



COOPERATIVE HOUSING BULLETIN

A member service of the National Association of Housing Cooperatives

Fall 2012

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Develop, Preserve and Promote the Cooperative Business Model

By Vernon Oakes, President NAHC

ALMOST A YEAR AGO I

was at the United Nations in New York City for the kick-off of the International Year of the Cooperative (IYC). This was my first visit to the UN, and I was excited. The room was full of cooperators from around the world; the panel presentations were mind boggling, with representatives from Russia, China, India, Africa, the US and others. It was inspiring to see what ordinary everyday people were doing all over the globe to solve their social and economic problems. What was consistently said throughout the day was that cooperators from around the world would use 2012, the IYC, to promote the cooperative business model.

I wondered as we were sitting there how we could promote cooperative businesses in America. I couldn't see why ABC, CBS, NBC, FOX, CNN, the Wall Street Journal, Washington Post or New York Times would promote the cooperative business model as the mission of these organizations to make a profit. Why would for-profit companies promote cooperative companies that are owned by the workers or users of the products where profit is not the primary motive for their existence? If anything, I would think that these companies would not promote the cooperative business model and they don't.

For me, this idea of promoting the housing cooperative business model came out of the National Association of Housing Cooperative's (NAHC) Development and Preservation Committee. I would listen to Roger Willcox talk about how many of the



Co-op Leaders kicked off IYC at the UN in Oct 2011.

housing coops in the US were developed in the 50's and 60's. From this information he had the premise that "if the developers would build housing coops then customers would buy them." He would say this over and over again until one day I said, "If we promote housing coops, then the customer will demand them and the developer will build them." Based on my study of marketing at Stanford University, where I earned an MBA and my teaching of Marketing at Howard University, I went as far as starting a book that looked at the marketing of housing coops; I explored the product, the price, the location, promotion, customers, competition, different calculations and customs, laws and beliefs.

For the competitors of housing coops I compared the different homeownership models (single family homes, condominiums, and apartments) with housing cooperatives. Sitting at the United Nations I saw that there is a larger level of competitors to the cooperative business model and that is the for-profit investor model. So that any company

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THE NATIONAL ASSOCIATION OF HOUSING COOPERATIVES

About NAHC

The National Association of Housing Cooperatives is a nonprofit national federation of housing cooperatives, other resident-owned or -controlled housing, professionals, organizations, and individuals interested in promoting cooperative housing communities. Incorporated in 1960, NAHC supports the nation's more than a million families living in cooperative housing by representing co-ops in Washington, DC, and providing education, service, and information to co-ops.

Mission Statement

NAHC's mission is to support and educate existing and new cooperative housing communities as the best and most economical form of homeownership.

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CAHC	California Association of Housing Cooperatives
CHANE	Cooperative Housing Association of New England
CNYC	Council of New York Cooperatives & Condominiums
CSI	CSI Support and Development Services
DVAHC	Delaware Valley Association of Housing Cooperatives
FNYHC	Federation of New York Housing Cooperatives
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NJFHC	New Jersey Federation of Housing Cooperatives
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See the NAHC website – www.NAHC.coop – for addresses of Associations and Committees.

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Bostrom Corp. is the professional services firm managing the National Association of Housing Cooperatives affairs. Mitch Dvorak serves as NAHC Executive Director.

that is for-profit is a competitor of the cooperative businesses. I further concluded that if we want to promote IYC then we, the cooperators, would have to find ways to do this, like social media, and not depend upon the for-profit media outlets.

The National Cooperative Business Association (NCBA) organized a White House briefing on cooperatives on May 4, 2012 where 150 cooperators attended. I went prepared to promote and did speak up to state the benefits of housing coops. I said that the National Cooperative Bank (NCB) funded an independent research company to compare HUD funded housing coops to HUD funded apartment buildings. This research found that there were fewer foreclosures for housing coops than apartment buildings and the “rent” for housing coops was lower than apartment buildings. Another research paper found that crime was lower in the housing coops and the owners in the housing coops were more interested in the community, and this pride in keeping the community up created social capital.

So at the White House briefing I posed the question: Why does the Department of Housing and Urban Development (HUD) put most, if not all of its resources in developing, preserving and studying apartment buildings? I did not get an answer but my hypothesis is: Most of the apartment buildings are owned by for profit and non-profit companies, and HUD knows how to interact with them. The for-profit organizations put pressure on Congress for programs that would give them money to build and own apartment buildings. They do provide a product (affordable housing) for consumers but these consumers don’t have a say in the governance of the property nor are they incentivized to take pride in their communities.

When I asked Herb Fisher, a man who has been in the housing cooperative business in the US for a long time and whom I’ve come to respect a great deal, what he thought of this hypothesis, he said, “The basic concept of cooperation is the direct opposite of investment capital. It preaches cooperation and not the pretext of competition. It preaches use value not exploitive value. The cooperative process teaches democratic and self-reliant values which are antithetical to controlled political voting that has controlled this country. In the minds of the powers that be, “cooperation” is a revolutionary concept. It gives economic, ergo political power, to people.

In the 50s and 60s some people called it openly “socialistic” and “communistic”. That attitude surfaced to some degree in the banks’ opposition to credit union legislation a few years ago.

The problem is we do not have any cohesive organization with a single purpose to fight the battle.

The time is ripe now for it. The nation is asking for an alternative to the investment capital operations that have been so disastrous not only in the decline of 2008 but for so many generations before (ever since Andrew Jackson lost the national bank battle).”

I request that all housing cooperators get involved in the IYC and promote your housing cooperative. I also ask that you will join at least one other co-op; this could be a credit union or food co-op or rural electric or... You could also buy products from a cooperative business, like Cabot Cheese, Ace Hardware, True Value Hardware, Land of Lakes and Nationwide Insurance. You can go to www.cooperativeusa.coop which is being developed by NCBA in partnership with Co-Operatives UK, to make it easier for consumers to learn about and locate co-ops so they can shop, bank and live cooperatively.

At NAHC we ask that you give us your email addresses so that we can send you information of what we are doing and what we need you to do. We plan to start a Facebook page and other social media so we can communicate with you and promote cooperatives. We also request that you come to our annual meetings in Reno this year (October 10-13) and Seattle next year so that we can share information, develop and preserve successful housing cooperatives and promote housing coops and other coops in America and the world. We need a strong voice to compete against for-profit organizations.

