

# **Regional Land Banks** A Comparative Analysis and Path Forward



is to bring people together to build homes, communities, and hope in Allegheny County.

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## Introduction

Land connects us all. We need land for homes, businesses, parks, and schools. Land is where we gather, live, work, and play. Land stewardship is essential for healthy and thriving communities.

When land is vacant, abandoned, and tax delinquent, properties become blighted, housing becomes uninhabitable, and communities suffer. Blighted properties have profound negative impacts on communities. They lower the values of surrounding properties, erode the health of local housing markets, pose health and safety hazards, and reduce local tax revenue.

Vacancy and abandonment plague many post-industrial cities and communities that have suffered significant losses of people, jobs, and economic opportunities. Blighted properties sit idle, often in weak real estate markets, with fragmented ownership and onerous tax liens, which impede their transfer. Gaining control of such properties gives communities a chance to mitigate blight, improve quality of life, and leverage the land for affordable, high-quality homes, gardens and green spaces, and new and expanded businesses offering local jobs.

Land banks are a proven tool to help local and county governments gain control of long-term vacant, abandoned, and tax-delinquent properties by conveying them to new owners.

Land banks have unique powers to acquire blighted properties, extinguish liens, and clear title before transferring them to new owners. Land banks can also hold properties for later development. Some land banks choose to renovate or demolish structures before making them available for transfer. The United States has more than 300 land banks; Pennsylvania has 38.<sup>1</sup>

Land banking is challenging. Lessons can be learned from land banks that are fully operational and working successfully to return vacant, abandoned, and taxdelinquent properties to productive use. This report presents stories of four land banks, three in Pennsylvania and one in Ohio:

• Tri-COG Land Bank

<sup>&</sup>lt;sup>1</sup> See the Center for Community Progress National Land Bank Map (April 2023), <u>https://communityprogress.org/blog/land-banks-near-me/.</u>

- Westmoreland County Land Bank
- Philadelphia Land Bank
- Cuyahoga Land Bank

The case studies show successful strategies and best practices in the hope that they can assist other Pennsylvania land banks and guide communities interested in creating land banks.

### Land Banks: An Overview

A land bank is a locally created and controlled governmental entity whose single purpose is to acquire, manage, and dispose of vacant, abandoned, and taxdelinquent properties in order to return them to productive use. A land bank's objective is to create a unified, predictable, and transparent process for individuals, organizations, and others to acquire properties that contribute to neighborhood disinvestment and turn them into community assets.

Land banks deal with properties that are neglected, blighted, and tend to have little or no market value. Such properties often have complicated ownership histories and clouded titles that make them unmarketable. Other properties are burdened with liens that exceed the properties' market values. These obstacles overwhelm potential buyers and thwart property transfers. Land banks have special powers to acquire a property, clear title, and extinguish liens, thereby making the property marketable and ready for transfer to a new owner.



Figure 1. The Land Banking Process

In Pennsylvania, any county and any municipality with a population of more than 10,000 may establish a land bank.<sup>2</sup> Two or more municipalities may collaborate to

<sup>2 68</sup> Pa.C.S. § 2104(a).

establish a land bank.<sup>3</sup> Eligible counties and municipalities that have redevelopment authorities may opt to designate the redevelopment authorities as their land banks.<sup>4</sup> Land banks are created by ordinance, which must be filed with the Pennsylvania Department of Community and Economic Development and the Department of State.<sup>5</sup> A volunteer board of directors, which must include at least one community representative, governs a land bank.<sup>6</sup>

Tax delinquency and blight correlate strongly. The Pennsylvania Land Bank Law empowers land banks to acquire properties at tax sales held to collect delinquent taxes.<sup>7</sup> Typically, a tax-delinquent property is sold to the highest bidder at public auction. At judicial tax sales, properties are sold free and clear of all liens and claims, and they can often be acquired for less than \$2,000, all of which attract speculators. Many inexperienced buyers purchase properties at judicial sales, and they often have little knowledge of the properties' condition or what will be needed to rehabilitate them. Under certain circumstances, land banks have a priority right, called a priority bid, to acquire tax-delinquent parcels listed for judicial tax sale without having to compete with other bidders at a public auction. This unique power is intended to help communities avoid the speculation and uncertainty inherent in auction sales of tax-delinquent properties.

Along with tax sales, land banks acquire properties through transfers, donations, and direct purchases. Philadelphia and Pittsburgh have large inventories of surplus, vacant, publicly owned properties that their land banks were created to manage. The goal is the same whether the properties are publicly owned or privately owned and tax-delinquent – return them to productive uses aligned with local priorities.

A land bank may acquire property and hold it for later development. With this power, a land bank can hold potential development sites in areas experiencing rising property values and gentrification, thereby preserving land in desirable neighborhoods for affordable housing and other public purposes. With limited exceptions, the real property of a land bank and its income and operations are exempt from state and local tax.<sup>8</sup> While properties are held by a land bank, they

- 6 Ibid. § 2105.
- 7 Ibid. § 2117.
- <sup>8</sup> Ibid. § 2109.

<sup>&</sup>lt;sup>3</sup> Ibid. § 2104(c).

<sup>4</sup> Ibid. § 2104(h).

<sup>&</sup>lt;sup>5</sup> Ibid. § 2104(b).

remain exempt from real estate taxes, which makes land banks attractive partners for public, private, and nonprofit developers assembling sites for future development.

While holding properties and preparing for disposition, land banks work to discharge liens and claims on the property. If a land bank has concerns about other claims of ownership interests in property it acquires – or simply as a matter of course – the land bank may file an action to quiet title to the property.<sup>9</sup> A quiet title action is a lawsuit filed to establish a good and marketable, or insurable, title to land by compelling anyone with an interest in the land to assert a claim or be forever barred from asserting it. The Pennsylvania land bank law provides an expedited schedule for quiet title actions filed by land banks.<sup>10</sup>

Municipalities in Pennsylvania are subject to strict rules for selling public properties, which includes selling to the highest bidder for fair market value after an appraisal and public advertisement of the opportunity to purchase.<sup>11</sup> These rules that restrict how municipalities may dispose of real property do not apply to land banks.<sup>12</sup> Under the land bank law, land banks have greater flexibility disposing of properties than municipalities. They are not required to sell to the highest bidder and can sell for less than market value or for non-monetary consideration.<sup>13</sup> Land banks may consider the long-term interests of the community and owners of surrounding properties, the development experience of the purchaser, and other factors that are off-limits for most municipal decision-making on property dispositions.

A land bank must maintain an inventory of all real property it is holding and must make the inventory available to the public.<sup>14</sup> To ensure transparency and

<sup>12</sup> Ibid. § 2110(d)(2).

<sup>13</sup> Ibid. § 2110(b).

14 Ibid. § 2110(a).

<sup>&</sup>lt;sup>9</sup> Ibid. §2118(a).

<sup>&</sup>lt;sup>10</sup> Ibid. § 2118(c).

<sup>&</sup>lt;sup>11</sup> See, e.g., 53 Pa. Stat. § 66503(a) ("No real estate owned by the township having a value in excess of six thousand dollars (\$6,000) may be sold except to the highest bidder after due notice by advertisement for bids or advertisement of a public auction in one newspaper of general circulation in the township. The advertisement shall be published once not less than ten days before the date set for the opening of bids or public auction, and the date for opening bids or public auction shall be announced in the advertisement.")

accountability, land banks must hold open board meetings, keep minutes of proceedings, and comply with Pennsylvania's right-to-know law.<sup>15</sup>

Because they deal with properties that no one wants, land banks are unlikely to be self-sustaining. The enabling legislation provides no funding. It does, however, authorize land banks to finance their operations using proceeds from operations, and grants and loans. Another means of financing is tax recapture. Under the law, taxing bodies may allocate to a land bank up to 50 percent of the property tax revenues collected on properties conveyed by the land bank for a period no longer than five years.<sup>16</sup> This 5-50 tax recapture is neither mandatory nor automatic. Land banks negotiate with the taxing bodies for the arrangement, which is usually incorporated into an intergovernmental cooperation agreement. Once a land bank is operational, the expectation is that it will generate revenues from sales and leases of real property and other land bank activities. The land bank retains the proceeds to finance its operations. To fund startup and to support ongoing operations, land banks often seek grants and loans from public and private sources. Land bank funding is a challenge in Pennsylvania and nationally. Some land banks are benefitting from allocations of American Rescue Plan Act (ARPA) funds, but the use of those funds is restricted.<sup>17</sup> More than half the land banks who responded to the Center for Community Progress National Land Bank survey in 2021 lack adequate revenue to cover their primary functions.<sup>18</sup>

A land bank works best when it is part of a comprehensive blight strategy. It is not a "silver bullet" but rather one element of a comprehensive strategy that should include strategic code enforcement, delinquent-property-tax enforcement, and redevelopment.

For the past 10 years, Pennsylvania communities have been exploring and forming land banks. Today, the state has 38 land banks. Land bank jurisdictions include counties, cities, boroughs, townships, and groups of municipalities. Populations in those jurisdictions range from 14,350 (Wilkinsburg Borough) to 1.6 million (Philadelphia). Land banks serve urban, suburban, and rural communities. A map of Pennsylvania land banks appears in Figure 2.

<sup>&</sup>lt;sup>15</sup> Ibid. §2113.

<sup>&</sup>lt;sup>16</sup> Ibid. § 2110(c).

<sup>&</sup>lt;sup>17</sup> See discussion on the use of ARPA funds for land banks on the Center for Community Progress' website. <u>https://communityprogress.org/resources/arpa/</u>.

<sup>&</sup>lt;sup>18</sup> Presentation by Brian Larkin, Executive Director of the National Land Bank Network, at the Pennsylvania Land Bank Network quarterly meeting, February 27, 2023.



