the development of the CLT.

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Introduction

Community Land Trusts (CLTs) can offer a community-led response to affordable housing and support sustainability in communities. Yet there is something problematic about CLTs. They have not developed as an alternative to the provision of state housing or to the private market. The CLT, as we see it today, can be traced back to the 1960s civil rights movement in the US (Stein, 2011) although the ideals underpinning their origin can be traced back to Henry George's 'single tax on land' and Ebenezer Howard's municipal ownership and Garden Cities philosophy (see Davis, 2010). Even in the US, the home of CLTs with some 10,000 units and the focal point for much of the development undertaken, Bratt (2012) estimates that CLTs make up only about 0.1% of total social housing. In the UK CLTs have tended to be small-scale, are often found in rural communities rather than in urban areas and overall have developed in fits and starts. The limited academic studies of CLTs tend to present them in a homogenized manner (Gray, 2008). This has restricted a more critical and theoretical understanding of their role.

In this paper, we contend that more attention should be paid to CLTs through the development of the following points. First, we argue that conceptually, they are difficult to categorize. On the one hand, they appear to be radical alternatives that challenge both the state and market while, on the other hand, they often seek to work within the structures of private home ownership (Meehan, 2013). CLTs appear to be both reformist and radical. Furthermore, differences based on place and local context impact the nature, purpose and governance of the CLT and its formation. Second, we develop the link between CLTs and community organising. As one might expect, the struggle for land raises the political consciousness of those involved, and therefore we can identify types of community empowerment occurring when a CLT is involved in such a struggle. Third, we draw on some common features found in certain types of urban CLTs including, activism against local governance and a struggle over land leading up to the formation of a CLT and eventually working with that same local governance. This may seem paradoxical, but it is in fact, a part of the CLT

journey for some types of CLT. Finally, the evidence we present supports the argument that housing should be understood as a verb, a process rather than a product and we illustrate the politics involved in establishing two particular types of CLT through the presented cases.

Two cases are provided to examine and explain why CLTs are an important and intriguing contemporary phenomenon. While these are US cases, our background to the research was initially to understand whether there were lessons from the development of CLTs in the US that might be applied in a UK context. While the two cases we put forward may be amongst the best known in the CLT movement in the US, outside of the US there has not been a lot of attention paid to them, nor to the CLT movement as a whole. So while we are not suggesting they are representative of the CLT movement, an investigation into their development may identify features common to struggle around the housing question in major cities today.

Understanding Community Land Trusts

In the US where CLTs have developed most extensively, they take different forms, reflecting in part their origins (Davis, 2010). The UK presents a much less informed picture although there is some evidence to indicate CLTs can be a means to retain affordable housing in well-to-do rural communities where property is being bought up as second or holiday homes (Moore and McKee, 2012). There is also evidence of similar trust initiatives in rural Scotland showing struggle around land tenure regime change (Satsangi, 2009) and our own ongoing research indicates modest development emerging in urban areas through for example, the East London CLT (see Bunce, 2015) and in south Liverpool, the Granby Street CLT. While to illustrate the far reaching and international character of the CLT movement, in Australia CLTs are emerging as a vehicle for ownership in aboriginal communities (Crabtree, 2014). Thus in one sense it is incorrect to talk of CLTs as a single category. The form of collective ownership, the way land is secured and then along with property, owned and

managed vary to such a degree that it is misleading to think in terms of a simple form addressing a single issue.

We can however identify elements that are inherent in the concept and common to the various forms of CLT. First there is the community element. However defined some sense of a community lies at the heart of the CLT. The community in question might be a clearly defined geographical space or a more dispersed population sharing some demographic characteristic, but the organising potential of that community is harnessed to a particular housing agenda, such as the control of neighbourhood resources (Gray and Galande, 2011). Davis (2010) notes how the CLT is socially and culturally situated in place and space giving the community a potential to combine the ownership of land with organising and activism. Once established, CLTs can become vehicles for the continued expression of a community interest and that this might develop beyond the central focus of housing.

The second aspect is land. Primarily CLTs are able to address housing problems in a community through the ownership of land. What the ownership of land enables is an entity – the CLT – that is able to address questions of distribution, affordability and sustainability (Davis, 2010; West, 2011). By locking in the initial investment into the land, for example the funding used to purchase the land, the subsidy is retained in perpetuity and protected through a stipulation of conditions under which properties on the land may be bought, sold and rented thus ensuring permanent affordability. The acquisition of land and the provision of homes are followed by expansion. Growth becomes part of the purpose of the CLT and more land acquisition becomes an objective that arises based on the organising capability of the community. By doing this the CLT can serve a specific agenda and can shape activity away from middle class reforms, seen for example in rural UK CLTs (Moore and McKee, 2012) towards empowerment of the socially and economically excluded groups (Davis, 2010) and as we will see, communities can confront the imperfection of the market that leads to inflated

real estate prices and distorts supply, and equally take a stand against the state and the policies they implement and manage, to the service of the market.