For additional information about what we are doing please see our web page at www.NAHC.coop.

“Let’s get together and act together. The time is now!” **CHB**

Vernon Oakes is the President of the National Association of Housing Cooperatives (NAHC) and serves on several committees. He taught at the University level for 11 years, worked in corporate America for 10 years and founded Oakes Management, Inc. in 1993 to provide quality property management. He obtained a Bachelor’s degree in mathematics and chemistry from Bluefield State College, a Masters in mathematics from Penn State University and a Masters in Business Administration from Stanford University. Mr. Oakes holds a Registered Community Manager (RCM) designation from NAHC. Vernon will be copresenting a workshop entitled “What does good management look like” with Ken Odenheim at the October NAHC Conference in Reno. He will also moderate the Developers Forum.



Vernon Oakes is the President of the NAHC and manages co-ops, including the one that he lives in.

Take Time to Educate Yourself on Fair Housing Laws

By Anne Sackrison

Historically and statistically, particular groups of people have received unfavorable treatment when it comes to housing. They have been denied, harassed, given less favorable terms and conditions or experienced a lower level of service than other groups in their attempt to sell, purchase and rent housing. As a result, the Fair Housing Act was adopted to protect against illegal housing discrimination based on protected class status.

The seven federally protected classes are race, color, national origin, religion, sex, familial status and disability. Many states and local jurisdictions have additional protected classes, such as age, creed, sexual orientation, marital status, weight, height, source of income and military status.

In February 2012, HUD issued a final ruling giving equal access to housing in HUD programs regardless of actual or perceived sexual orientation, gender identity, or marital status. No owner or administrator of HUD-assisted or HUD-insured housing, approved lender in an FHA mortgage insurance program, nor any recipient or sub-recipient of HUD funds may inquire about the sexual orientation or gender identity of an applicant or occupant for the purpose of determining eligibility for the housing or otherwise making such housing available.

Discrimination is any action in which an individual or class of individuals in a specific protected class is treated differently than others who are not in that protected class, when the result of that action denies that individual or class of individuals equal access to or benefit of housing opportunity. Inadvertent discrimination is doing something for someone that you are not always willing or able to do for someone else. Fair housing laws do not mean protected classes get “special rights.” Co-op procedures and policies should always pass the test: *What we do for one, we do for all. What we don't do for all, we don't do for any one.*

Last year, Congress appropriated \$30.6 million for fair housing enforcement and education. HUD has turned up the intensity of its housing discrimination enforcement by increasing funding, setting new regulations that make, even unintentional, discrimination illegal. There is

a national media campaign that is aggressively targeting the multifamily industry.

Fair housing laws affect co-ops in a number of ways as they cover every stage of the rental or sale process—advertising, screening, leasing, as well as tenancy.

Some Advice for Co-ops

- ▶ Require all who work in the sales or leasing offices to attend fair housing training;
- ▶ Require the co-op board to attend fair housing training;
- ▶ Provide sensitivity training and remind members and staff that one of the best parts of cooperative living is the diversity that comes with it;
- ▶ Evaluate reasonable accommodation procedures and keep a log of requests/action taken;
- ▶ Evaluate advertising;
- ▶ Evaluate policies for tenant selection and application processing;
 - Do you always provide tours?
 - How do you answer email inquiries? Phone inquiries? Be consistent.
 - Have a policy for interviewing co-applicants. Are they always interviewed together or separately, whether married or not?
 - Never ask personal questions in the interview (only questions relating to the application, occupancy or terms of the lease are allowed).
- ▶ Never make exceptions (unless they are reasonable accommodations).

The bottom line is that whether you are an everyday co-op volunteer, a member of the interviewing/leasing committee, a co-op board member, or a property management team member, it is critical to educate yourself on fair

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Anne Sackrison is National Operations Manager for CSI Support and Development. See footnote.

housing laws and brush up on them at least annually. Not only is fair housing the right thing to do but complaints are costly to defend, even when the discrimination is based on perception and not blatant fair housing violations. Fair housing complaints can cost your co-op tens of thousands of dollars, countless hours of time, and loss of a good reputation. The best co-op defense for fair housing claims is a continuing education so that claims are minimal (or non-existent). **CHB**

Anne Sackrison is National Operations Manager for CSI Support & Development (a resident/member controlled organization which utilizes a cooperative management system and engages its resident membership in decision-making at every level of its operations). Anne has been with CSI for 15 years and before that was an active member at Montie House Co-op in E. Lansing, MI for 4 years. Anne will be co-presenting a workshop on fair housing with Nancy Evans, CSI's General Manager, at the October NAHC conference in Reno. She is also presenting a marketing workshop.

Examples of Discrimination

- An overly restrictive occupancy policy discourages families with children
- Having stricter rules for someone who is from another country
- Requiring a qualified applicant to meet higher standards because of his color
- Evicting a disabled resident because she requires a reasonable accommodation for her disability
- Telling an applicant that a unit has already been rented once it is clear he is a member of a religion other than yours
- Retaliating against a resident who has filed a fair housing complaint
- Denying an application because children of the opposite sex might share the same bedroom
- A qualified gay man is refused an apartment because the landlord is afraid he will infect other residents with HIV/AIDs
- Asking someone the nature or severity of her disability because she is not in a wheelchair and is requesting a closer parking space
- Refusing housing because you think an applicant can't "live independently" because she is 90 and seems to have a lot of medical issues
- Refusing to translate critical documents in federally funded housing where more than 5% of your community is limited in English proficiency



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NAHC
NATIONAL ASSOCIATION OF HOUSING COOPERATIVES

Informing and Educating Members

A practical example in enforcing screening policy

By Margaret "Pegg" Mullinix

Editor's note: One repercussion of a recession is that kids move back in with parents and grandparents, boyfriends move in to save rent and other occupants double up. Co-ops need to be aggressive to stay on top of occupancy changes and be sure new occupants meet co-op standards. Here is how one co-op addressed the issue in its monthly newsletter.