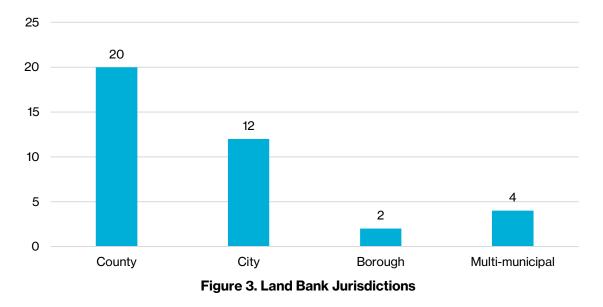
Land Bank

Redevelopment Authority designated as Land Bank

- 1. Dauphin County Land Bank Authority
- 2. Philadelphia Land Bank
- 3. Westmoreland County Land Bank
- 4. Pittsburgh Land Bank
- 5. Harrisburg Land Bank
- 6. North East Pennsylvania Land Bank Authority
- 7. Venango County Land Bank
- 8. Lackawanna County Land Bank
- 9. Schuylkill County Land Bank
- 10. Northumberland County Land Bank
- 11. Washington County Land Bank
- 12. Lancaster County Land Bank Authority
- 13. Erie (City) Land Bank
- 14. Tri-COG Land Bank (Allegheny County)
- 15. City of Lebanon Land Bank
- 16. Lancaster City Land Bank Authority
- 17. Lawrence County Redevelopment Authority (converted from stand-alone)
- 18. Pottstown Borough Land Bank
- 19. Erie County Land Bank
- 20. Sharon Land Bank
- 21. York County Land Bank Authority

- 22. Fayette County Redevelopment Authority
- 23. Altoona Redevelopment Authority
- 24. Somerset County Redevelopment Authority
- 25. Armstrong County Redevelopment Authority
- 26. Monroe County Redevelopment Authority
- 27. Butler County Redevelopment Authority
- 28. Hazleton Land Bank
- 29. Allentown Redevelopment Authority
- 30. Cambria County Redevelopment Authority
- 31. Cumberland County Housing and
- **Redevelopment Authorities**
- 32. Williamsport Land Bank
- 33. Johnstown Redevelopment Authority
- 34. Clarion County Housing and Redevelopment Authority
- 35. Warren County Redevelopment Authority
- 36. Wilkinsburg Land Bank
- 37. Delaware County Redevelopment Authority
- 38. Lower South Valley Land Bank

#### Figure 2. Pennsylvania Land Banks



As shown in Figure 3, more than half of Pennsylvania's land banks are county based.

A land bank is a government agency similar to an authority. In 2018, the Pennsylvania legislature gave land bank jurisdictions an option: Instead of creating a new government agency, a land bank jurisdiction that has a redevelopment authority may designate the redevelopment authority as its land bank.<sup>19</sup> This alternative path to land banking was intended to reduce administrative costs and increase efficiencies. Figure 4 shows that 15 counties and municipalities have created land banks by designating their redevelopment authorities.

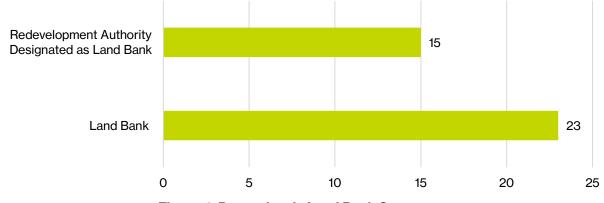


Figure 4. Pennsylvania Land Bank Structures

Since 2018, 14 of the 17 land banks created are redevelopment authorities designated as land banks. This alternative structure has proved to be popular.

<sup>&</sup>lt;sup>19</sup> Act 33 of 2018 added Section 2104(h) to the Pennsylvania Land Bank Law. 68 Pa.C.S. § 2104(h).

Pennsylvania is not alone in its use of land banks as a tool for revitalization in communities challenged by vacancy and abandonment. According to the Center for Community Progress, more than 300 land banks and land banking programs have been created and launched in 17 states.<sup>20</sup>

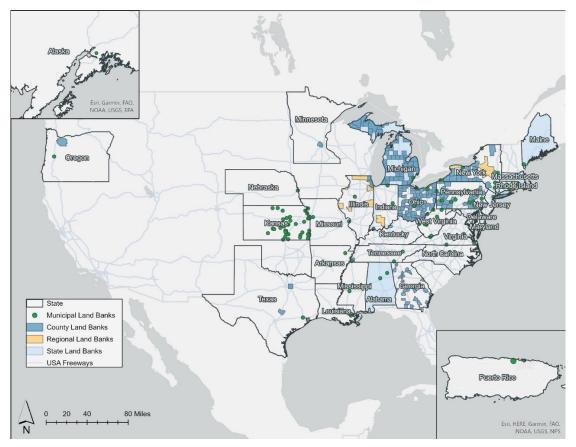


Figure 5. National Land Bank Map<sup>21</sup>

Most land banks and land banking programs are established pursuant to state land bank enabling legislation. Although states' land bank laws have some common elements, no two laws are identical.

## **Case Studies**

Individual case studies of the Tri-COG Land Bank, Westmoreland County Land Bank, Philadelphia Land Bank, and Cuyahoga Land Bank are each detailed below.

<sup>&</sup>lt;sup>20</sup> https://communityprogress.org/resources/land-banks/national-land-bank-map/ (accessed April 16, 2023).

<sup>&</sup>lt;sup>21</sup> The National Land Bank Map is based on information gathered by and provided to the Center for Community Progress as of April 2023.

### **Tri-COG Land Bank**

Data Snapshot 22		
Year Established	2017	
Land bank Jurisdiction	Multi-municipal	
Annual Budget First Year of Operation	\$366,140	
Annual Budget 2023	\$1,620,763	
Department or Agency Administrator	Steel Rivers COG	
Executive Director	An Lewis	
Staff Positions Supporting the Land Bank	8	
Full Time Staff Equivalent	6.5	
Board Members	9	
Property Inventory (as of 12/31/2022)	49	
Properties Acquired (through 12/31/2022)	89	
Properties Sold (through 12/31/2022)	40	
Number of Acquisitions Planned for 2023	50 structures, 20 vacant lots	
Number of Property Sales Planned for 2023	25	
ARPA Funding Provided	0	

<sup>&</sup>lt;sup>22</sup> Data was obtained from various sources, including discussion with An Lewis, executive director, and Natalie Boydston, director of program operations, Tri-COG Land Bank, on November 17, 2022; audited financial statements; and other resources on the TCLB website, <u>https://tricoglandbank.org/</u>.

### Introduction

Data and relationship building are keys to the strong foundation of the Tri-COG Land Bank. The land bank's leaders took a methodical, regional approach to addressing long-term vacant, abandoned, and tax-delinquent properties, resulting in this high-functioning, multi-municipal land bank. Having effective and thoughtful policies and practices in place, the Tri-COG Land Bank is moving forward with new and enhanced programming aimed at advancing equitable community stabilization and revitalization.

### **Mission and Vision**

The mission of the Tri-COG Land Bank is "to equitably transition abandoned properties to beneficial reuse that promotes community stability and resiliency alongside our members, partners, and residents in the communities we serve."<sup>23</sup> Its vision is that "all Allegheny County communities are places of opportunity, where vacant and abandoned properties are transformed into neighborhood assets."<sup>24</sup>

### **Creation and Initial Operations**

In March 2017, the Tri-COG Land Bank (TCLB) was formally established and incorporated. Its creation was years in the making, led by three councils of government in Allegheny County – Steel Valley COG, Twin Rivers COG, and Turtle Creek COG – collectively referred to as the Tri-COG Collaborative (TCC).<sup>25</sup> Support for its creation was grounded in the TCC's 2013 study of the financial impact of blight on its 41 member municipalities (Cost of Blight Study).<sup>26</sup> TCC used the results of the Cost of Blight Study to build consensus that supported the development of new strategies to address vacancy and abandonment, including the creation of a regional land bank. At the time of its inception, TCLB had 28 members: 21 municipalities, 6 school districts, and Allegheny County.

TCLB is governed by a nine-member board of directors. As shown in Figure 6, communities play an active role in its governance, with board seats designated for

<sup>&</sup>lt;sup>23</sup> TCLB website, <u>https://tricoglandbank.org/our-purpos</u>

<sup>&</sup>lt;sup>24</sup> Ibid.

<sup>&</sup>lt;sup>25</sup> The Steel Valley COG and Twin Rivers COG subsequently merged to create the Steel Rivers COG.

<sup>&</sup>lt;sup>26</sup> Financial Impact of Blight Study on the Tri-COG Communities (September 2013), <u>https://tcvcog.com/wp-content/uploads/2020/04/TCLB-Blight-Impact-Full-Report.pdf.</u>

county, municipal, and school district representatives. A seat is also reserved for a resident representative. The Municipal and School District Advisory Committees are charged with electing the board.



Figure 6. TCLB Board Composition Source: Tri-COG Land Bank

TCLB adopted key policies for guiding land bank operations and focused its attention on developing a scalable process for acquiring vacant and abandoned properties and transforming them into community assets.<sup>27</sup> To support its growth and evolution, TCLB continually revisits its policies.

### Funding

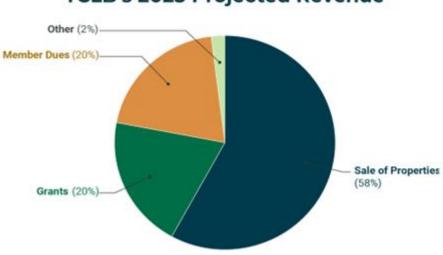
TCLB has taken an innovative approach to generating revenue. All members pay annual dues to the land bank: 5 percent of the delinquent real estate taxes collected in each community in the previous year. In 2017, its founding year, members contributed more than \$177,000.<sup>28</sup> Member contributions, along with philanthropic support of \$350,000, gave TCLB the financial resources needed to fund startup and initial operations. By 2021, the largest revenue source had shifted to sales of properties (\$441,905).<sup>29</sup> Member contributions in 2021 remained at a similar level as

<sup>&</sup>lt;sup>27</sup> https://tricoglandbank.org/about-us.

<sup>&</sup>lt;sup>28</sup> Tri-COG Land Bank Audited Financial Statements for the Year Ended December 31, 2017. <u>https://kvq5af.a2cdn1.secureserver.net/wp-content/uploads/2021/03/TRI-COG-LAND-BANK-AUDIT-REPORT-2017.pdf.</u>

<sup>&</sup>lt;sup>29</sup> Tri-COG Land Bank Audited Financial Statements for the Year Ended December 31, 2021. <u>htps://kvq5af.a2cdn1.secureserver.net/wp-content/uploads/2022/09/2021\_Audit\_TriCOGLandBank.pdf.</u>

in 2017 (\$186,802).<sup>30</sup> For 2023, TCLB projects that sales of properties will generate 58 percent of its revenues and member dues will generate 20 percent.



TCLB's 2023 Projected Revenue

### **Inventory and Transactions**

Land banks are judged by the number of properties they return to productive use. That is especially true in places that have experienced decades of disinvestment and have large numbers of vacant, abandoned, and tax-delinquent properties. In its first five years of operation, TCLB has developed a clear and efficient process for acquiring properties, clearing their titles, and transferring them to new owners.