The third element is that of *trust*. The starting point for this is articulated more explicitly in the US cases that show an equal rejection of capitalist land markets as it does a rejection of state policies on land and housing (Davis, 2010). More implicit is a recognition of housing as a commodity, one in which the middle classes are able to build up capital in stark contrast to housing been regarded as a basic need. Critical then is what is referred to by CLT activists as stewardship, that is holding the land over a long period of time. Trust is not only a technical term but is usually built up from the work of community organisers over time from an existing base. As a result the forms of governance that is adopted will tend to reflect the different needs of the CLT, although will demonstrate competence and transparency in the stewardship of the land and in the appropriate use of resources that might also be committed to the CLT Taylor, 1995). This stewardship will often also include the interests of future generations and this builds in an inherent tension between consumption now and provision of social good in the future (Stein, 2011). Furthermore, the stewardship role that the CLT plays often extends far beyond the protection of the initial subsidy. CLTs practice what Davis (2008) calls 'counter-cyclical stewardship'. This stewardship maintains affordability of properties when the market is at its peak as well as protecting and supporting tenants at the bottom end of the business cycle (Davis, 2008). CLTs ability to support tenants and home-owners was most apparent in the aftermath of the 2008 financial crisis. Due to the transparent and rigorous screening of prospective tenants and home-owners coupled with training provision and protection from predatory lending, CLTs were able to insulate themselves from possible foreclosures. When tenants of home-owners do get into financial difficulties, CLTs often have revolving loan funds, provide counseling and will intervene to prevent foreclosures (Davis, 2008).

Davis (2006) describes the classic or ideal model of governance whereby membership to the CLT is open to 'any adult who lives within the geographic area that the CLT defines as its 'community'' (Davis, 2006: 19). One third of the CLT's board of directors will be 'elected to represent the interests of members who are leaseholders. One-third is elected by the members who are not leaseholders. The final third is nominated and appointed by the two-thirds who have been elected. Within this appointed third, seats may be reserved for representatives of local government, private lenders, or other community-based organisations' (Davis, 2006: 19). This tripartite structure is designed to balance the short-term interests of current CLT residents and the long-term interests of the wider community. This governance model is widely used although may vary from CLT to CLT.

The form of the CLT may differ from community to community but even so, when these three elements come together they often appear attractive to the attention of what Davis (2010) refers to as the socially aware, fiscally conservative public official. This is because the CLT aims to provide housing that is affordable over the long-term usually to households on less than the median income (Bratt, 2012; Moore and McKee, 2012) something that can be attractive to the resource-limited public sector. The income qualification on the buyer might be acceptable for some although the deliberate act of separating land and home ownership through a subsidy into the land that can be recycled is a challenge to public officials, philanthropic and market-based lenders (see Medoff and Sklar, 1994). Stone (2006) explains this duality – land collectively owned and building privately owned – in this way: the idea of individual wealth creation through home ownership supports deeply rooted ideological traditions in countries like the US; while the collective ownership of land strengthens established traditions of community. This is the basis of the reformist characteristic of the CLT and its contrast with radical levels of agitation to secure land.

In practice the CLT will set conditions on the owners of the home, whether private or a cooperative subsidiary for example, and this leads to restrictions on resale and the levels of growth that can be achieved in house equity. In practice the homeowner will sell at a limited price either to another person who qualifies or back to the CLT (Stein, 2010). Keeping the subsidy in the land in perpetuity means it can be transferred should there be a single sale or recurrent sales. If this is a public subsidy its value can be seen to be in perpetuity by constantly being reused. Put another way, the home owner is prevented from making excessive financial gain through the normal operation of the housing and real estate market to protect the subsidy that is owned by the community (West, 2011). For low and moderate-income households to build up a modest level of equity provides an important ideal, a philosophy that underpins home ownership while protecting affordability for future households (Bratt, 2012). Yet the CLT subsidy is different from other types of public or philanthropic subsidy provided to support social housing initiatives and which are usually lost after the original household decides to sell. Often these act as a one-off initiative to get the household into the market. So we witness competing initiatives to reinforce an ideal that is a recognized aspect of the American Dream and since the 1980s has been central to many aspects of housing policy that have impacted on economies well beyond the shores of the US (Fraser, Oakley and Bazuin, 2012). It has been this type of idealism that became a contributory factor in the sub-prime crisis of the US (Gray and Galande, 2011) although there is evidence that this was countered in the CLT movement by the attempts of those organisations to limit house price growth (Thaden, 2011).

Community organising and CLTs

Community organising can broadly be defined as the creation of a base of residents who gather to form a body of community power in order to counter or challenge other forms of power such as city, state or market forces (Axel-Lute

and Hawkins- Simons, 2015). Because of the mode of (collective) consumption it can offer, the CLT may well achieve a stronger community focus as Stone (2006) notes. For Davis (2010) those intangible assets that provide the method from which community groups are organised, are often in place prior to the CLT emerging. This is consistent with Mathie and Cunningham (2003) who would argue – and as the work of those such as the International Association for Community Development sets out – while assets such as land and buildings are tangible it is the skills and knowledge of local people that will transform local communities, arguing that these softer assets are underemployed and generally not realized in community development (O’Leary et al, 2011). Although this is a point that requires both theoretical and empirical enquiry, Gray (2008) argues that through the CLT residents become organised and engage with other types of activism within their communities.

For the cases outlined below the provision of land and housing collectively, or individually heightens the role of the CLT as essentially a reformist body whilst also posing a radical challenge to both state and market. What is often articulated, as part of the homogenous view of CLTs, is that they actively encourage community organisation. Core principles, such as empowerment through participation do suggest a focus on activism although some suggest CLTs tend to focus on housing with broader community engagement secondary (Gray and Galande, 2011) and that initial confrontational activism may decline as the trust evolves to focus on housing and development (Axel-Lute and Hawkins-Simons, 2015). Perhaps we can enquire if this capacity to organise is able to overcome a needs driven top-down approach to local community development (as Kretzmunn and McKnight would argue, 1993; 1996).