Occupancy change is an area that, although we certainly publish a lot of documents with a great deal of information, we keep hearing the statement "I did not know about that." Obviously, we need to do more about sharing information and the members need to attend meetings and read the materials left at their front door. We do communicate internally between the Board and the staff, and perhaps because we know what we know, we neglect to spread that word.

For instance, recently we interviewed a former resident as a roommate. This was a man who had grown up here but moved away for several years. Now that he was returning to his home for personal reasons, we informed the shareholder/parent that he would have to be screened as a Roommate. That was done and from that interview, we added two enthusiastic volunteers to our Building & Grounds Committee. However, the statement was made by the long-time shareholder that she read everything we send around but she was not aware of the Screening Policy for all residents. This was not the first time we had heard this statement, so this article is an effort to rectify that situation.

Several years ago we were faced with a couple of problems that indicated we needed to know who was residing on the property and if these non-shareholders met our requirements – requirements that were put in place years ago to protect the community. That's when we began contacting all shareholders regarding persons living in their unit who had not been screened. We had a couple of dissenters and a couple of people gave their notice because they knew they would not pass our muster. Overall, the cooperation was excellent and the shareholders and roommates agreed that it was important that we screen everyone residing on the property. Did we broadcast this effort? Apparently not well enough and that may be because we take our sworn duty of confidentiality very seriously and protect first and foremost the privacy of all residents. There are many things we cannot share with you – even when we find ourselves on the wrong end of accusations. We just have to take the "slings and arrows" because we have sworn to protect the privacy of everyone who lives here, works here, and everyone who applies for membership at Nassau Gardens. The Board of Directors walks a thin line when it comes to information regarding individuals, privacy, and our policies.

One of the ways we stay in touch with the members is through a survey. We have new members complete a survey form at closing. However, it has been a couple of years since we put out a survey to everyone and that is because we are in the process of streamlining the form. When we send out the next survey form it will contain the information pertaining to the individual shareholder to whom the survey is being sent. The survey will contain the information we have on file for each shareholder and roommate. The response will be simple because a signature will confirm that the data is correct. Any changes or corrections can be made on the form. The goal is to send out the new survey form at the beginning of 2013. That form should contain information on everyone who resides in the unit.

Again, if a member of your family wants to return home to Nassau Gardens, you must apply for roommate status for that family member before he or she moves in; the office staff will run a criminal check only; the Screening Committee will schedule an interview with the shareholder and a house check will be completed (just as we do for new member applicants). The Board of Directors will review the documentation and vote to approve or deny roommate status; the shareholder and roommate will be advised of the Board's decision in writing. If approved, both shareholder and roommate must sign a Non-Stockholder Agreement. If denied, the roommate applicant may not live at Nassau Gardens Cooperative. This same policy applies to all members who may wish to have a roommate. The shareholder(s) must reside with the roommate at all times; and if the member moves out, the roommate must move out as spelled out in the Non-Stockholder Agreement. [CHB](#)



Pegg Mullinix is President of Nassau Gardens, a 204 unit limited equity co-op in Norwood, MA. She is also Editor of its newsletter which recently included this article.

Brothel's Demise Leads to Reno Area Co-op's Success

By David J. Thompson

"Love Ranch," which is a new movie about the Mustang Ranch, the first legal brothel in Nevada. Starring Helen Mirren as the Madam and Joe Pesci as her husband and business partner, takes place in the 1970's. "Love Ranch" is directed by award winning Taylor Hackford ("An Officer and a Gentleman" and "Ray") who is Ms. Mirren's real life husband. Along with covering the life of Joe and Sally Conforte and their bordello, there is mystery, murder, bankruptcy, tax evasion, Joe Conforte fleeing to Brazil and the closing of the brothel. Not exactly a family movie but certainly one to be included in a Helen Mirren Film Festival. All this happens in the dry desert, just eight miles away from the casino lights of Reno, Nevada.

On December 25, 2002, the Nevada press announced that the IRS had given the residents a great Christmas present by transferring the park ownership from the IRS to the residents.

However, the demise of the Mustang Ranch led to creation of a unique housing cooperative in that same wild Storey County in Nevada. Today, the Lockwood Community Corporation is a thriving 56 acre cooperatively owned Mobile Home Park with 94 homes serving 180 residents. The co-op appears to be the only good thing to emerge from the brothel's colorful existence.

After buying Mustang Ranch in 1967, Joe Conforte set out to gain political control over sparsely populated Storey County. There were 571 people living in Storey County in 1960 with only about 50% eligible to vote. The Confortes built a mobile home park which served as home to many of the new Mustang Ranch employees. Joe was also interested in providing favorably priced housing to various other well placed locals. The Wiki describes the Lockwood Mobile Home Park, "The Confortes gained political influence in Storey County (by renting out cheap trailers and telling the renters how to vote) and persuaded county officials to pass a brothel-licensing ordinance, which came into effect in 1971. Voters seemed continually grateful for Joe's largesse by electing county officials who were supportive of the Conforte's bordello based enterprises. In Storey County, the Conforte's mobile home park had all the political trappings of a Chicago precinct under the first Mayor Daley.

For decades, federal agencies pursued wrongdoings at Mustang Ranch but with minimal success. However, after losing a tax fraud case in 1990, Joe fled to Brazil where he still lives in self exile. Under an assumed name, Joe took back ownership of the ranch. Finally, in 1999, the US Justice Department convicted the owners of

Mustang Ranch on federal fraud and racketeering charges. The Justice Department and the Internal Revenue Service (IRS) took over all of the assets of Joe and Sally Conforte, including the Mustang Ranch. The IRS then auctioned off their assets, including the brothel. Some of the ranch's fixtures were actually sold on eBay.

As a result, life at the Lockwood Mobile Home Park changed drastically after 1999. When the IRS auctioned off the Mustang Ranch, the new owners moved it to another part of Storey County. Many people living in the mobile home park lost their jobs and others figured the park would close down or be sold and they would lose their homes.

In 2002, the low income residents banded together to obtain help from a number of nonprofits led by Eileen Piekarcz with Rural Community Assistance Corporation. Together they came up with a plan to buy the mobile home park as a co-op. The residents then began negotiating with the Justice Department and the IRS. It took three long years to get all the various governmental approvals but by 2005 the signatures were all in place.