TCLB carefully and methodically evaluates properties proposed for acquisition. Members and prospective purchasers may propose properties for acquisition by completing a simple form available on the TCLB website.<sup>31</sup> Land bank staff members assess the properties, review the title reports, and gather additional information to support recommendations for acquisitions. The board votes on the list of properties recommended and then starts the acquisition process after 60 days' notice to the

Figure 7. TCLB's 2023 Projected Revenue Source: Tri-COG Land Bank Strategic Plan 2023–2027 (February 2023)

<sup>&</sup>lt;sup>30</sup> Ibid.

<sup>&</sup>lt;sup>31</sup> See, e.g., Member Property Recommendation Form, <u>https://kvq5af.a2cdn1.secureserver.net/wp-content/uploads/2022/03/TCLB-Member-Property-Recommendation-Form.pdf</u>

member taxing bodies where the properties are located. The TCLB does not proceed with acquisition if any member objects.

TCLB acquires most of its properties through Allegheny County's system of delinquent-tax foreclosure – sheriff's sale.<sup>32</sup> For each property acquired at sheriff's sale, TCLB files a quiet title action to ensure that it has free, clear, and insurable title. The TCLB's acquisition and quiet title process can take anywhere from 15 months to 3 years.<sup>33</sup> No other Pennsylvania land bank uniformly quiets title on all properties acquired. This extra step returns the property to the market. The purchaser receives insurable title, which is essential for getting financing. A quiet title judgment also protects the new owner from previous claims against the property. By quieting title, TCLB is strengthening the real estate market and halting the cycle of vacancy and abandonment.

In May 2018, the TCLB acquired its first properties through sheriff's sale.<sup>34</sup> In July 2020, the TCLB sold its first property, a vacant lot, to the owner of a neighboring property for \$750 plus closing costs.<sup>35</sup> On that momentous occasion, TCLB Executive Director An Lewis was quoted as saying:

"We're really excited. It's been a process to get the land bank up, running, figure out how to choose properties, how to acquire them, how to move them through the court system. We're very excited to be entering this new phase of disposition."<sup>36</sup>

At the start of 2023, TCLB owned 49 properties and had 64 properties in the acquisition pipeline.<sup>37</sup> Sixteen quiet title actions were pending.<sup>38</sup> As of March 16, 2023, TCLB reported having acquired 99 properties and sold 47.<sup>39</sup>

<sup>&</sup>lt;sup>32</sup> TCLB Strategic Plan 2023–2027 (February 2023), <u>https://communityprogress.org/publications/tri-cog-land-bank-strategic-plan/.</u>

<sup>&</sup>lt;sup>33</sup> Ibid.

<sup>&</sup>lt;sup>34</sup> TCLB Board Meeting Minutes, June 26, 2018, <u>https://kvq5af.a2cdn1.secureserver.net/wp-content/uploads/2019/11/20180626\_TriCOGLBBoardofDirectors\_MeetingMinutes.pdf.</u>

<sup>&</sup>lt;sup>35</sup> <u>https://www.post-gazette.com/local/region/2020/08/13/Tri-COG-Land-Bank-sells-property-White-Oak-vacant-lot-An-Lewis/stories/202008130120</u>.

<sup>&</sup>lt;sup>36</sup> Ibid.

<sup>&</sup>lt;sup>37</sup> TCLB Board Meeting Minutes, January 12, 2023, <u>https://kvq5af.a2cdn1.secureserver.net/wp-content/uploads/2023/02/20230112\_TCLBBoard-Meeting.pdf</u>.

<sup>&</sup>lt;sup>38</sup> Ibid.

<sup>&</sup>lt;sup>39</sup> Timeline, <u>https://tricoglandbank.org/about-us/</u> (accessed on April 2, 2023).



House: 974 Sq. Ft., Single-Family, 2 bedrooms and 1 bath, with adjacent vacant lot for a total of 5,000 square feet. Total renovation needed.
List price: \$15,000
Estimated cost of renovations: \$56,079
County Assessed Value: \$17,600
Sale restricted to owner-occupants and developers committed to sell to owner-occupants for first 90 days listed.
Figure 8. McKeesport Property for Sale

### Highlights

#### **DATA-DRIVEN INNOVATOR**

TCLB values data and uses it effectively to build support for its work. Along with the Cost of Blight Study, the Tri-COG Collaborative prepared the Land Bank Business Plan in 2014, laying the foundation for establishing and funding the land bank.<sup>40</sup> Using data from the Cost of Blight Study and the Land Bank Business Plan, TCLB successfully persuaded regional stakeholders and partners to support its innovative approach to funding the land bank through member dues tied to delinquent taxes collected in members' jurisdictions. Dedicated, recurring, and sufficient funding is a hallmark of successful land banks.

At the very first board meeting, TCLB Executive Director An Lewis advocated for including a healthy budget for software and technology, because collecting data would be a valuable resource for the land bank.<sup>41</sup>

Dedicated, recurring, and sufficient funding is a hallmark of successful land banks.

<sup>&</sup>lt;sup>40</sup> Tri-COG Collaborative Land Bank Business Plan (July 2014), <u>https://tricoglandbank.org/wp-content/uploads/2019/11/Tri-COGLandBankBusinessPlan\_compressed.pdf</u>.

<sup>&</sup>lt;sup>41</sup> TCLB Board Meeting Minutes, March 6, 2017, <u>https://kvq5af.a2cdn1.secureserver.net/wp-</u> content/uploads/2019/11/20170306\_TriCOGLBBoardofDirectorsMeeting-Minutes.pdf.

All land banks would be wise to follow her lead. Between 2017 and 2021, TCLB spent \$70,000 on software and technology.<sup>42</sup> Investment in software and technology, paired with staff GIS expertise, has allowed TCLB to collect and analyze critical data for making strategic decisions on property acquisitions and dispositions. Technology makes it easy for TCLB to market its properties and track its inventory.

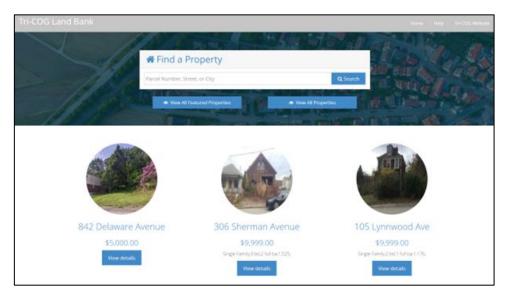


Figure 9. TCLB Online Property Inventory

Data helps tell stories. In its 2023–2027 Strategic Plan, TCLB uses data to tell the story of its first five years (such as number of members, number of transactions, timeline of milestones) and to plan for its next five years.<sup>43</sup> For example, Priority 2 in the strategic plan is "Facilitate Community Resiliency through Vacant Land Reclamation." It flows from TCLB's 2022 report, Liabilities to Assets: A Comprehensive Strategy for Transforming Vacant Land (Vacant Land Report).<sup>44</sup> In the report, TCLB gathered and analyzed data to define the vacant-land problem and to develop a strong framework for addressing vacant land at community scale and larger. The strategic plan builds on the Vacant Land Report and proposes specific strategies, including mow-to-own programs<sup>45</sup> and revenue-generating opportunities

<sup>&</sup>lt;sup>42</sup> Tri-COG Land Bank Audited Financial Statements 2017–2021, <u>https://tricoglandbank.org/resources/</u>.

<sup>&</sup>lt;sup>43</sup> TCLB Strategic Plan 2023–2027 (February 2023), <u>https://communityprogress.org/publications/tri-cog-land-bank-strategic-plan/</u>.

<sup>&</sup>lt;sup>44</sup> Liabilities to Assets: A Comprehensive Strategy for Transforming Vacant Land (Tri-COG Land Bank 2022), <u>https://kvq5af.a2cdn1.secureserver.net/wp-content/uploads/2022/12/TCLB\_Land\_Report\_r2b-v20-FINALr.pdf.</u>

<sup>&</sup>lt;sup>45</sup> Mow-to-own programs are locally run programs that give property owners the opportunity to own an adjacent or nearby vacant lot if they maintain it by mowing grass, raking leaves, and other upkeep.

such as solar farms, to reactivate such properties for community benefit. Using the GIS data from the Vacant Land Report, real estate market data, TCLB's acquisition costs for vacant lots (average \$6,755 per property), and other data points, TCLB makes a strong case for additional funding to expand efforts to address the large inventory of vacant land in order to facilitate community resilience.

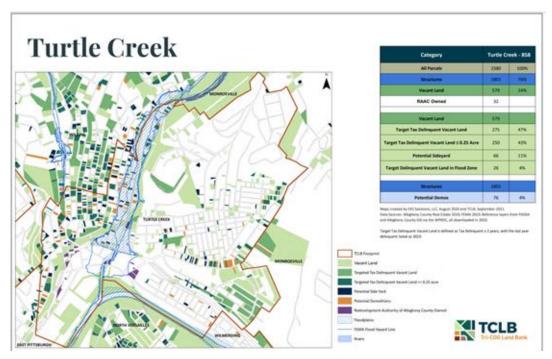


Figure 10: Sample GIS Mapping from the TCLB Vacant-Land Report

### **COMMUNITY-DRIVEN AND TRANSPARENT**

TCLB leaders focus on community impact, and they work tirelessly to engage with members, residents, partners, and stakeholders within TCLB's footprint. The structure and composition of the land bank's board of directors ensures that decision-making is member driven. All of the taxing bodies have a seat at the table. Residents do too. Over its first five years of operation, TCLB has developed and implemented procedures, policies, and practices that affirm a strong commitment to inclusiveness, engagement, accountability, and transparency.

The acquisition and disposition of real estate by a governmental entity is a sensitive endeavor that can generate suspicion. Complete transparency helps land banks build and maintain public trust. TCLB's operations are an open book: Its organizational documents, policies, forms, financial reports, meeting minutes (going back to its first meeting in March 2017), and other documents are easily accessible and gathered into a resource library on TCLB's website.<sup>46</sup> The website shows the land bank's step-by-step process for transactions, along with necessary forms and applications.<sup>47</sup> Properties for sale are viewable on the inventory map.

Community members are invited and encouraged to attend TCLB board meetings and events. Meeting and event schedules are posted on the website. TCLB regularly hosts informational and educational sessions to

### Complete transparency helps land banks build and maintain public trust.

share information about the land bank and how it works and to gather feedback from residents on how they would like to see vacant properties transformed in their neighborhoods.<sup>48</sup> Its board meetings are hybrid, participation being both in person and virtual.