Community involvement in decision-making is difficult to guarantee and, given that CLTs are able to facilitate access to property based on affordability, their role can place them at the centre of a means by which scarce resources are managed. Nevertheless, this should not underplay their resistance and their struggle for land, for instance in response to gentrification and house price

speculation. This may demonstrate that CLTs can play an important role in raising the consciousness of local people in their struggle to defend their space (West, 2011). This is also driven by the complexity of the governance model associated with CLTs which encourages a network of interests involving resident homeowners, residents, future residents and the surrounding residential and business community and the local state (Stein, 2010). This enables the wider interests of the broader community to be brought into the CLT remit and raise important matters relating to governance and democratic decision making. This wide group of stakeholders may enable CLTs to 'turn outwards towards the contexts in which they are embedded' (DeFillippis, 2009:231), a necessity if local power relations are to be altered through successful community organising (DeFilippis, 2009). In the UK context, Bunce (2015) similarly argues that 'the work of CLTs in building commons must be considered in terms of nuances and challenges of operating with a larger neoliberalized government and private sector processes (Bunce, 2015: 140) and that in her case study of East London CLT, a CLT is 'particularly necessary to secure communal, community-based space as a way to resist the pressures caused by an increasingly inaccessible land and housing market' (Bunce, 2015: 147).

In the UK, this is much less in evidence although it is beginning to emerge, as noted by Bunce (2015), and the development of CLTs has seen a varied level of activism with some having wide membership while others rely on small numbers of dedicated volunteers (Moore and McKee, 2012). The work here was supported by research council funding and from that of a local Registered Social Landlord (RSL) as part of a wider exploration of the idea of CLTs as a vehicle for resolving problems in managing housing and neighbourhood sustainability in a low-income area in Liverpool. We sought to understand the way CLTs worked in the US in order to inform decisions to be taken by the RSL and involving representatives from the local community. This contrasted with what we found in both of our US cases. In one for example, in Cooper Square, New York, there

existed a clear agitation for an alternative plan for development to that put forward by the city authorities and Angotti (2008) claims radical and militant organising became crucial to the emergence of the CLT. Here the local activism was led by community organisers and tenant advocates, who:

“...were committed to stopping displacement and preserving existing housing, and they became housing developers only to confront the practical problems they faced when their members found themselves taking more and more responsibility for their buildings.” (Angotti and Jagu, 2007, p.6)

A similar story emerged in Dudley Street in Boston where the level of activism led to concrete development and the provision of an alternative vision for the neighbourhood (Medoff and Sklar, 1994). Both cases demonstrate that through facing the conditions of poor local development the local community were able to reinforce their political and organisational capabilities.

Two case studies from the US perspective

The case studies that follow are from two major US cities, New York and Boston. While we are not undertaking a comparative analysis of development between the two cases and the Liverpool community here, we can outline why the two were looked at in some detail. Initially we looked beyond the two cases at communities in the US that had organised and formed a CLT. We visited other communities in Minnesota, in Vermont and in New York. We found that the two cases we use here were comparable both as inner city urban neighbourhoods where a journey from a moment of distress to something like a successful outcome could be identified. In one sense this was comparable to the inner urban community in Liverpool, but different as the UK neighbourhood was at a different stage of development. Both US communities had traditional working class demographics from earlier in the 20th Century and became subject to change in the postwar period. We see in both processes of deindustrialization and a residue population of low-income households who struggled to access

housing and other essential markets of education, employment and health. In one case what was reflected was housing market problems through plans for gentrification, while in the other neighbourhood sustainability became significant because of public disinvestment. And in both we found evidence that demonstrates a resilience that led to the formation of a CLT. It is worth noting that while the two CLTs under investigation here both originated as activist responses to perceived local injustice, other CLTs, especially in the US have had different points of origin. Some have been formed by City Housing Departments such as in Chicago (Chicago Community Land Trust) and Irvine California CLT founded in 2006 and 2005 respectively to increase provision of and to preserve affordable housing. A number of other CLTs work in close partnership with city authorities as a pragmatic strategy. Two Rivers CLT in Minneapolis is one such example, having worked in close partnership with Washington County Housing and Redevelopment Authority since 2014 to benefit from additional funding and other resources.

Cooper Square, Lower East Side Manhattan is a neighborhood situated in close proximity to the financial centre around Wall Street and we see, in this case, a community organising and initially providing resistance to the state, particularly New York city plans in the late 1950s (Moynihan, 1970; Marris and Rein, 1972; Eichenenthal, 1990a). Then, following the fiscal crisis that faced New York city in the 1970s, we see how, in the property market boom years and subsequent period, the community organised to resist the gentrification of what was, at one time, a radical and politically oriented working class neighborhood (Marcuse, 1987). We show how the CLT has morphed and demonstrate the governance structure, with land ownership and home ownership demarcated. Our other case is focused on the Dudley Street neighborhood, an area that borders on the districts of Dorchester and Roxbury in south Boston. This too is an inner-urban community and the case implies activism rooted in a different set of circumstances. Here the organisation has also been about defence of the neighborhood that manifest in a CLT with a much clearer community

demarcation, providing home ownership and housing cooperatives that offer a means to secure a sustainable neighborhood and provide affordable housing. We show how this community organised to change the city's perception of the Dudley St district and challenged policies on public disinvestment. Again, here is a struggle for land and we identify activism that changed the practices of the city authorities specifically through the designation of eminent domain as the basis for renewal strongly shaped by community planning.