The deal the residents made with the IRS was very favorable and allowed space rents to be set at about \$100 per month. The share needed from the residents to buy the park was \$1,600 each. However, the co-op did have to agree to fund the million dollar cost of upgrading the water and sewer system.

On December 25, 2002, the Nevada press announced that the IRS had given the residents a great Christmas present by transferring the park ownership from the IRS to the residents. The park was now completely independent and more importantly independent of the Mustang Ranch.

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David Thompson is President of Twin Pines Cooperative Foundation. See footnote.

Henry George and the Community Land Trusts

Ideas to Apply to Co-ops

By Joel David Welty
1927-2012

When you own land, people sometimes think it is simple, like owning a chair, a table or a ticket to Boston. They're wrong. Land ownership has changed over time, and there are the models of tenure like co-ops and community land trusts that change it further, to everyone's advantage.

When a Dutchman gave a Native American trinkets worth \$24 for the island of Manhattan, there was not a clear and understood meeting of their minds. The Dutchman was thinking, "I have just obtained exclusive right to use this land, to grow crops on it and build houses and barns. I can put up fences to keep bears, deer, rabbits and others out." While, the Manhattan tribe had no such thoughts.

In that culture's mind, owning a piece of land was a silly notion, just as silly as owning sunshine, wind, rain or a piece of ocean. The Native American was thinking, "By accepting this gift of silly trinkets, I have made good friends for my tribe. They give me this gift to show their willingness to stand with us against such tribes as may wish to attack us. It is good to become close to such people as the Dutch."

The tribe's disappointment and the Dutchman's bafflement at how the deal worked out is part of the sad history of our peoples.

In ancient Roman times, land was owned, at first, in small holdings, generally by families who grew their own food. As Romans began trading over larger territories, land came to be owned by aristocrats whose wealth was based upon the grains, vegetables and fruits of the land sold to people increasingly living in urban areas. More and more, "ownership" of land was detached from those who actually worked the land; the Romans used slaves and prisoners of war for cheap labor. Wealth in those days was based upon hereditary and aristocratic powers dominating people who were kept in line by the sword and the lash.

The present day system of land tenure in our part of the world was established by William the Conqueror in 1066, when he took possession of all the land in England, and then began doling it out to those barons and lords who promised loyalty to him and military service when required. Sometimes, in order to preserve the hereditary nobility, the

sovereign's grant was limited so only your heirs could become owners when you died; that was called "fee tail." A grant of real estate to you without any such restrictions was called "fee simple," and that is the term we use today for our usual meaning of ownership.

But there are problems with our usual meaning of ownership. For one of the most serious problems, it is common to talk about your home as an "investment," rather than simply the place where you and your family live. It is possible, several millions of us have discovered, for one to borrow against the value of one's home to get cash one can gamble with in the stock market or at the race track. This irresponsible behavior was encouraged by the banks, who found a great way to make big money from the rising market values of homes. Now millions of people have lost their homes—or are about to lose them—as market values come crashing back down. Today's "depression" is largely caused by such disasters.

Henry George (1839 - 1897) was disturbed by this interaction of conquest, power and land, which he blamed for the increase of poverty just as some were getting obscenely rich. George maintained that the land belongs of right to all the people—like air, sunshine and water. This right cannot be alienated by any group of powerful lords. Morally, you cannot own land any more than you can own the air or sunshine. However, it is necessary for individuals to occupy and use land in order for it to be productive. You can't divide the land into equal shares, and would not want to. Instead, Henry George said, land should be divided for private use into parcels among those who will pay the highest rent or tax for the use of each parcel, which would capture appreciation. Then the rent of the land, exclusive of all structures on it, should be used for the equal benefit of the whole community. As rent is always more than sufficient to defray all necessary

Joel recently passed away. We publish this most recent thinking of his as an example of the passion he never lost and the continuity he saw of concepts of 150 years ago and the innovations in housing and community development today. For more information on his life see page 10.

expenses of government, those expenses should be met by a tax upon rent alone, to be brought about by the gradual abolition of all other taxes. Landlords could be left in undisturbed possession and with nominal ownership of the land, with a sufficient margin over the tax to induce them to collect their rents and pay the tax.

This was the “single tax system” George advocated in *“Progress and Poverty,”* published in 1897. The book was immensely popular and many demanded that the single tax system be implemented.

It was not to be, but no doubt it did stimulate some similar programs, such as Republican President Teddy Roosevelt’s great expansion of the federally owned park system. And the many state parks which imitated Teddy. In other countries, George’s ideas inspired the Garden Cities of England and the development of Australia’s capitol city, Canberra, where all of the underlying land was originally owned by a public authority. In these cases, speculation was

impeded and land gains were captured for the benefit of the larger community not by taxation but by tenure. Community ownership of the land replaced George’s mechanism of community confiscation of the gains in the land’s value.

Housing co-ops picked up some of the ideas George expressed. In housing co-ops, the land belongs to everyone in the co-op, not to individual members, and there is no temptation to speculate in the increased market value of housing. As a result, housing co-ops’ members do not gamble with their homes and have not suffered the severe losses suffered by fee simple owners who were encouraged to borrow against their homes’ market value.

Many co-ops go further and restrict the members’ powers to make a profit in selling their memberships upon move-out. These restrictions have been enforced for FHA co-ops by the regulatory agreements, most of which have now expired as their mortgages have been paid off.

Some of us feel this loss of affordable homes to the market is bad news, and some co-ops have voluntarily kept those restrictions in force even though not compelled to do so by law.

College housing co-ops take this principle one step further; when a member of a college housing dorm graduates and leaves, he/she takes none of that increase in equity. This ‘group equity’ strategy guarantees that good dormitory housing remains available in the co-op for the next generation of students.

My first experience in housing co-ops was as a student in Oberlin College, one of the groups of students organizing the first two co-ops on that campus: Pyle Inn Co-op and Gray Gables Co-op. In those cases, we leased the buildings from the college itself, eliminating any increase at all. Later, the college tore down both houses, so I don’t suppose they benefited from any equity increase either.