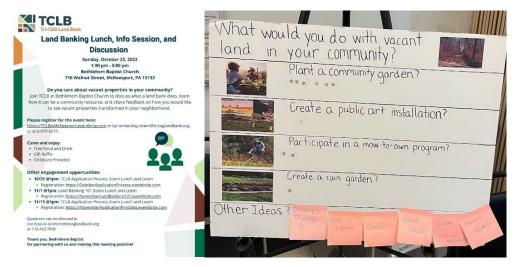


Figure 11. Sample Facebook Posts on TCLB Community Events Source: Tri-COG Land Bank

<sup>&</sup>lt;sup>46</sup> <u>https://tricoglandbank.org/resources/.</u>

<sup>&</sup>lt;sup>47</sup> <u>https://tricoglandbank.org/about/our-process/.</u>

<sup>&</sup>lt;sup>48</sup> <u>https://tricoglandbank.org/get-involved/events/.</u>

#### **STRONG PARTNERS AND RELATIONSHIPS**

From its inception, TCLB has engaged with many partners and taken a collaborative approach. The Equitable Communities Collaborative is TCLB's latest demonstration of its commitment to strong partnerships. Five organizations make up the collaborative: TCLB, Rebuilding Together Pittsburgh (RTP), City of Bridges Land Trust, Steel Rivers Council of Governments, and Turtle Creek Valley Council of

Governments.<sup>49</sup> The five organizations are collaborating to leverage their core strengths in order to better address growing inequities they have identified in Allegheny County relating to blight prevention and mitigation, displacement prevention, high-quality affordable housing, and wealth-building opportunities.<sup>50</sup>

A project that TCLB and RTP recently completed shows the value of a creative partnership such as the



Photo credit: TCLB

Equitable Communities Collaborative. TCLB acquired two deteriorated homes at sheriff's sale using its priority bid power. TCLB sold the properties to RTP for nominal consideration in 2022. As a land bank, TCLB has special power and access to acquire tax-delinquent properties. As a developer of nonprofit housing, RTP has experience renovating blighted properties and bringing them up to code. RTP also has experience connecting with income-qualified homebuyers, which TCLB does not. RTP is renovating the properties, which will be sold to income-qualified homebuyers from the community. RTP was able to secure bank financing to acquire and renovate the properties because TCLB conveyed insurable title. TCLB's core strengths (acquisition and title clearing), leveraged with RTP's core strengths (property renovations and relationships with prospective buyers), led to the shared desired outcome: two blighted houses rescued, repaired, and renovated for affordable homeownership.

<sup>&</sup>lt;sup>49</sup> Equitable Communities Collaborative Report (Indigo Collaborative LLC, 2022), <u>https://kvq5af.a2cdn1.secureserver.net/wp-content/uploads/2023/02/Equitable-Communities-Collaborative-Report-Final-compressed.pdf.</u>

#### **FOCUS ON HOMEOWNERSHIP**

Yassir Yousif and his family purchased a home from the TCLB in 2021. They are the first owner-occupants of a property sold by the land bank. Yousif wrote a featured commentary, published by TribLive,<sup>51</sup> praising the work of the Tri-COG Land Bank and expressing gratitude for its help with getting a home for his family.<sup>52</sup> Here is an excerpt:

Our home in Chalfant sits in a quiet, low-traffic neighborhood. It has plenty of space to raise a family. But it wasn't always this way. In fact, it stood abandoned for over four years before our family moved here in 2022. Thanks to the help of the Tri-COG Land Bank, our family was able to turn this house into our home and became the first owner-occupants of a home recovered by the land bank.



Figure 12: "Before" and "after" pictures of the kitchen. Photo credits: Yassir Yousif

<sup>&</sup>lt;sup>51</sup> TribLive is Trib Total Media's online platform for news, information, entertainment, sports, and classifieds in Pittsburgh and Western Pennsylvania. <u>https://mediakit.triblive.com/about/who-we-are/</u>.

<sup>&</sup>lt;sup>52</sup> Yassir Yousif: "Land bank helps turn a house into a home," TribLive, March 23, 2023. <u>https://triblive.com/opinion/yassir-yousif-land-bank-helps-turn-a-house-into-a-home/?fbclid=lwAR3dYpdOnePlekhF\_IPVeSXJRIpOvWBHZilm\_r7mDCYMRhMs-njlQfdPiBE.</u>

### **Westmoreland County Land Bank**

Data Snapshot 53		
Year Established	2013	
Land Bank Jurisdiction	County	
Annual Budget 2014	\$590,950	
Annual Budget 2023	\$750,250	
Department or Agency Administrator	RACW	
Executive Director	Brian Lawrence	
Staff Positions Supporting the Land Bank	6	
Full time Equivalent Staff	2-3	
Board Members	7	
Property Inventory (as of 12/31/22)	80	
Properties Acquired (through 12/31/22)	235	
Properties Sold (through 12/31/22)	147	
Properties Planned for Acquisition in 2023	64	
Properties Planned for Sale in 2023	estimated 100	
ARPA Funding Provided	\$5,000,000 (demolition)	

<sup>&</sup>lt;sup>53</sup> Data included in this table was obtained from various sources, including discussion with Brian Lawrence, executive director of the Redevelopment Authority of Westmoreland County and the Westmoreland County Land Bank, on November 16, 2022, and email on May 3, 2023; audited financial statements; and other resources on the WCLB website, <u>https://www.co.westmoreland.pa.us/1977/Land-Bank</u>.

### Introduction

The Westmoreland County Land Bank is a model for county land banks in Pennsylvania. The Redevelopment Authority of Westmoreland County was a staunch advocate for the state's land bank enabling legislation and pioneered the development of land bank policies and procedures. Today, the land bank continues to lead the way – with a new strategic plan, the development of innovative new tools for data integration and sharing, and an engaging communication plan.

### Mission

As stated in the county's land bank ordinance, adopted in 2013, the mission of the Westmoreland County Land Bank is "to deter blight and to return vacant property to productive status using a unified, predictable, and transparent process, thereby revitalizing neighborhoods and strengthening the County's tax base."<sup>54</sup> The mission is stated slightly differently on the land bank's property dashboard: "The Land Bank's mission is to reposition properties onto the active tax roll and deter the spread of blight by ensuring they are repurposed responsibly. Therefore, all proposals for Land Bank–owned properties must include a qualified reuse plan."<sup>55</sup>

### **Creation and Initial Operations**

In 2013, the Redevelopment Authority of Westmoreland County (RACW) led the effort to establish a countywide land bank. After engagement and land bank planning with local leaders and stakeholders, the county commissioners adopted an ordinance creating the Westmoreland County Land Bank (WCLB) in late 2013. The RACW administers and operates the land bank. The board of directors has seven members, five of whom are also members of the RACW board. The county commissioners appoint the land bank's board members.

To join the land bank, municipalities must agree to -

- Make a one-time financial contribution of \$5,000
- Waive tax liens and municipal liens on properties the land bank acquires
- After a property is redeveloped, allocate to the land bank 50% of the real estate taxes collected for five years (tax recapture)

<sup>&</sup>lt;sup>54</sup> Westmoreland County Ordinance #10-2013, <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/3164/Ord-102013?bidId=.</u>

<sup>&</sup>lt;sup>55</sup> https://sites.google.com/westmorelandredevelopment.com/inventory-site/home.

• Maintain properties acquired by the land bank until they are repurposed

In addition, the school districts serving the municipalities must also agree to waive tax liens and share future tax revenue with the land bank. In its first year, the land bank had 10 municipal members. Today, 29 of Westmoreland County's 65 municipalities (along with their school districts) participate in the land bank.<sup>56</sup>

The land bank's board of directors adopted policies and procedures in January 2014. The policies have been amended several times, with the latest amendments being approved by the board in January 2022. Many of Pennsylvania's subsequently formed land banks used Westmoreland County Land Bank's policies and procedures as the template for their own.

### Funding

At startup, WCLB relied on member contributions and philanthropic grants to fund its operations. In 2014, member contributions totaled \$55,000, and private grants totaled \$32,000.<sup>57</sup> As the land bank's footprint and programs have grown, so have its budget and funding sources. The land bank relies on member contributions, grants, proceeds of sales, transaction fees, and real estate taxes to fund its core operations.

The WCLB Annual Budget for 2023 is \$750,250 (Administrative (staff, overhead): \$194,250; Operations (acquisitions, property services): \$556,000).<sup>58</sup> The land bank has a memorandum of understanding with RACW for staffing, which accounts for a majority of the land bank's operating expenses.<sup>59</sup> In 2022, the land bank had \$174,850 in property sales revenue and \$52,000 in property tax revenue (tax recapture).<sup>60</sup>

In its 2022 Year in Review Report, WCLB reported \$167,475 profit from sales (including transaction and buyout fees).<sup>61</sup>

<sup>&</sup>lt;sup>56</sup> <u>https://www.co.westmoreland.pa.us/2274/About-Us.</u>

<sup>&</sup>lt;sup>57</sup> Westmoreland County Land Bank Audit Report, year ended December 31, 2014.

<sup>&</sup>lt;sup>58</sup> Discussion with Brian Lawrence, RACW and WCLB executive director, on November 16, 2022, and email on May 3, 2023.

<sup>&</sup>lt;sup>59</sup> Ibid.

<sup>&</sup>lt;sup>60</sup> Westmoreland County Land Bank Audit Report, year ended December 31, 2022.

<sup>&</sup>lt;sup>61</sup> https://www.co.westmoreland.pa.us/DocumentCenter/View/25102/2022-Year-in-Review?bidld=.

The county has allocated \$10.4 million of American Rescue Plan Act funds to remediate blight through demolition and the renovation of blighted properties.<sup>62</sup> As a first phase, the redevelopment authority and the land bank are working with seven municipalities – Monessen, Greensburg, Vandergrift, New Kensington, Jeannette, Arnold, and Penn Borough – on a plan to demolish nearly 500 properties under their ARPA Vacant Buildings Program.<sup>63</sup> More than half of the properties are located in the City of Monessen. Some properties in the ARPA footprint will be rehabbed for sale.