Our choice of cases emphasises the activism in two of the more prominent CLTs in the US. While in one sense this may appear opportunistic as an argument about significant community organizing, we are not suggesting that the CLT is an inevitable outcome of activism, nor that the opportunity to build to a CLT has to be based on activism. What we are saying is that in these instances we can find common features that include their urban environment, potential gentrification and violence against citizens through city housing policies, that also include activism of a particular kind, for instance initially confronting governance agencies but ultimately working with them, that draws on lay community organisers but also professional capabilities and which achieve some degree of success in the supply of homes for local community members. In this sense their activism is an acknowledgement of housing as a verb, a process and we contend that therefore we can illustrate the politics involved through the two cases. We should add that the diversity of the CLT movement is evidence in fact, that there is not an inevitable political content in their formation or application. Our cases may not be representative of the whole movement but are substantive and typical of one form in a particular urban setting. As we have stated, the cases are part of a broader piece of work that considered how applicable the CLT ideal, as operated in the US, was to an inner-urban setting in the UK (reference removed for review).

The two US cases are built on the basis of qualitative interviews, including meetings with activists, organising officials, home owners and visits to CLT offices and properties. The authors were able to visit Cooper Square in 2007,

2010, 2012 and 2013. These visits included a number of interviews with the executive director of Cooper square MHA , discussions with a further three employees, viewings of CLT homes, two separate meetings with local residents as well as a number of CLT board members. Visits to Dudley Street took place in 2007, 2010 and 2013. During our time at DSNI we interviewed four board members, conducted discussions as well as formal interviews five members of staff, a number of local residents and volunteers as well as attending a board meeting. We visited a CLT home as well as communal CLT space including a local park and a greenhouse. A City Councilor as well as a housing official were interviewed. A number of partnering local organisations (including two CDCs and a local charity) were also visited.

“Fifty fuckin’ years” – the tale of Cooper Square¹

It took those involved in the Cooper Square project over fifty years to feel as though they could claim victory in establishing affordable housing in and around Cooper Square. The struggle was against the processes of gentrification that have been particularly marked in Manhattan as ever increasing house prices have created a tension between locals fighting for affordable housing and Government policies that encouraged market forces that drove up property and home prices (Pearsall, 2013; Newman and Wyly, 2006). By August 1991 the Cooper Square Mutual Housing Association had been established and so too had Cooper Square Community Land Trust. These organisations now play a central role in owning land and managing apartments in buildings previously owned by the City Council. And there is something unique about how this particular neighbourhood has stood against both the market and the local state, perhaps grounded in a tradition of resistance formed in its past.

The Lower East Side has a history of working class activism. According to one of the organisers, this is a community of many cultures with a long tale of immigrant workers arriving in the neighborhood. From the late 19th Century, the Lower East Side has been a place where those in different communities have

¹ This was the opening comment from one Cooper Square activist when interviewed. This section draws on a number of interviews conducted by the authors.

pursued their religion and politics and have generally been tolerated by others. In the early 20th Century, the industrialization of the area led to very noticeable trade union activity and the 'One Big Union', the International Workers of the World, established its headquarters on East 4th Street, adjacent to the present home of Cooper Square Committee. The syndicalist atmosphere of the Lower East Side has, at the very least, provided a heritage from which local community activism has risen (see Richards, 2010 and her interview with one of the Cooper Square activists). Cooper Square consisted of many different communities and did not suffer this type of post-war transition, although both Harlem and the Lower East Side are now increasingly under pressure from gentrification trends.

In 1959, the modern narrative of this neighborhood begins with the formation of the Cooper Square Committee. This was in response to the City Council plan for slum clearance advocated by the then chief planner of New York, Robert Moses, who wanted to build a major road through the district and pull down homes of local people as part of his Urban Renewal Plan. According to Frances Goldin, the only remaining activist alive from the beginning of the fight back, Moses had looked at the East Side, where tenants were housed in appalling conditions, walked the twenty minutes to Wall Street and came up with the idea that the neighborhood could provide housing for the financial centre (interview with authors).² Angotti takes up the story:

“Moses proposed bulldozing an eleven-block area of the Lower East Side, based on the information presented in a survey conducted by the Helmsey-Spear real estate company. The project would have displaced 2,400 tenants, 450 single-room occupants, 4,000 homeless beds, and over 500 businesses. The city planned to turn over the land to a union-backed developer who would have created 2,900 new units of middle-income housing,

² The less explicit story here is the competition that had emerged between Wall Street and midtown Manhattan to be recognised as the main financial business district, and subsequently led by the latter with the former dependent in some respects on public investment (interview with local activist, June 2013).

displacing more people, most of them with low-incomes, than would have been housed in the new complex. This scenario didn't make any sense to neighborhood [sic] activists." (2008, p.115-116)

This produced the "longest-lasting community planning effort" (ibid. p.114), known as the Cooper Square Alternate Plan, that established some of the basic principles for which the community activists became known: displacement is minimized; development is staged to avoid unnecessary disruption; and tenants have first priority for new homes. In a recent interview with the authors, Goldin argued that

"the guiding principle was urban renewal, the people who live in urban renewal area must be the benefits, the beneficiaries and not the victim of the plan. They had to benefit from the plan not be ruined by the plan, that's our principle and we fought... the basic principle was the people who live there must be the beneficiaries not the victims... So everything was based on benefiting the people who lived there. Therefore they became part of the plan because it was all for them. If there is going to be new housing they would get it, that there would not be relocation they would never be moved off the site.