A co-op focuses upon providing the best housing possible, but without considering it an “investment” with which you can gamble. Everyone benefits from the co-op’s existence, and enjoys, too, the social atmosphere of a democratically operated cooperative. We are gaining the advantages of sharing the ownership land values which Henry George was aiming at. We think he’d be pleased.

An innovative model of tenure even closer to George’s plan is the Community Land Trust (CLT), the modern prototype for which was established in 1969 near Albany GA, as an outgrowth of the southern Civil Rights Movement. This new form of land tenure was slow to catch on, but it received a major boost in 1992, when a definition of the CLT was incorporated into federal law, making it easier for cities and states to invest discretionary federal funds like CDBG and HOME in the affordable homes being developed by CLTs. The federal definition described the CLT as an organization (sponsored by a non-profit) that—

- A] ACQUIRES PARCELS OF LAND**, held in perpetuity, primarily for conveyance under long-term ground leases; and
- B] TRANSFERS OWNERSHIP** of any structural improvements located on such leased parcels to the lessees; and



JOEL DAVID WELTY • 1927 – 2012

In 1960 when FCH needed someone to organize a housing coop to buy 108 rental townhouses in Royal Oak, Michigan, Fred Thornthwaite recommended a young co-op enthusiast on his staff – Joel Welty. With a minimum of help, Joel organized Woodward Heights, the first of more than 80 housing co-ops FCH helped create in Michigan.

Over the next ten years, Joel did everything FCH asked him to do, and more. He was a first class co-op organizer, educator, maintenance supervisor and ambassador. He trained new staff members. He wrote a Member’s Manual and a Board Members’ Manual which FCH printed and reprinted in numerous times.

He also helped organize the Michigan Association of Housing Co-ops and was for many years an active member of both NAHC and Michigan co-op organizations. In 1999, he was awarded NAHC’s highest award, the Jerry Voorhis award for lifetime achievement in cooperative housing. In later years he wrote hundreds of articles for large and small publications on all kinds of co-op related ideas, procedures and concerns. Dozens of them were published by NAHC and related organizations. He wrote *Welty’s Rules of Order* on how to run co-op housing board meetings and a 600 page novel, *Sylveron*, in 1987 about an earth sheltered co-op community he hoped to create, presenting his thoughts as to what it and America would be like in 2007. He self-published a half dozen more co-op based novels using Amazon’s CreateSpace publishing system now being used by NAHC’s Publication’s Committee.

Joel married Ellie in 1952. He is survived by Ellie and their daughter Stephanie.

—Roger Willcox

► **Henry George and the Community Land Trusts** [continued from page 9]

- C] RETAINS A PREEMPTIVE OPTION** to purchase any such structural improvement at a price determined by formula that is designed to ensure that the improvement remains affordable to low- and moderate-income families in perpetuity; and
- D] WHOSE CORPORATE MEMBERSHIP** is open to any adult resident of a particular geographic area specified in the bylaws of the organization; and whose board of directors—
- 1 > Includes a majority of members who are elected by the corporate membership; and
 - 2 > Is composed of equal numbers of (i) Lessees of that land trust, and (ii) Corporate members who are not lessees, and (iii) Any other category of persons described in the bylaws of the organization.

A community land trust structured this way permanently removes land from the speculative market and takes both land and residential structures out of the boom-and-bust cycle. Speculators cannot “flip” ownership of such houses for the purpose of making a killing off inflation.

Land so bound will forever be used for residences, or whatever purposes the democratically elected trustees agree to, but not for greedy profiteering. It is the latest expression of George’s wish to see land used to meet people’s needs instead of being a mere chip in an outdoor

casino. The growth of community land trusts, which currently number over 260 across 46 different states, could stabilize the housing market and protect families from becoming the playthings of wild-eyed gamblers.

Each community land trust has a formula by which the permitted resale price gained by a departing member is calculated, limiting the profits of the departing homeowner in order to keep the home affordable for the next low-income or moderate-income homebuyer.

Of all the ways in which we can prevent greedy speculation in housing values by profiteers, I like to feel that Henry George was quite content with our way of placing the earth’s land at the service of people, whether through co-op ownership or CLT ownership. In some cases, these alternative models of land and housing tenure have been combined, with a CLT owning the land and leasing it to a limited equity cooperative, which owns and operates the building(s). Examples of this CLT-LEC hybrid can be found in New York City, Burlington VT, Berkeley CA, and Boston MA. This is yet another way that we housing co-op folk can stabilize affordable housing for the benefit of our members and help to fulfill Henry George’s idea of using land to benefit all, not just to enrich a handful of speculators. **CHB**

► **Brothel’s Demise leads to Reno Area Co-op’s Success** [continued from page 7]

Lockwood Community Corporation is a cooperative organization that now owns the entire 56 acre park and all its’ infrastructure, roads, sewers, etc. Just as before, the households still own their own homes. The Lockwood Community Corporation is now run by a five person board elected on a one vote one member basis by the 94 households in the park.

With the stability of a resident owned co-op, Lockwood has become very popular. Turnover at the park is about 5% annually which is only four or five homes per year. There is a long waiting list of households who want to live there.

Dan Bogden, the US Attorney who prosecuted the case, told the press, “This action benefits the

citizens of Nevada and is a fine example of what can be accomplished when private interests and the federal government work hand in hand for the betterment of society.”

It just might be the first co-op created by the IRS. But given the co-op’s success let’s hope it is not the last. **CHB**

David J. Thompson is also Co-partner with Neighborhood Partners, LLC, a firm that specializes in developing cooperatives, mutual housing and similar affordable housing. He is the author of Weavers of Dreams: Founders of the Modern Cooperative Movement, published to commemorate the 150th anniversary of the Rochdale Pioneers and the origins of the cooperative movement.

CNYC Cooperative Educational Programs

EDUCATION IS A VERY IMPORTANT PART of the mission of the Council of New York Cooperatives & Condominiums (CNYC). Throughout the year, CNYC runs evening classes for its members helping them deal with basic responsibilities of running their buildings and with issues that arise – new laws to follow, new forms to file, new procedures to follow. Every year, in November, CNYC holds a big all day Housing Conference, bringing together board members and prospective board members from hundreds of cooperatives and condominiums for a day of learning. NAHC members are invited to attend this Conference at member rates, and, over the years, a number of NAHC members have accepted this invitation. This year's Conference has 74 classes taught by 103 distinguished speakers. The Conference brochure can be found on the CNYC website at www.CNYC.coop.