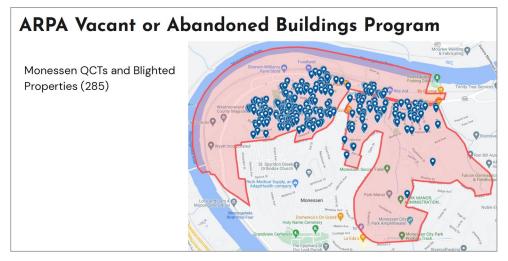


Figure 13. Map of Monessen Qualified Census Tracts and Blighted Properties Source: Westmoreland County Land Bank

Executive Director Brian Lawrence reflected on the program's impact, saying -

The Westmoreland County Commissioners have given our communities an unprecedented opportunity to change the trajectory of dozens of neighborhoods. These are the places that have been left behind by decades of economic restructuring. Eliminating blighted, vacant, and abandoned buildings at this scale will help reset market conditions, so that property values can stabilize. Ideally, this is the first phase of re-establishing long forgotten blocks and streets as safe, convenient, and attractive communities.<sup>64</sup>

<sup>&</sup>lt;sup>62</sup> Press release, Westmoreland County Redevelopment Authority and Land Bank, August 23, 2022, <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/24436/20220822-Press-Release---ARPA-Seminar?bidld=</u>.

### **Inventory and Transactions**

The land bank got off to an impressive start, acquiring 31 properties in 2014 and 2015, and selling 17 of them.<sup>65</sup> By 2020, it had acquired 118 properties, sold 102, and was holding a small inventory of 15 available for purchase.<sup>66</sup> Sources for the property acquisitions are shown in Figure 14.<sup>67</sup>

Property Source	Number of Properties
Purchase	4
Donation	27
Municipal Transfers	4
Upset Sale	5
Judicial Sale	62
Repository	14

#### Figure 14. Sources of Properties Acquired by WCLB 2020

In 2022, acquisitions ramped up considerably: 99 properties were acquired.<sup>68</sup> Other 2022 program achievements included one property rehab, 23 sales, and 42 demolitions.<sup>69</sup>

As of April 2023, the land bank has acquired 235 properties, sold 147 properties, and has a current inventory of 80 properties.<sup>70</sup> Most properties are acquired through the county's delinquent-tax-foreclosure sales. In 2022, the Westmoreland County Tax Claim Bureau held three judicial sales. At the August sale, the land bank

69 Ibid.

<sup>&</sup>lt;sup>65</sup> Emails from April Kopas, RACW and WCLB executive director, January 8, 2016, and January 22, 2016.

<sup>&</sup>lt;sup>66</sup> WCLB responses to Housing Alliance of Pennsylvania Land Bank Survey, November 5, 2020.

<sup>&</sup>lt;sup>67</sup> Data calculated from WCLB responses to Housing Alliance of Pennsylvania Land Bank Survey, November 5, 2020.

<sup>&</sup>lt;sup>68</sup> Westmoreland County Land Bank 2022 Year in Review, <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/25102/2022-Year-in-Review?bidId=.</u>

<sup>&</sup>lt;sup>70</sup> Data gathered from the WCLB Inventory, <u>https://sites.google.com/westmorelandredevelopment.com/inventory-site/home.</u>

purchased 12 properties, including the former Fort Pitt Brewery building in West Jeannette, which local officials had long targeted for demolition.<sup>71</sup> The land bank spent a total of \$21,085 for the 12 properties. At the judicial sale in December 2022, the land bank acquired 21 properties at a total cost of \$37,832.<sup>72</sup> The average cost paid for a judicial sale property is around \$1,750.

Most properties the land bank acquires have structures that need to be demolished. The land bank expects to spend more than \$1 million to demolish the old Fort Pitt Brewery buildings shown in Figure 15. The land bank seldom acquires vacant lots, but they make up a large part of its inventory. The land bank rarely gets multiple bids on properties listed for sale.<sup>73</sup>



Figure 15. Old Fort Pitt Brewery acquired by WCLB in August 2022 Photo credit: Steven Adams, Tribune Review

### Highlights

### ENTREPRENEURIAL APPROACH

From the very beginning, Westmoreland County was determined to create a land bank that was lean, nimble, and strategic – more like a startup than a government

<sup>&</sup>lt;sup>71</sup> <u>https://triblive.com/local/westmoreland/former-fort-pitt-brewery-in-west-jeannette-among-dozen-of-properties-bought-by-land-bank/.</u>

<sup>&</sup>lt;sup>72</sup> Calculated from Westmoreland County Tax Claim Bureau Judicial Sale Results, December 5, 2022. https://www.co.westmoreland.pa.us/DocumentCenter/View/14366/Judicial-Sale-Results.

<sup>&</sup>lt;sup>73</sup> Discussion with Brian Lawrence, RACW and WCLB executive director, on November 16, 2022.

agency. The RACW was chosen to administer the land bank, given its capacity and its experience with transacting real estate and redeveloping properties. An initial, small group of municipalities was invited to participate. The land bank's plan was (1) to be strategic in acquiring properties, considering factors such as location in areas of high visibility, market value, resale potential, and planned reuse and (2) to then acquire the properties for nominal consideration at the judicial-sale stage and sell them as expeditiously as possible.<sup>74</sup> WCLB ended its first nine years of operation with a strong and healthy financial outlook. As reported in its 2022 audit, the land bank had operating income of \$116,615, and assets exceeded liabilities by \$909,004.<sup>75</sup>

Over time, WCLB has established policies, programs, and practices that reflect its entrepreneurial approach. Routine transactions follow this course: The land bank works with its member municipalities to identify and assess properties to acquire from the judicial sale list. The county tax claim bureau sells those properties to the land bank at cost, usually around \$1,700. When properties are ready, the land bank adds them to its online inventory and markets them for sale. Suggested pricing guidelines inform prospective applicants and eliminate buyers lacking resources: \$5,000 for a residential vacant lot and \$10,000 for a residential structure.<sup>76</sup> Applications to purchase properties are submitted. Land bank staff members review the offer(s). Working with staff, the executive director makes the decision to accept the offer, and the transfer process begins. Unlike any other land bank in Pennsylvania, WCLB's executive director has authority to sell a property for up to \$100,000 without board approval.<sup>77</sup>

In 2022, Westmoreland County further integrated the work of its land bank and its redevelopment authority through a new strategic plan. The Westmoreland County Redevelopment Authority and Land Bank (WCRALB or RA/LB) has a unified mission and "has taken a leadership role to help build healthy and whole communities and reposition our towns by eliminating blight and its influences throughout

<sup>76</sup> Residential Property Purchase Application. <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/21618/WCLB-Residential-Purchase-App---2021.</u>

<sup>&</sup>lt;sup>74</sup> Westmoreland County Land Bank Operating Plan, Part II Report: Policies, Procedures, and Budget (January 2014).

<sup>&</sup>lt;sup>75</sup> Westmoreland County Land Bank Audit Report, year ended December 31, 2021.

<sup>&</sup>lt;sup>77</sup> Westmoreland County Land Bank Policies and Procedures, Section 4.9. https://www.co.westmoreland.pa.us/DocumentCenter/View/21503/Policies-and-Procedures-WCLB.

Westmoreland County."<sup>78</sup> Six objectives were adopted to guide operations for the next five years:

- Build Local Capacity
- Support Regional Solutions
- Revitalize Whole Neighborhoods
- Create Equitable Development Opportunities
- Gather, Share, and Use Intel
- Tell Our Story

The RA/LB is gathering, sharing, and using data and information (intel) in a new blight dashboard that brings all sources of blight reporting together in one place and simplifies communicating about the nature and extent of blight countywide.<sup>79</sup> To further streamline and modernize processes, the RA/LB has developed project-manager software that integrates all programs and enables project and program management in a unified, mobile, and web-enabled environment.<sup>80</sup> To connect the private sector to development opportunities, the RA/LB has another software application under development: *redevPRO*. The application is designed to support a Pre-Qualified Developer Program.<sup>81</sup> These software applications further demonstrate the RA/LB's entrepreneurial, systems approach.

### **INCREASING LOCAL CAPACITY**

Executive Director Brian Lawrence is passionate about using the land bank and the redevelopment authority to increase local capacity in order to prevent blight and reactivate vacant and abandoned land and buildings. The WCRALB is the "one-stop-shop" for helping communities and residents across the county return blighted properties to productive use.

In April 2022, the WCRALB hosted its First Annual Blight Summit, attracting 170 attendees and featuring national, state, and local speakers. The format and agenda allowed plenty of time for informal networking and conversation. Attendees included code officers, planners, municipal and county staff members, and elected officials from Westmoreland County and the larger region. The keynote speaker was Brian

<sup>&</sup>lt;sup>78</sup> Westmoreland County Redevelopment Authority and Land Bank, 2022–2027 Strategic Plan. <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/24602/20220923-Strategic-Plan.</u>

<sup>&</sup>lt;sup>79</sup> Presentation by Brian Lawrence at the Housing Alliance of Pennsylvania Homes Within Reach Conference, December 2022.

<sup>&</sup>lt;sup>80</sup> Discussion with Brian Lawrence, WCRALB executive director, on November 16, 2022.

Larkin, executive director of the National Land Bank Network. Panels were led by blight practitioners, who shared practical solutions and facilitated discussions on a wide range of topics, including strategic code enforcement, performing surveys of property conditions, and engaging communities and residents in the fight against blight. A second summit was held in April 2023.

Engaging with communities most affected by blight is essential to increasing local capacity and developing strong partnerships. Last year, the WCRALB held two days of meetings with the seven communities covered under the ARPA Vacant Buildings Program to review program details and answer questions. To encourage municipalities to develop blight plans, the WCRALB hosted a program highlighting best practices from the City of Latrobe's blight plan. The program drew more than 90 attendees.

Many communities lack the financial and human resources for strong code enforcement. Aligned with increasing local capacity is supporting regional solutions. As part of its strategic plan, the RA/LB is pursuing a regional code-enforcement program.<sup>82</sup> With a goal of securing five municipal partners, the RA/LB hopes to help those communities standardize code enforcement processes, procedures, and outcomes. To support the program, the RA/LB is developing another software application, *codePRO*. The application will integrate local code processes into the regional program and facilitate gathering and sharing information.<sup>83</sup> So far, *codePRO* has been released to nine municipalities in Westmoreland County. With the application, the WCRALB hopes to improve local code enforcement capacity and build support for a more regional approach.<sup>84</sup> Developing a regional approach can help fill that void, foster safe and healthy housing, and prevent blight.

#### **RISING STORYTELLER**

"Tell our story" is one of the six objectives in the WCRALB strategic plan.<sup>85</sup> To do that, the RA/LB has developed a communication plan to help improve the understanding and awareness of their role in community and economic

<sup>&</sup>lt;sup>82</sup> Westmoreland County Redevelopment Authority and Land Bank, 2022–2027 Strategic Plan. <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/24602/20220923-Strategic-Plan.</u>

<sup>&</sup>lt;sup>83</sup> WCRALB 2022 Year in Review. <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/25102/2022-</u> Year-in-Review?bidld=.