Indeed Richards (2010) has argued that this became a bedrock principle for Cooper Square activists. Then, with the involvement of professionals such as Walter Thabit, who according to Goldin was a "rare community planner who worked only for communities" (authors interview with Goldin), and following over a hundred public meetings with local people, the Cooper Square Alternate Plan was presented to the City authorities in 1961.

As Angotti (2008) points out, the Alternate Plan was produced 14 years before local Community Boards began (Marcuse, 1987), 20 years before community planning came into vogue in urban planning and 30 years before the first official

New York City community plan.³ In an interview with one activist we were told that Community Board 3, covering the Cooper Square Urban Renewal Plan, was strongly radical and progressive because of the individuals involved. It took a further nine years when in 1970 the main City decision-making authority, the Board of Estimate, adopted the Alternate Plan as the plan for the Cooper Square urban renewal area. At this time the plans were caught up in the economic crisis that affected public policy and expenditure and particularly in New York as it faced a fiscal crisis (Bellush, 1990).

The Cooper Square Committee continued to offer broad church resistance to developments, together with other resident groups such as the Good Old Lower East Side (GOLES), local artists, cooperatives and ethnic groups. Walter Thabit, the community planner who authored the alternate plan describes those tumultuous years as being on the 'war path' (Thabit, 2005). Numerous demonstrations were organised during this period to protest a number of issues. In November 1964 protests were held to prevent plans for middle income housing on the Houston St. block from being implemented in favour of retaining low income housing. In February 1965 as a result of the demonstrations, Cooper Square Committee's plans were heard by the Planning Commission, the Housing Review Board and the Mayor (Thabit, 2005). In October 1965, a bus load of 'angry residents from the Cooper Square Committee picketed Robert. C. Weaver of the Housing and Home Finance Agency in Washington D.C. demanding more active participation by local groups in the urban renewal process' (Thabit, 2005). The demonstration received national television coverage and the support of a number of congressmen.

³ The city is divided into 59 community districts, each represented by a Community Board where community plans usually begin to be developed before reaching the city level. Community Boards were established in their current form in 1975 with the revision of the City Charter, in part in an attempt to manage the civil disobedience seen in urban renewal protests in the 1950s, the civil rights movement and the anti-establishment tendencies on the 1960s and 1970s and a recognition of the partisan political conflicts particular to New York City. Community Boards rely on their political agitation and have a legally mandated role that is advisory (see Marcuse, 1987; Eichenthal, 1990b).

On occasion the Cooper Square Committee resorted to more extreme measures in order to get their point across. In July 1966 the site office of the Houston St. development area was picketed and epoxy was placed in the office lock leading to the police arrest of the picketers, their case subsequently being dismissed in court. In September 1969 during a City Planning Commission (CPC) meeting, Cooper Square's early action plan was being considered. During the meeting Cooper Square representatives insisted that the CPC vote on the plan. This request was refused and Walter Thabit recalls what ensued: 'Frances Goldin held the podium for 30 minutes and refused to leave until the CPC acted. She was finally arrested by order of Chairman Donald Elliott, followed by a struggle with police as she refused to release the microphone attached to the podium. Ernesto Martinez followed Goldin to the, podium also insisting that the CPC act. He was also arrested, and five women and two men came to his defense, and all were arrested, Reeni Goldin, Frances' daughter amongst them' (Thabit, 2005: 11).

It took until 1984 for the first homes to be dedicated as the Thelma Burdick Houses, after one of Cooper Square's early community organisers. Thelma Burdick Houses were a 1984 Cooper Square Committee development for low-income households, named after one of the early leaders of the activism against Moses' development plans. In fact Thelma Burdick was a Quaker who drew her activism from her religious beliefs in contrast for instance, with Frances Goldin who was and remains a left wing activist (interview with authors). As Reaven (2009) points out, Burdick's first taste of political activism was in response to the plans by Robert Moses. We see at this time in 1986, a Revised Plan for the Urban Renewal Area created and focused on preserving affordable housing for low-income households, although now the overheating of the property market was placing greater pressures on the Cooper Square Committee to open up in favor of market rate housing investment.

When in 1990 David Dinkins became the first African American Mayor of the City, he did so with support from a number of community organisations. The

time was ripe for the 1986 Revised Plan to provide the basis for a Memorandum of Understanding signed between the City and Cooper Square Committee and the Cooper Square Mutual Housing Association (CSMHA) was formed. The signing of the Memorandum enshrined many of the ideas advocated in the Alternate Plan and set in motion the creation of the CSMHA (Richards, 2010). It is at this point that the Community Land Trust becomes a meaningful player in Cooper Square. The land and properties that Cooper Square activists have agitated for, for low-income households, are separated so that the CLT now owns the land and the CSMHA owns the buildings and rents the properties, or they are owned privately with the buildings and properties managed by the CSMHA⁴. By 2015, the CSMHA was managing 377 residential units and 24 commercial units.