Over the years, CNYC has learned that its mission to educate extends far beyond helping its members learn how to run their buildings. CNYC spends time trying to help government officials understand how cooperatives function: that board members are shareholders who volunteer their time and take on the often challenging task of running the building or complex of buildings that is their home, that the requirements imposed upon a cooperative become the direct responsibility of the members. When the modifications are very costly, the cooperative may have to raise its fees to a point where some members may no longer be able to afford to live there. CNYC spends time trying to help judges and court officers to understand the nature of cooperatives, that it isn't a landlord who lives elsewhere and owns the building as a business venture that is bringing a resident to court for failure to make monthly payments, rather it is the governing body of the community where that individual had chosen to live and whose rules and regulations they had agreed to follow. And CNYC spends time making law makers aware that it is important to consider the financial impact of the laws that they pass.

CNYC is often successful in these educational endeavors, but it is most effective when its members help to make the case. When the members of a cooperative invite local officials to their annual meeting or to a social event at the cooperative, the official gets to see first hand how this community functions. When members place calls to their lawmakers – perhaps to support a measure or to perhaps to point out the flaws in a proposed law or regulations – their voices resonate loud and clear. And when members of the cooperative make it a point to question all candidates about cooperatives and ask where they stand on pending issues affecting cooperatives, this will make a strong impression. Once elected, the candidate may well remember these conversations, particularly if your cooperatives writes to congratulate the newly elected official with a reminder about the issue. Lets push to have more and more cooperatives and their members take an active part in educating the world about housing cooperatives.

*Mary Ann Rothman, Executive Director, CNYC
- Council of New York Cooperatives*

Chicago Celebrates IYOC

THE CHICAGO SPONSORING COOPERATIVES and supporter vendors are coming together on September 29 to celebrate the International Year of the Cooperative under the banner of "We Are One".

The event will feature radio disc jockey Herb Kent, videos of local and international cooperation, local dignitaries and the 50 years of success of Chicagoland's housing cooperatives. It is being held on the Illinois Institute of Technology Campus. The event's basic budget has been met by contributions from sponsoring cooperatives.

A cooperator's planning committee has been meeting every other week to ensure the success of the event.

The event is organized by the Center for Cooperative Housing Development, a not for profit created in 2012 with its principal organizers NAHC members, Terry Edlin, Inner City Underwriting Company, Charles Daas and Herbert H. Fisher Law Office, P.C. Amongst the most consistent cooperator organizers have been Shirley Hardiman, President of Neighborhood Commons Cooperative and Joanne Kenner, President of London Towne Houses Cooperative, both NAHC members.

On October 1st Herb Fisher Reported: "We had our successful IYOC 'We Are One' celebrating 50 years of quiet success celebration party Saturday night. We had 220 housing cooperators present (not just board members) together with vendors who partied their hearts, ate well and had a good time. They went away raving about it and sending back emails yesterday with one saying "can't wait until next year" like this was already an annual event.

This was a first time experience here in Chicago where housing cooperators got off their butts, went out into the community and mingled with other housing cooperatives ranging in size from 8 to 803. Fabulous."

Co-op Executive Accepts Temporary White House Assignment

ANNIE DONOVAN, former Chief Operating Officer of NCB Capital Impact, has accepted a temporary assignment to serve as Senior Policy Advisor at the White House where she will work to support the development and implementation of social innovation policies related to community and environmental finance, capital markets, and new financial instruments. In this role, Ms. Donovan will use her understanding of community finance, capital markets and financial innovation to work on issues related to development and implementation of the Obama Administration's social innovation policies. She will closely coordinate with the Office of Social Innovation and Civic Participation in the Domestic Policy Council and actively engage with federal agencies such as the EPA; the Departments of Energy, Education, HUD, Interior and Treasury; and the Small Business Administration, among others.



Self Protection When Showing Units

By Nathan Gesner

Editor's note: In response to a recent news story about a woman being raped while showing a unit, we offer these tips by a professional manager.

- A. DON'T BE A TARGET!** Criminals prey on the weak. If you show a strong face at the beginning, they'll move on to someone else.
- B. MAKE A COPY OF THE APPLICANT'S DRIVER'S LICENSE.** Require the applicant to fill out a "showing request" card with basic information like vehicle type, and license plate. Then verify that information before departing. By making copies of their information or even holding the license in the office, you give them notice that it will be easy to track them down.
- C. NEVER SHOW AFTER DARK.**
- D. NEVER SHOW A UNIT IN A REMOTE AREA BY YOURSELF OR ALLOW ONE AGENT TO SHOW A UNIT TO MULTIPLE PEOPLE AT ONCE.** I have seen people call and ask to look at rental homes in remote areas and then they hang up as soon as the agent mentions bringing a spouse or a co-worker along.
- E. GO WITH YOUR GUT.** Physical appearances, lack of hygiene, a smell of alcohol, "druggy" eyes, and trashed cars can all be indicators of what kind of resident a person might be. There are certain physical, visible signs that may be an indication of something else. If your gut says something's wrong, then take extra precautions.
- F. WHEN YOU GET TO THE SHOWING, PLACE AN UNNECESSARY CALL BACK TO THE OFFICE.** Make small talk with someone or conduct a quick business call and mention where you are at and with whom. Let the prospective resident hear you say his/her name and the address so he/she knows other people are aware of his/her presence.
- G. KEEP YOUR CELL PHONE IN YOUR HAND.** Dial 911 and be prepared to press "send" the second something goes wrong.
- H. KEEP YOUR KEYS IN YOUR OTHER HAND.** They make a great weapon in a pinch.
- I. DON'T WALK IN FRONT OF THE PROSPECTIVE RESIDENT.** Let the person enter the unit and stay a few steps back so you have time to react to any attack. Remain in the common area, preferably close to the exit, and allow the prospective renter to walk through the unit on their own; do not follow or lead them into each room.