<sup>&</sup>lt;sup>84</sup> Discussion with Brian Lawrence, WCRALB executive director, on November 16, 2022.

<sup>&</sup>lt;sup>85</sup> Westmoreland County Redevelopment Authority and Land Bank, 2022-2027 Strategic Plan. <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/24602/20220923-Strategic-Plan.</u>

development and the impact of aggressively fighting blight. The plan includes outreach and relationship-building with partners, funders, elected officials, and media, along with heightened and continual social-media presence and public relations.

Implementation is well underway. Traditional, digital, and social media activity are all being used to amplify the work. The RA/LB website includes a media link with stories shared across platforms.<sup>86</sup> Leaders and staff members are making the rounds with funders, community groups, municipal leaders, and residents to share the RA/LB's work and strategic plan and to engage everyone in its efforts.<sup>87</sup>

Social media provides easy connectivity with wide audiences. The post below illustrates the RA/LB's skillful use of social media. Using a global event (World Water



Figure 16. LinkedIn post

Day), the RA/LB achieves three of its communication goals:

- 1. Educates about blight
- 2. Builds awareness of what the organizations do
- 3. Promotes the upcoming blight summit

The RA/LB is also using traditional and digital news media to tell its story. Executive Director Lawrence recently offered commentary in a TribLIVE editorial on the need for blight planning and action. Here is an excerpt:

Blight is not a simple, or even a complex, problem, but a wicked problem with many causes and many solutions.

Although the roots of blight are complex, the impacts of it are clear—from poorer mental health outcomes to diminished home values and rising crime. Quality of life is drastically impacted for people who live in blighted neighborhoods, with no way out.

<sup>&</sup>lt;sup>86</sup> https://www.co.westmoreland.pa.us/3064/Media.

<sup>&</sup>lt;sup>87</sup> Westmoreland County Land Bank 2022 Year in Review, <u>https://www.co.westmoreland.pa.us/DocumentCenter/View/25102/2022-Year-in-Review?bidId=.</u>

The funding provided to the Westmoreland County Redevelopment Authority through the American Rescue Plan Act aims to reduce the health impacts of hundreds of blighted, vacant or abandoned properties, tangentially reducing costs for public services and increasing tax bases in federally designated Qualified Census Tracts. Without this crucial funding, it would take over 30 years working at our current pace of demolition to address all the blight in the county (assuming, of course, no additional blight occurs in those 30 years).<sup>88</sup>

Hosting an annual blight summit is an ideal platform for educating and training, communicating the impact of an organization's work, and building relationships. Through its summit, the RA/LB gets to tell its story and recruit others to share those stories and amplify its message.

The RA/LB communication plan is a model worth replicating by other land banks.

#### FOCUS ON AFFORDABLE RENTAL HOUSING

Homes Build Hope, a nonprofit affordable-housing agency in Westmoreland County, developed six new affordable rental homes in Latrobe on a formerly blighted property acquired from the Westmoreland County Land Bank.<sup>89</sup>



Photo credit: Jeff Himler, Tribune Review

<sup>&</sup>lt;sup>88</sup> "Blight Is a Wicked Problem," TribLIVE (February 18, 2023). <u>https://triblive.com/opinion/brian-lawrence-blight-is-a-wicked-problem/</u>.

<sup>&</sup>lt;sup>89</sup> <u>https://triblive.com/local/westmoreland/half-dozen-affordable-dwelling-units-coming-soon-on-latrobes-mary-street/</u>.

### FOCUS ON COMMERCIAL REDEVELOPMENT AND ADAPTIVE REUSE

In 2018, Sobels Obscure Brewery purchased the former Gillespie Building from the Westmoreland County Land Bank. The brewery fully renovated the building to create the warm and inviting taproom pictured below. It opened in October 2022.<sup>90</sup>



Photo credit: Kristina Serafini | Tribune Review

<sup>&</sup>lt;sup>90</sup> https://triblive.com/local/westmoreland/long-awaited-sobels-obscure-brewery-opening-jeannette/.

### **Philadelphia Land Bank**

Data Snapshot <sup>91</sup>		
Year Established	2013	
Land Bank Jurisdiction	Municipal	
Annual Budget First Year of Operation	\$4.1 million (midyear adjustment to \$3.1 million)	
Annual Budget FY2023	\$3.1 million	
Department or Agency Administrator	Philadelphia Housing Development Corporation	
Executive Director	Angel Rodriguez	
Staff Positions Supporting the Land Bank	18	
Board Members	11	
Properties Available for Sale (as of 4/19/23)	5,200	
Properties Acquired (through 4/19/23)	2,717	
Properties Sold (through 4/19/23)	596	
FY2023 Goal Parcel Acquisitions	350	
FY2023 Parcels Acquired (as of 5/2/23)	240	
FY2023 Goal Housing Units	316	
FY2023 Housing Units (as of 5/2/23)	240	
ARPA Funds Allocated	0	

<sup>&</sup>lt;sup>91</sup> Data included here was obtained from various sources, including email from executive director on May 5, 2023, discussion with land bank staff members on November 1, 2022, the <u>PHDC Land Management Dashboard</u>, and the <u>FY 2024 Budget Detail for the Department of Planning and Development</u> at p. 37.

### Introduction

Unlike the Tri-COG and Westmoreland County Land Banks, the Philadelphia Land Bank (PLB) has an inventory of largely publicly owned properties that have been transferred from the city's redevelopment authority and its department of public property. The Philadelphia Land Bank has successfully established operational procedures and transferred close to 600 properties, with about 5,200 remaining in its inventory. Repurposing a large number of these properties is unlikely to happen unless the mayor and the city council agree on a shared vision for the land bank and the resources to implement it. The outcomes of upcoming elections for mayor and city council will determine the land bank's future course and impact.

### Mission

The Philadelphia Land Bank's mission is to return underused properties to productive use through a unified, predictable, and transparent process, thereby to assist in revitalizing neighborhoods, creating socially and economically diverse communities, and strengthening the city's tax base.<sup>92</sup>

### **Creation and Evolution**

The Philadelphia Land Bank ordinance was signed into law in 2013.<sup>93</sup> The land bank was incorporated in 2014 in accordance with the state's enabling legislation. As directed by the ordinance, the Philadelphia Land Bank developed a strategic plan, which city council approved in December 2014. The strategic plan identified approximately 32,000 properties eligible for land bank ownership, of which 8,000 were publicly owned parcels and 24,000 were privately owned tax-delinquent properties.<sup>94</sup> The plan established goals, identified priority areas, and set overall acquisition and disposition targets for each of its first five years.

Even with a strategic plan in place, the land bank got off to a slow start. A major impetus for its creation was to consolidate the ownership of surplus property owned by three entities: the city, the redevelopment authority, and the Philadelphia Housing Development Corporation. But most city council members were reluctant to transfer city-owned property into the land bank, and the old, fragmented system

<sup>92</sup> Philadelphia Code § 16-703.

<sup>&</sup>lt;sup>93</sup> Philadelphia Code § 16-700.

<sup>&</sup>lt;sup>94</sup> Philadelphia Land Bank Strategic Plan 2015, Executive Summary, at p. 3.

continued – with little consolidation of ownership of public land. A lack of leadership and staff capacity also hampered the land bank's operations.

In 2017, the board hired the land bank's first executive director, Angel Rodriguez, a well-known and trusted veteran community developer who was serving on the land bank's board. At the time of his appointment, the land bank had acquired about 2,000 publicly owned properties and sold 196. Rodriguez worked to increase the number of staff members and initiated acquisitions of privately owned tax-delinquent properties at sheriff's sale.<sup>95</sup> He had served on the board since its inception and understood the complexities of making the land bank fully operational.

In 2019, a new strategic plan was drafted.<sup>96</sup> In the draft plan, the PLB explained that it took more time than anticipated "to test the new powers of the land bank and understand how the legal and bureaucratic processes of acquisition and disposition actually work" and acknowledged the public's frustration with its slow start. Data presented in the draft plan showed increasing acquisitions and dispositions. User guides were included to help the public understand how to access land bank properties.

Around the same time the draft strategic plan was open for public comment, news stories of developers getting windfalls from the resale of city property began to surface. Under Philadelphia's land bank ordinance, approvals from the land bank's board, the Vacant Property Review Committee (VPRC), and city council were required for all dispositions. After a series of egregious mistakes by the VPRC and allegations of sweetheart deals for connected developers, the VPRC was abolished, and the land bank ordinance was amended to remove the VPRC from the approval process.<sup>97</sup> That legislation established the Philadelphia Land Bank as the central agency overseeing the sale of surplus city-owned properties. It also established timelines for sales, set scoring criteria to evaluate purchase applications, and incorporated those and other disposition policies applicable to the land bank and the redevelopment authority into the law.<sup>98</sup> However, city council approval of all

<sup>&</sup>lt;sup>95</sup> <u>https://www.inquirer.com/philly/news/politics/angel-rodriguez-takes-charge-of-phillys-land-bank-</u> 20170915.html.

<sup>&</sup>lt;sup>96</sup> <u>https://k05f3c.p3cdn1.secureserver.net/wp-</u> content/uploads/2019/07/2019\_StrategicPlan\_DRAFTREPORT\_PublicRelease\_060519\_PRINT-6.5.19-<u>REDUCED.pdf.</u>

<sup>&</sup>lt;sup>97</sup> Bill No. 190606-AA, approved November 12, 2019, effective January 1, 2020.

property dispositions by both the land bank and the redevelopment authority remained intact.

As part of the shakeup, the duties and staffs of the land bank and the redevelopment authority were combined, and the agencies were moved under the purview of the Philadelphia Housing Development Corporation (PHDC), which now acts as the "one-stop-shop" for the acquisition, disposition, and development of public land.<sup>99</sup> The plan to move all public land into the land bank has been halted, and the focus has shifted to implementing and using a uniform system for the acquisition and disposition of vacant public land through the land bank.

The 2019 overhaul has resulted in a more transparent, uniform, and predictable process for acquiring properties from the land bank (and the redevelopment authority). However, stakeholders, board members, council members, and mayoral candidates continue to voice frustration over the slow pace of land dispositions, especially for affordable housing, disposition priorities for city land, and the stringent purchase requirements for nonprofit organizations acquiring properties for community gardens.<sup>100</sup>

# Funding

The PLB is funded primarily by the city's general fund and proceeds from land sales. The land bank's total revenues for the years ended June 30, 2022, 2021, and 2020 were as follows:<sup>101</sup>

Revenue Applicable to –	FY 2022	FY 2021	FY 2020
City of Philadelphia	\$ 3,001,814	\$ 2,031,212	\$ 4,318,787
Gain on Land Sales	\$ 820,764	\$ 92,766	\$ 130,070
Total	\$ 3,822,578	\$ 2,123,978	\$ 4,448,857

From 2021 to 2022, the gain on land sales increased by 785 percent.