Yet to quote one of the main activists, it has taken “fifty fuckin’ years” to reach this point. Goldin spoke about being in it for the long term and not expecting to create change in a short period of time. Cooper Square activists aimed to protect their neighbourhood by ensuring that some form of affordable housing is provided over a long period of time. The units they offer, which are a small number in comparison to the dense make-up of Manhattan, are affordable in perpetuity with regulations on maintenance and resale that are enforced by the management of the buildings and ownership of the land. Simply put, it is very difficult for home owners to sell their (often in demand) property on the open market. Angotti makes the point that “the most important element in perpetual affordability is perpetual organising and protest” (2008, p.122). In Cooper Square, the struggle over land and the fight for affordable housing has always been part of the struggle in the neighborhood. It is significant to understand that the land was only secured through struggle and that the CLT and CSMHA undertook and that they offered an alternative not only to the withdrawal of the state, both national and local in terms of housing policy and investment (Stone,

⁴ This governance arrangement is different to the traditional CLT as described by Davis (2006). Here, the MHA manages the rental properties (there are no owner-occupied residential properties in this CLT) and the CLT’s role is largely one of stewardship and guardianship.

2006; Bratt, 2012; Frasier et al, 2012), but also to what often seems overpowering market forces.

“Take a stand, own the land” – the Dudley Street Triangle

While it took fifty years for the activists in Cooper Square to secure their victory, it took those in Dudley Street significantly less time, but still more than a generation. The movement to agitate for greater community empowerment began in the early 1980s. Dudley Street was a typical inner-urban neighborhood that prior to WWII consisted of mainly white Irish and Italian working class households. While the structure of the neighborhood connected it to the political machinery in Boston City Council at the time, the district became typical of US inner city communities that because of policies to encourage suburban living experienced white flight. Dudley Street became a neighborhood that was redlined, suffered from the prejudiced decisions of banks and was left with residual properties and low-income households made up mainly of African Americans, Hispanics and Cape Verdeans.

As community demographics changed throughout the postwar period in Dudley Street redlining⁵ practices became more evident (Medoff and Sklar, 1994). Although redlining was an experience communities suffered from in all major US cities, and ultimately led to the Community Reinvestment Act of 1977⁶, inner-urban Boston suffered from legacy practices well into the 1990s (White Haag, 2002; Medoff and Sklar, 1994; Taylor, 1995). The loss of industry also had a devastating effect on the Roxbury and Dorchester districts with Medoff and Sklar (1994) reporting that Roxbury lost some 16,000 manufacturing jobs by the early 1980s down from the postwar figure of 20,000, against a broader decline in the

⁵ This refers to discrimination along the lines of race and ethnicity when seeking access to finance for home ownership, see Fraser *et.al.* 2012.

⁶ The 1977 Community Reinvestment Act aimed to increase the availability of credit and financial services to low-income and minority borrowers encouraging financial institutions to improve the way they would lend in low-income neighborhoods. Such lending was important, for instance, in small business start-up and in home ownership. It also illustrates the way housing policy is affected by other significant policy change.

Massachusetts state from over 800,000 manufacturing jobs to less than 300,000 in 2007 (Bluestone et al, 2008). Even so, the experience of communities in south Boston had raised fears in the 1980s of how processes of deindustrialization and public disinvestment could actually translate into clearance for new forms of capital in the way Smith (1987) outlined (Medoff and Sklar, 1994).

White flight was connected to housing abandonment, land attrition and a rise in arson in the Dudley Street area, as outlined here by one local resident who moved to the area in the early 1970s:

“They [houses] were burning down very quickly. You could go up after dinner onto the roof of this house and watch them burn down just any night you wanted to watch... What could... make it so that so many houses had burned down so quickly when (so) many people needed housing?” (Medoff and Sklar, 1994, p.30)

And there were clear incentives to do this. Arson drove out low-income residents from homes and thereby enabled landlords to turn them into condominiums and increase the return on their land. Arson also gutted the buildings for rehabilitation and provided tax free, interest free financing in the form of an insurance payment following the fire. In Dudley Street in the late 1970s and early 1980s, the market truly worked for the freelance arsonist, so much so that this area came to be known as the arson capital of the nation.⁷

Segregation, abandoned housing, empty land filling up with rubbish, arson and then deaths, including those of children. An early response to this is described by Medoff and Sklar (1994) who explained how different groups representing the diverse nature of the neighbourhood, came together to organise. They brought

⁷ For more on the dynamics at play during this period of arson, something that demonstrates the brutality experienced by Dudley Street residents see Merdoff and Sklar (1994, pp.30-33) illustrating the way the then Mayor of Boston, Kevin White, turned his back on this particular problem.

with them those intangible skills of organising and connections to wider networks including professional expertise, to form a loose grouping called the Dudley Neighborhood Coalition. Originally looking to find funding to support refurbishment in one of the buildings of the groups (La Alianza Hispana) the first philanthropic foundation were attracted to the ideas of the Coalition. The continued financial support of the Riley Foundation was noticeable because of the way it encouraged the development of the embryonic Dudley Street Neighborhood Initiative (DSNI) over and above bricks and mortar (Medoff and Sklar, 1994). Here was the catalyst moment for Dudley Street.