Assume that any office is an isolated office. Put safety policies and procedures in place to protect staff. Provide training on these policies with all staff, and give a couple of scenarios to help them apply the information. **CHB**

Nathan Gesner is Owner/Manager of America West Realty & Management, LLC, a full service office in Cody, Wyoming, specializing in real estate management.

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Compiled by Doug Kleine

Section 213—a boon for senior housing builders

Of all the multifamily mortgage insurance programs run by HUD, only Section 213 permits age or family-based occupancy restrictions. Thus the Section 213 program is the only mortgage insurance program that can be used to meet the growing need for middle income senior housing. California developer Ross Cortese was the first to seize on the use of Section 213 for senior housing. In 1960, Leisure World at Seal Beach opened for sale as the first senior co-op with HUD/FHA mortgage insurance. Seal Beach today has more than 6000 units in garden and villa buildings with a rich package of amenities, conveniences and supportive services.

Following the success of Seal Beach, Cortese went on to develop Leisure World at Laguna Woods and Leisure World at Walnut Creek. Other Leisure World communities were developed in Arizona, Maryland and New Jersey. In all, Cortese built over 25,000 units of Section 213 cooperative housing for seniors. In 1999, in recognition of his early vision for active retirement communities that set the stage for over 50 years, *Builder Magazine* named Cortese as one of the 100 most influential people in 20th century housing, an honor he shared with co-op builders Robert Moses and Eli Broad, as well as Clarence Stein who planned Greenbelt, MD and other “garden” communities.

Section 213 continues to be used successfully today, especially in the upper Midwest where several builders are actively using the program to meet senior housing needs. In fact, a survey of the senior housing market found that senior housing values in Minnesota have gained 1% a year through the recession, while single family homes lost an average of \$70,000 in value.

Habitat is 6th largest homebuilder

According to *Builder Magazine*, Habitat for Humanity is now the 6th largest homebuilder in the US. Habitat closed on more than 6000 units in 2010, up 14% over 2009, when Habitat was ranked 8th largest.

New York AG Orders Developers to Digitize Co-op Offering Plans

The New York Attorney General's Office, the regulator of co-op developers, which had briefly required developers to give prospective purchasers the option of receiving the public offering plan in a searchable digital format, has changed its regulation to allow the developers to issue offering plans in a digital format.

“Moving toward the digitization of offering plans is part of Attorney General Eric Schneiderman's comprehensive effort to modernize our office's real estate functions, culminating in the establishment of an e-filing system in the near future,” said a spokeswoman for the attorney general's office. “Because digital offering plans will be a baseline component of e-filing, we decided to give the option to offer paper offering plans until that system is up and running.”

Residents of two manufactured home communities buy their parks and form co-ops

The residents' associations of 2 manufactured housing communities with a combined total of 466 homes in Carver, Massachusetts have purchased their communities, securing for themselves enduring control of the land their homes occupy. Cranberry Village Residents Association and the Pine Tree Village Residents Association closed in a 2 party transaction in June after working together for 5 months toward the purchase. Co-op fees, which include financing costs, will not exceed what residents were formerly paying in rent.

Cranberry Village, a 55+ community of 280 homes, and Pine Tree Village, a family community of 186 homes, were developed and operated by the same owner since the 1970's. In December, the

aging owner signed an agreement to an investment trust. The communities' residents quickly banded together to purchase under a right of refusal law in Massachusetts. The Cooperative Development Institute (CDI) served as their technical assistant through the process of establishing right of first refusal, incorporation, negotiations, due diligence, financing and closing. CDI, a member of the ROC USA Network, will provide technical assistance for the life of their 30 year mortgage loans, which bear interest rates of 6.2% and 6% respectively. "Ten years from now, if they refinance, they will have generated some equity and will have some experience in park management" to show to a lender, said ROC USA President Paul Bradley. That should make them eligible for better loan terms.

With the total transaction exceeding \$23 million, this is the largest single transaction in homes and dollars closed within the ROC USA® network. ROC USA® is a non-profit organization with a national network of eight organizations such as CDI and a national financing source for co-ops. The ROC USA® process solves the two basic barriers to resident ownership – access to expert technical assistance and financing to help homeowners become buyers when their community is for sale. Financing for the project was provided by ROC USA® Capital, a 501c3 national community development financial institution that is certified by the Department of Treasury's CDFI Fund.

CDI's New England Resident Owned Communities initiative (NEROC) has assisted seven conversions in 20 months in a territory that covers all the New England states except New Hampshire. CDI, a 501c3 cooperative development center based in Shelburne Falls, MA, is funded in part through a USDA Rural Development grant.

Tribal grant supports zero-net energy to be built into new mutual housing community serving farm workers

Yocha Dehe Wintun Nation has given a grant to Sacramento/Yolo Mutual Housing Association to help with the design of Spring Lake, the first zero-net energy community in Woodland, CA, targeted to agricultural workers and other low-income families. When open, Spring Lake will have 101 two, three and four-bedroom apartments. About 60 percent of the apartments will be set aside for farm workers and their families.

"We are pleased to be a partner in this wonderful project that will help individual families in need and, at the same time, will contribute to our entire community," said Marshall McKay, Yocha Dehe Wintun Nation Tribal Chairman. "This project fits very well with the Yocha Dehe Community Fund mission, which includes providing support to programs that help people help themselves as well as efforts to promote responsible stewardship of our natural environment."

Being zero-net energy means the community will produce as much energy as it uses with a variety of energy systems for the residential and common areas, including staff offices and laundry rooms as well as community rooms for financial education, leadership training and other workshops. In a survey done by Mutual Housing, nearly two-thirds of agricultural workers said that low utility bills were more important than having a washer and dryer, a large kitchen or an outdoor play area.

Funding for the multifamily development is from the City of Woodland, the U.S. Department of Agriculture Rural Development Housing Service; the State of California Department of Housing and Community Development Joe Serna, Jr., Farmworker Housing Grant Program; and the

California State Treasurer's Low-Income Housing Tax Credit Program as well as NeighborWorks America. NeighborWorks Capital and Wells Fargo Bank are lenders for the project, which will total \$17 million.