<sup>&</sup>lt;sup>99</sup> <u>https://www.bisnow.com/philadelphia/news/economic-development/philadelphia-housing-development-corp-</u> <u>redevelopment-authority-land-bank-department-merger-101254.</u> However, some public properties are still held by the city's department of public property.

<sup>&</sup>lt;sup>100</sup> See, e.g., <u>https://whyy.org/articles/philadelphia-mayor-election-affordable-housing-vacant-land/</u>.

<sup>&</sup>lt;sup>101</sup> Philadelphia Land Bank Audited Financial Statements for Year Ending June 30, 2022.

### **Inventory and Transactions**

In December 2015, the PLB made its first acquisitions: approximately 500 publicly owned properties. From July 1, 2015, through June 30, 2022, the land bank acquired approximately 2,700 properties, most of which were transferred from other city land-holding agencies.<sup>102</sup>

As shown in the chart below, PHDC reported conveyance of 124 parcels between July 2020 and June 30, 2022. This data includes properties conveyed by the land bank, the redevelopment authority, and PHDC.



#### Land Management and Construction

PHDC manages the acquisition, disposition, and maintenance of most publicly-owned land in Philadelphia through its contracts to conduct business operations on behalf of the PLB and PRA. Land management also oversees all construction and development projects for PHDC including PLB and PRA efforts. A <u>dashboard</u> of regularly updated public land data can be reached through the main *Land* page on the PHDC website.

Land Dispositions 2020-2022

Disposition Category	# of Parcels	# Total Housing Units	Units for 30% AMI or less	Units for 30% to 80% AMI	Units for 80% to 120% AMI	Market Rate Units	Side/ Rear Yards	Gardens/ Open Space	Cmty/Eco Development
Conveyed FY2021	54	122	6	48	10	58	19	1	0
Conveyed FY2022	70	203	22	131	6	44	23	4	4

Figure 17: PHDC Land Dispositions Summary 2020-2022<sup>103</sup>

		HOUSING								
	Housing - # of Lots	Housing - Total # of Units	# of Units 30% to 50% AMI	# of Units 60% to 90% AMI	# of Units 100% to 120% AMI	# of Units Market	Side yard	Garden/ Open Sp.	Business/ Organ. Expansion/ Development	TOTAL PARCELS
FY 23 GOAL	N/A	316	63	95	79	79	124	50	10	350
AS of 5/2/2023	198	240	39	108	58	35	10	32	0	240
	BALANCE	76	24	-13	21	44	114	18	10	110
ŀ	ACTUAL %	76%	62%	114%	73%	44%	8%	64%	0%	69%

Figure 18: Land Dispositions, All Agencies<sup>104</sup>

<sup>&</sup>lt;sup>102</sup> Data gathered from the land bank's audited financial statements for FY 2015 to 2022 were used to calculate total acquisitions of 2,717.

<sup>&</sup>lt;sup>103</sup> PHDC Report FY 2021 &2022, <u>https://k05f3c.p3cdn1.secureserver.net/wp-</u> content/uploads/Publications/PHDC-Report-FY-2021-2022-for-web.pdf, at p. 12.

<sup>&</sup>lt;sup>104</sup> Table provided by Executive Director Angel Rodriguez via email dated May 5, 2023.

Land sales for housing development have increased significantly in fiscal year 2023. As shown in Figure 18 above, the land bank has surpassed its goal of 95 units of housing for households with 60 to 80 percent of area median income (AMI), with 108 units as of May 2, 2023.

The city's Department of Planning and Development hosts a Land Management Dashboard (Dashboard) in partnership with PHDC and the land bank.<sup>105</sup> The Dashboard includes land disposition data for properties transferred by the land bank, as well as the redevelopment authority and PHDC (collectively "the agencies").<sup>106</sup> As shown in Figure 19, the goal for total housing units is 316, which the agencies have surpassed by 17 percent, with 371 housing units to be developed. Properties have been transferred for the development of 239 housing units for households with incomes in the 60 to 80 percent AMI range, more than doubling the goal of 95 units. The goal for housing units for households with 30 percent AMI is 63. Land dispositions for 51 units have already been made. In contrast to housing dispositions, there have been few dispositions for side yards and no dispositions for gardens/open space.

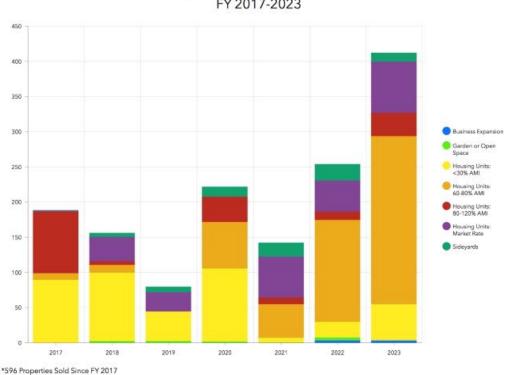
Land Management Disposition Activity					
Туре	FY 2023 Goals	FY 2023 Settled			
Housing - Total # of Units	316	371			
# of Units 30% AMI	63	51			
# of Units 60%-80% AMI	95	239			
# of Units 120% AMI	79	33			
# of Units Market Rate	79	73			
Sideyards	124	12			
Gardens/ Open Sp.	50	0			
Business/ Organ. Expansion/ Developmt	10	4			

#### Figure 19. Land Management Dashboard, Disposition Activity FY 2023

<sup>&</sup>lt;sup>105</sup> https://www.phila.gov/departments/department-of-planning-and-development/about/our-results/landmanagement-dashboard/ (most recently accessed on May 2, 2023).

<sup>&</sup>lt;sup>106</sup> Angel Rodriguez response to question by author during the May 9, 2023 land bank board meeting.

The Land Management Dashboard shows 596 properties sold by the land bank since FY 2017.107



Properties Conveyed to Date FY 2017-2023

Figure 20. Land Management Dashboard, Properties Conveyed to Date, FY 2017–2023

Pressure continues for the land bank to transfer more of the 5,200 properties available for sale. Almost all those properties are publicly owned. Since the start of the COVID-19 pandemic, Philadelphia has held no sheriff's sales for tax foreclosure. Since 2019, the land bank has had no opportunity to use its priority bid power to acquire privately owned tax-delinguent properties. According to audit reports, the land bank purchased a total of 443 properties at sheriff's sales during fiscal years 2017, 2018, and 2019.<sup>108</sup> It is estimated that 30,000 vacant, tax-delinguent properties in the city are potentially eligible for acquisition by the land bank.<sup>109</sup>

<sup>&</sup>lt;sup>107</sup> https://www.phila.gov/departments/department-of-planning-and-development/about/our-results/landmanagement-dashboard.

<sup>&</sup>lt;sup>108</sup> Philadelphia Land Bank Audited Financial Statements for Year Ending June 30, 2019.

<sup>&</sup>lt;sup>109</sup> Philadelphia Land Bank Strategic Plan (Draft) (2019), p. 17. <u>https://k05f3c.p3cdn1.secureserver.net/wp-</u> content/uploads/2019/07/2019 StrategicPlan DRAFTREPORT PublicRelease 060519 PRINT-6.5.19-REDUCED.pdf.

## Highlights

#### **AFFORDABLE AND WORKFORCE HOUSING**

The Philadelphia Land Bank is a key partner in developing affordable housing in the city. In 2022, in partnership with the land bank and the PHDC, city council announced a new program, called Turn the Key, with an ambitious goal of building affordable homes for 1,000 qualifying first-time homebuyers over 12 to 36 months. The land bank's role is to provide the land at nominal cost. At the first groundbreaking, Executive Director Rodriguez remarked, "Using publicly owned land for this program helps reduce blight in our communities and reduces the cost to develop these homes. Using this land also increases affordability, which is important. Turn the Key is a pathway for families to build generational wealth and receive other benefits that come from homeownership."<sup>110</sup>

To provide land for the new homes, the land bank is issuing requests for proposals (RFPs) for acquisitions of groups of properties in targeted neighborhoods and council districts.<sup>111</sup> The newly constructed homes will be energy efficient. Most will have 3 bedrooms and 1½ baths. To be eligible, first-time home buyers must have not previously owned a home or owned a home in the last three years, be incomecertified, and complete a free, city-funded homeownership counseling program before signing an agreement of sale. Preference is given to income-qualified city employees.

Family Size	Maximum Annual Household Income
1	\$73,780
2	\$84,320
3	\$94,860
4	\$105,400
5	\$113,832
6	\$122,264
7	\$130,696
8	\$139,128
More than 8 add approx. per person	\$7,550

Figure 21. Income Guidelines for Turn the Key Program

<sup>&</sup>lt;sup>110</sup> <u>https://southphillyreview.com/2022/12/14/affordable-housing-coming-to-30th-and-wharton/.</u>

<sup>&</sup>lt;sup>111</sup> See, e.g., RFP Grays Ferry Sears <u>https://phdcphila.org/rfps-rfqs-sales/development-rfps/</u>.



Figure 22. Turn the Key Marketing Brochure

Outside of the Turn the Key program, housing developers may apply to purchase land from the land bank for affordable, workforce, and mixed-income housing. If at least 51 percent of a development qualifies as either affordable or workforce housing (under local or federal guidelines), or mixed-income housing, the land bank

may sell land to the developer without a competitive process and for a nominal or discounted price (51% Program).<sup>112</sup>

Even with these additional affordable units being developed on public land, critics argue that the land bank is not directing enough vacant public land to land trusts, community gardening groups, or other public The Turn the Key Program and the 51% Program are successfully spurring the development of more units of affordable and workforce housing in the City of Philadelphia.

<sup>&</sup>lt;sup>112</sup> Philadelphia Code §§ 14-702(7), 16-404(2)(d)(.5).

goods.<sup>113</sup> Much of the housing being developed under the 51% Program is geared to households with 60 to 100 percent AMI. Critics contend that those with lower incomes are being left behind and that the opportunity to develop more permanently affordable housing is diminishing. By any measure, the Turn the Key Program and the 51% Program are successfully spurring the development of more units of affordable and workforce housing in the City of Philadelphia.