When the DSNI was formed there were around 1,300 vacant lots (plots of land) that accounted for more than 20% of the neighbourhood. One-third of the lots were owned by the City of Boston, the State of Massachusetts, and the Federal Department of Housing and Urban Development (HUD) and an additional third were in tax foreclosure. This occurs when private landlords build up tax arrears then the City Council would, at some point when a value for the land had been determined, take up ownership of the plot. It was Steven Coyle, the then director of the Boston Redevelopment Authority (BRA), who suggested that DSNI apply for 121A status that would provide power of eminent domain. In the US eminent domain has similar principles to the compulsory purchase order in the UK and, in Boston, it meant that those with eminent domain authority could use it to address development on blighted land for the public benefit (see Taylor, 1995 for a more in-depth explanation of the legal aspects of 121A powers). The then Mayor, Ray Flynn, took a positive stand and supported the application by DSNI. It was argued that granting DSNI eminent domain would prevent displacement and land speculation, enable DSNI to focus on an intensive plan of development in a concentrated area and avoid political battles that would have ensued had the city used eminent domain on its own (Meeha, 2013). There was however opposition within the BRA against the unprecedented granting of powers to community groups. Two BRA board members ended up leaving the board over the issue. In 1988 the DSNI was granted the power of eminent domain over the Dudley Triangle by the BRA, a huge step that allowed the community group to acquire

vacant land and lease it to both private and non-profit developers to build affordable housing in the area: “the public would benefit from having trash-filled vacant lots transformed into new, low-income housing” argued Taylor (1995, p. 1081).

With this authority DSNI became a formidable organisation. Funding, totaling almost \$10 million in the form of grants, loans and loan guarantees for the early stages of development came from the Department of Environmental Management, the Ford Foundation, the Consumers United Insurance Company, the City authority and from HUD. As part of the agreement under Chapter 121A a new corporation was formed in August 1988: Dudley Neighbors Inc., the CLT. Dudley Neighbors Inc. (DNI) falls under the auspices of DSNI and acts as the land owner meaning that DSNI can continue its operation as stewards for the neighbourhood, expanding into a wider range of activity. The DNI ‘board of directors was designed to achieve a balance of representation of community and broader interests: six representatives from DSNI, two neighborhood residents appointed by the local neighborhood council, and the district’s city councilor, along with two nonvoting members appointed by the district’s state senator and representative’ (Meehan, 2013, p.16). DNI can focus on development of land for housing and small commercial initiatives, such as the local community gardens and the nearby Greenhouse, which both encourage locals to grow food for personal consumption, and provide facilities such as a community playground.

The main focus for DNI has been the provision of affordable housing. As one City Councilor explained the transition from abandoned properties and vacant lots full of rubbish into livable homes means that wealth is created and remains in the community. The consequence, it is argued, is the stabilization of the neighborhood as a financial base is secured for families (interview with authors). Between 1994 and 2008, DNI were responsible for 207 homes being built, made up of 80 owner occupied, 50 rented and a further 77 which come under the jurisdiction of one of five housing cooperatives. The cooperatives are Winthrop Estates, Stafford Heights, Brook Avenue, Woodward Park Homes and

Woodville/Julian Homes. As in Cooper Square, land ownership by the CLT makes it difficult for any of the cooperatives to sell as a block, the units under their control.

In recent years the impact from the subprime housing crisis hit many US communities. As one DNI Board member explained, there were high levels of debt among all groups in the community. Yet the CLT helped to mitigate the pain from this based on its equity growth, resale formula, its protection from predatory lenders, community services such as debt counseling and help with lender negotiation to avoid foreclosure (Sklar, 2009), all aimed at maintaining affordability and ensuring rented homes were kept away from the ensuing risks. One DSNI worker told us:

“Why would you try for something nobody has ever done? Well, you know what, we did some things that people said nobody could ever do. We built a land trust that has stabilized people in their housing. No sub-prime loans, no regular foreclosures, that’s stunning! So, the more I feel people know the community has accomplished the more they feel, ok, we can do this next journey together.” (Interview with authors)

The concomitant development has been the empowerment of local people. The same community worker explained:

“[We try to] build a very different dynamic. We find that we are all better off because power is growing in the disempowered and it’s not necessarily taking it away from you. It’s just a very, very different approach, different thought dynamic.”

Dudley Street is a community that has railed against the processes of disinvestment it was expected to carry. It is not unique in this sense. The community made a major advance in securing eminent domain authority, in its

organising capability and in securing the services of professionals such as legal services, developers and notably the Mayor of the time, Ray Flynn. DSNI continues to exhibit organisational capacity to be involved in a wide range of initiatives, with the latest being involvement in running a school situated in close proximity to their offices.

Activism and creating change

The two cases we present show how communities can create change in positive ways. Central to the two cases were the formation of a CLT that acted as a means by which community organising could fulfill objectives over land ownership, affordable housing and neighbourhood stability. We have to reiterate that housing under the auspices of a CLT accounts for a very small proportion of housing in the US and is even less pronounced in the UK. In the two cases we looked at however, the principles that underpin the work of the CLT is significant and they do provide concentrations of homes. These concentrations cannot be underestimated in their importance to those who are housed and to the wider communities. The Cooper Square case shows one means of housing among a wider experience of provision many of which also seek to keep housing affordable (Angotti, 2008). The Dudley Street case shows a community fearful of what deindustrialization and public disinvestment could mean and hopelessness about possibilities for the future. Activism became a consequence of a complex array of circumstances in both cases and our evidence has led us to consider the reasons behind these two communities experiencing a catalyst moment that ultimately was transformed into something of a successful narrative.