Champlain Housing Trust (CHT)

Champlain Housing Trust (CHT) received a subgrant from Cornerstone Partnership through the Cornerstone Homeownership Innovation Program (CHIP). The grant for funding is made possible through an award to NCB Capital Impact to support CHIP by the federal Social Innovation Fund, a program of the Corporation for National and Community Service. Champlain Housing Trust is one of the oldest and largest community land trusts (CLT) in the country, with over 500 limited equity homes in its portfolio. CHT anticipates adding another 42 new shared equity units over the next 5 years and managing the resale of 15 to 30 homes per year. CHIP funding will be used to expand CHT's capacity for post-purchase stewardship, explore options for expanded partnerships and new funding to add homes to its portfolio, and develop a suite of best practices and tools that will help standardize and streamline the operations of six smaller CLTs in the state of Vermont. [CHB](#)

Cooperative Healthy Savings Program Valuable Pharmacy Discounts Now Available

Your Cooperative Healthy Savings Card is Here!

The National Association of Housing Cooperatives is pleased to announce a new Cooperative Healthy Savings (CHS) Program for families living in NAHC member cooperatives. The Cooperative Healthy Savings Program provides pharmacy discounts that make getting prescriptions simple and more affordable. This valuable discount benefit is free to you through your membership in the National Association of Housing Cooperatives. Every household in an NAHC member cooperative is eligible for a pharmacy membership card. **This value benefit is absolutely free!**



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Pharmacy Card Benefits

Your CHS Card Will:

- Save you 10% to 85% on prescriptions at participating pharmacies
- Be accepted at more than 60,000 national and regional pharmacy chain stores including CVS, Walgreens, Wal-Mart, Target, and many more
- Give you a mail order option for your long-term medications

Here's What You Do For Prescription Discounts:

- Search online to find the discounted price of your prescription (www.rxpricequotes.com) and participating locations (www.locateproviders.com)
- Present your card with your prescription at a participating pharmacy to receive a discount

How Do I Receive My CHS Membership Card?

- Pay your NAHC dues and indicate on your dues invoice the number of membership cards needed for your cooperative. Contact your Co-op's office to procure your card!

Pharmacy discount cards are not insurance, and are not intended as a substitute for insurance. This discount is only available at participating pharmacies.

Additional terms and conditions: The Cooperative Healthy Savings card has no cash value and is not redeemable for cash. The Card is nontransferable and may be used only by the co-op member to whom it is issued. You must present your Card to receive discounts at participating businesses. Any unauthorized reproduction or misrepresentation of the Card is strictly prohibited. Neither NAHC nor any member cooperative has any responsibility and shall not be liable for any problems with any products or services provided by participating businesses or for any inaccuracy in those businesses' advertising or marketing. The Card is the property of the National Association of Housing Cooperatives, and your right to use the Card may be terminated at any time by NAHC or your co-op without notice. Discounts or offers under this program, and some products or services may not be included. Please check with the participating business before making your purchase. Other terms and conditions of the Cooperative Healthy Savings program are subject to change and may be posted at any time on NAHC's web site at www.nahc.coop without notice. Your use of the Card means that you accept those terms and conditions.

Reno Conference Highlights

The National Association of Housing Cooperatives will hold its 52nd annual conference in Reno, Nevada at the Atlantis Casino Resort Spa October 10-13, 2012. The Atlantis Casino Resort Spa is nestled at the bottom of the Sierra Nevada Mountain Range and is ideally located on the strip in the heart of the South Reno's restaurant, shopping and entertainment district.

NAHC is preparing an excellent conference to provide cooperatives and its members to participate in the learning process.



Track. Four sessions, restricted to current Registered Cooperative Managers, will provide a forum for managers to talk about topics ranging from trends to ticklish situations.

We have EIGHT BRAND NEW CLASSES including a class on using social media to get the word out about your cooperative and to communicate with your members. NCB will also be presenting a class, "How Green is your Cooperative?" For other professionals, the conference will feature a Developer's Forum and an Attorneys Roundtable.

HIGHLIGHTS:

1. FIRST TIME ORIENTATION SESSION

There is a first time attendee orientation from 5:00 p.m. to 6:00 p.m. on Wednesday, October 10, 2012. If you are a first time attendee, you will want to attend to learn how to get the most out of the conference and meet new people.

2. WELCOME RECEPTION

A welcome reception will be presented in the casino area from 6:00 p.m. to 7:30 p.m. You will have an opportunity to meet and mingle with other cooperative members from across the United States.

3. KEYNOTE SPEAKER – 9:00 a.m. Thursday, October 11, 2012

The keynote speaker is Eric DeLuca, Program Manager—International Year of Cooperatives, National Cooperative Business Association. Eric DeLuca is the US program manager for the International Year of Cooperatives through the National Cooperative Business Association. Eric specializes in innovation and collaborative leadership. A national leader in food system and cooperative development, Eric's roles include funder, network leader, program developer, and facilitator.

4. EDUCATION, EDUCATION, EDUCATION

This year, there are six tracks for learning opportunities. The tracks include finance, Board of Directors and Management, Communications and Marketing, Improving your operations, knowing your regulatory and legislative issues and a RCM

5. RCM COURSES

The Resident Cooperative Manager education program will be held October 8-9. The course is offered in three segments: the history of cooperatives, the business of cooperatives, and the ethics of cooperative management. A test will be given after each section, and 70% is a passing score. Don't miss this opportunity to get your professional credentials as a co-op manager.

The RCM re-certification course will be held the afternoon of October 9.

6. TRADITIONS

Bring your co-op hats, shirts or jackets for the "Strut Your Stuff: Co-op Pride Luncheon" on Thursday, October 11. Attendees from each co-op will be invited on stage to show off their co-op pride.

The Awards Luncheon is Friday October 12, between 12:15 p.m. to 1:45 p.m. NAHC will recognize outstanding contributions to housing co-ops. If you pass the RCM Course, you will receive your pin and certificate at the awards luncheon.

7. TOURS, TOURS, TOURS

There are six premium tours being offered. Each requires a separate registration and is not included in the basic conference fee. Please check your registration booklet for further details.

Our conference is going to be exciting, and NAHC looks forward to seeing you there. **CHB**



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