While our cases have shown some similarities they have also demonstrated that CLTs are difficult to categorize. More research is therefore required to develop the complexity around CLT formation and context. The uniqueness of place is based on the experience of those involved in the activism that brought into being the CLT. They bring with them a wide range of experiences and heritage. Frances Goldin spoke to us about the professionals they were able to draw on to help formulate a plan that provided an alternative to what was being proposed by

city officials, particularly the discourse espoused at the time by Moses. The syndicalist character of the Lower East Side should not be exaggerated but may be described as a reference point for the activism of Cooper Square residents that shaped the way in which the CLT operates. In a similar manner, the reaction from a community that suffered from institutional and overt racism, from the state and from major financial institutions, meant a level of community activism in the DSNI that reflected some of the civil rights protests of the 1970s. Here too we see activists that come together and bring into a broad church a previous level of experience and professionalism. We see the CLTs acting in the defence of space, a radical push back against market forces and the way that the state organises to support the continued accumulation of capital. At the same time we see the agitation to enable residents to purchase their own home, to become part of the very system of capital accumulation that seems to be an oppressive force against their communities. We also see CLTs working in partnership with the very organisations they once fought against. The CLT may have an ideal model around governance, land ownership and perpetual affordability (Davis, 2006) but we acknowledge that the complexity of form leads to variation in governance. Bringing together what Bratt (2012) refers to as real capitalism and a social mission plays out in a particular way around both radical and reformist activity.

More evidence is also required to understand the ways in which CLTs operate. Just as there is no simple model of formation, there is no single way of operation. In Cooper Square after fifty years of organising we see the role of the state engaged in a different manner to that in Dudley Street. There should not be any surprise in this as New York and Boston differ. In both cases a confrontation with the local state was necessary, although in Boston the engagement of philanthropic backers and links into the Boston Redevelopment Authority provided DSNI with the means to influence the Mayor and to dovetail their campaigns with that of officials to stimulate community-led regeneration. In Cooper Square the official Moses plan represented a focal point for resistance although the vigorous nature of the Manhattan real estate market led to very real

fears of gentrification and displacement. As a consequence compromise is reached in different ways too. DSNI proved early on their capability to represent the community and secured legitimacy evidenced through the status of eminent domain. Land was secured through the deployment of the threat of using this legal power. In Cooper Square negotiations over land and buildings increasingly became more complex to an extent that by the time Seward Park redevelopment was secured in 2011, it was done with a commitment to provide a proportion of the housing at market rates. Not only have we witnessed, in Cooper Square and Dudley Street, radicalism, agitation and reformism, we have seen bottom-up politics and top-down interventions. As Meehan (2013) states, 'CLTs in their diverse character and situations, walk the fine dividing line between the two tendencies of reformist and nonreformist' (2013, p. 19). Further evidence of how CLTs play with or against the market, their reformist character and what the scope is for radicalism needs to be explored. There is therefore a need to further develop the politics of CLTs and how they interact with other local stakeholders.

This leads to another point about varied makeup of community activism, resistance and the CLT. In Dudley Street it took considerably less time than the fifty years it took Cooper Square. The struggle for land was equally as difficult and, in some respects, much more violent with the death of local people occurring before action brought change. The focus by DSNI on community organising provides the basis for the next set of activists within the reformist framework of the community organisation. It is also interesting to note that some see DSNI's continued successful focus on activism partly due to its separation between the housing management role undertaken by DNI and the community activism led by DSNI (Axel-Lute and Hawkins- Simons, 2015). At Cooper Square the struggle for land and the provision of affordable housing took fifty years in what they regard as successful movement. The pressures facing the CLT and the broader community group, both the CSMHA and the Cooper Square Committee, remain as the demand for real estate intensifies. One interviewee spoke to us about the need to bring in new people who can celebrate positive development, while another talked of the need to acquire more land but to do this

by expanding the idea so other communities in New York saw possibilities through the CLT idea. As one person told us in Cooper Square, political opposition that was located very close to the centre of global capitalism meant everyday struggle was linked to preserving their unique location. The narrative that unfolds in Dudley Street is one of neighbourhood sustainability but this too, as a story of achievement unfolds, brings with it new challenges about gentrification. In both cases community activism has proven to be highly significant in securing land and forming the CLT although success is limited and brings with it a new set of problems.

Conclusion

The cases presented here show that as Davis (2010) has argued, community activism most often precedes the emergence of community land trusts. We have shown however, that once established, community land trusts can provide a focal point for increased and continued community activism. The literature around community land trusts remains underdeveloped and undoubtedly, further theorization and a substantive evidence base is needed and this is a challenge for others interested in the field. When CLTs are under consideration we should enquire critically if presented with a singular model based on a set of technical specifications that include the shape of governance, the legal status that accompanies independent not for profit principles, a reliance on subsidy of some type, often some type of public investment to provide an asset in the name of the local community. We should think carefully about how perpetual affordability can be achieved and what struggles may be involved. The stewardship role that the CLT adopts is not only a technical requirement but dependent on the intangible quality that comes with organising that in turn, may lead to political agitation. What we have seen is that land ownership is critical and the struggle for land appears, from this evidence, to raise levels of activism and of social, if not political, consciousness. Community empowerment, therefore, is something that appears to occur when the CLT is involved in struggle. Here is a powerful argument in favour of such an approach to community development and housing renewal.

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