# UNIFIED INVENTORY AND UNIFORM PROCESS: THE POWER OF ONE

Having learned firsthand during its initial years of operation how tedious and cumbersome transferring real estate parcels from one city agency to another can be, the land bank chose another option. Testifying in support of land bank reform legislation in 2019, Ann Fadullon, director of planning and development and chair of the land bank board, explained: "We're trying to create a uniform process so it doesn't matter what the land-holding entity is; the process is the same."<sup>114</sup>

Even though title to the land is not consolidated in the land bank, most surplus property owned by the city, the redevelopment authority, and the land bank is managed through one system and mapped in one publicly accessible and searchable online inventory.

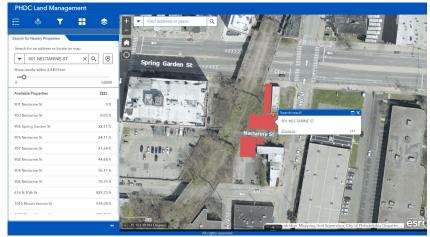


Figure 23. PHDC Land Management Property Map<sup>115</sup>

<sup>&</sup>lt;sup>113</sup> "Put Vacant Lands in Community Hands," Philadelphia Coalition for Affordable Communities, January 2021. http://phillyaffordablecommunities.org/wp-content/uploads/2021/01/PCAC-2021-Land-Justice-Report.pdf.

<sup>&</sup>lt;sup>114</sup> <u>https://www.inquirer.com/news/philadelphia-vacantproperty-land-bank-city-council-development-perogative-</u> 20191001.html.

<sup>&</sup>lt;sup>115</sup> https://phl.maps.arcgis.com/apps/webappviewer/index.html?id=2eb44decb9464cb79f2132d1c5883674.

The city, the redevelopment authority, and the land bank all use the same acquisition and disposition policies. Where the land bank solicits bids for properties through a competitive process, applications are reviewed using weighted criteria: 30% for economic opportunity and inclusion; 15% for public purpose and social impact; 20% for development-team experience and capacity; 20% for financial feasibility; 10% for project design; and 5% for offer price.<sup>116</sup> The Philadelphia Land Bank has worked diligently to make sales more transparent, more predictable, and subject to more oversight than ever before.

Although clarity, transparency, and operations are much improved, the city lacks a unified vision for how the land bank should operate. Tension exists between a conservative approach focused on selling public property to generate revenue and a more novel approach that considers community and social impacts, especially relating to permanent affordability. Tension also exists over who should be developing affordable housing: private, for-profit developers or nonprofit developers. Although opinions on how disposition decisions should be made differ, everyone agrees that the process should be simpler and shorter.

The next mayor should prioritize working with city council to develop a unified vision for the land bank. More than 5,000 surplus public properties sit in the land bank's inventory. When sheriff sales return, the land bank will be under growing pressure to acquire some of the 30,000 vacant, tax-delinquent properties, many of which have deteriorating, dangerous structures. Those properties provide opportunities for additional and larger-scale affordable housing development.

#### FOCUS ON MINORITY DEVELOPERS

The Philadelphia Accelerator Fund, created in 2019, has a dual mission: to increase affordable housing and to increase access to capital for historically disadvantaged groups, with a focus on Black and brown developers.<sup>117</sup> Part of the city's Housing Action Plan, the Accelerator Fund has about \$20 million that is expected to support the development of more than 125 affordable housing units. Any project the Accelerator Fund finances is required to have at least 51 percent of its units designated as affordable.

The fund's first project, now underway, is the acquisition of a four-story Victorian building and renovation of its 17 apartments by Dawud Bey, the owner of Fine Print

<sup>&</sup>lt;sup>116</sup> Philadelphia Code § 16-404(2)(c)(.2).

<sup>&</sup>lt;sup>117</sup> https://phlfund.com/.

Construction.<sup>118</sup> The fund is providing a loan for about half of the \$2.6 million project cost. In a recent interview, Bey reflected on the fund's impact, saying, "It's important that young Black and brown men see people that look like them doing these developments. Sitting down with banks, figuring out all the financial responsibilities that go with this type of deal, and understanding that if I can do it, a returning citizen, they can do it."<sup>119</sup>



Figure 24: First Accelerator Fund Project site Photo credit: Google Maps

#### FOCUS ON COUNCILMANIC PREROGATIVE

Philadelphia has a tradition known as councilmanic prerogative, under which the 10 district councilmembers representing geographic areas of Philadelphia have the final say on land use decisions in their districts.<sup>120</sup> This prerogative, paired with council's required approval of every sale, in accordance with the land bank ordinance, diminishes the land bank's effectiveness and the public's trust in its sales process. To buy a property from the land bank, a prospective purchaser must get a letter of support from the district councilperson in whose district the property is located. For the sale to go through, city council must pass a resolution authorizing the sale. Requiring approval from the governing body of the land bank jurisdiction for every land bank property sale is not a best practice and should be avoided.

<sup>&</sup>lt;sup>118</sup> <u>https://whyy.org/articles/philadelphia-accelerator-fund-game-changing-affordable-housing/.</u>

<sup>&</sup>lt;sup>119</sup> Ibid.

<sup>&</sup>lt;sup>120</sup> For an insightful review and discussion of Philadelphia's councilmanic prerogative, see "Philadelphia's Councilmanic Prerogative: How It Works and Why It Matters," Pew Charitable Trusts, 2015.

Individual decisions about sales of land bank properties should be left to the land bank board and staff. City council appoints five of the 11 members of the land bank board and can influence decisions through those board members.

> Requiring approval from the governing body of the land bank jurisdiction for every land bank property sale is not a best practice and should be avoided.

# **Cuyahoga Land Bank**

Data Snapshot <sup>121</sup>				
Year Established	2009			
Land Bank Jurisdiction	County			
Annual Budget First Year of Operation	\$3.1 million			
Annual Budget 2023	\$32.7 million			
General Operating Expenses 2023	\$5.8 million			
President and General Counsel	Gus Frangos			
Staff Positions Supporting the Land Bank	34			
Full Time Staff Equivalent	34			
Board Members	9			
Property Available for Sale (as of 5/31/22)	Approximately 1,400			
Properties Acquired (through 5/31/22)	12,869			
Properties Sold (through 5/31/22)	11,492			
2022 Achievements:				
Renovated Homes Sold	8			
Deed in Escrow Homes Sold	25			
New Construction Homes Developed	9			
ARPA Funding Provided (2022)	\$1.6 million			

<sup>&</sup>lt;sup>121</sup> Data included here was obtained from various sources, including the Cuyahoga Land Bank website, and board meeting minutes and resolutions. <u>https://cuyahogalandbank.org/</u>.

## Introduction

The Cuyahoga Land Bank is recognized as a national model for land banking programs. To benchmark any Pennsylvania land bank against the Cuyahoga Land Bank is misleading. As explained in the discussion below, Ohio land banks have several advantages that Pennsylvania land banks do not. Primary among them are dedicated, recurring, and sufficient funding and a pipeline of properties at nominal cost. The Cuyahoga Land Bank offers lessons to be learned, but judging another land bank's performance against it is unrealistic and is not intended here.

# Mission

The mission of the Cuyahoga Land Bank is to "strategically acquire properties, return them to productive use, reduce blight, increase property values, support community goals and improve the quality of life for county residents."<sup>122</sup>

The land bank's core mission and priorities are affordable housing, tax base support, blight clearance, market rate new construction and establishing values in emerging markets, and "special population" housing.<sup>123</sup> In addition, the land bank is using its core tools for community based economic development projects and land assembly.<sup>124</sup>

# **Creation and Startup**

The Cuyahoga Land Bank, established in 2009, serves a large urban county located in northeastern Ohio, which includes the City of Cleveland.

The devastation wrought by the housing-market collapse and foreclosure crisis of 2008 led to the creation of the Cuyahoga County Land Reutilization Corporation, also known as the Cuyahoga Land Bank. The City of Cleveland and Cuyahoga County were among the communities hardest hit by the crisis. Conceived by Jim Rokakis, then-treasurer of Cuyahoga County, the Cuyahoga Land Bank's creation was authorized by groundbreaking state land bank legislation passed in 2009. Gus

<sup>&</sup>lt;sup>122</sup> See the Cuyahoga Land Bank's website, <u>https://cuyahogalandbank.org/</u>.

<sup>&</sup>lt;sup>123</sup> Gus Frangos, president and general counsel, in an email to the author dated February 21, 2023.

Frangos, the long-serving president and general counsel of the Cuyahoga Land Bank, was the primary drafter of Ohio's land bank law.<sup>125</sup>

The Cuyahoga Land Bank, the only one initially authorized under the law, was aimed at addressing the foreclosure and real estate crisis that was causing widespread abandonment of homes and buildings in the city of Cleveland's neighborhoods and its older neighboring suburbs in Cuyahoga County.<sup>126</sup>

The Ohio land bank law can be distinguished from Pennsylvania's in at least three notable ways. First, county land banks in Ohio are private, nonprofit corporations given a public purpose by the county creating them. They are not governmental entities and, as such, are not hindered by governmental agencies' bureaucratic impediments. Second, the Ohio law provides a recurring and sustainable funding source for county land banks. Five percent of delinquent taxes collected go into the Delinquent Tax and Assessment Collection Fund, DTAC, which supports the county land banks' operation. For the Cuyahoga Land Bank, that amounts to \$7 million each year. Third, reforms to the tax-foreclosure process in Ohio allow tax-delinquent properties to be transferred directly to the Cuyahoga Land Bank, if requested – streamlining the acquisition process.

<sup>&</sup>lt;sup>125</sup> Ohio Senate Bill 353 passed in January 2009. Before 2009 and continuing today, Ohio law allows local authorities to establish a type of land bank called a municipal land-reutilization program. These land banks, often referred to as "passive land banks," typically do not pursue tax foreclosures or otherwise take an active role in addressing the problem of vacant and abandoned properties. Instead, they are commonly used to hold properties, usually vacant lots, in inventory. See "Understanding Ohio's Land Bank Legislation, Federal Reserve Bank of Cleveland, January 2009, <u>https://www.ohioenvironmentallawblog.com/wpcontent/uploads/sites/576/uploads/file/Policy Analysis of new land bank law.pdf</u>.

<sup>&</sup>lt;sup>126</sup> Cuyahoga County Land Reutilization Corporation: The Beginning, the Present, and Beyond 2009– 2011 (2012), <u>https://cuyahogalandbank.org/wp-content/uploads/2021/09/Beginning-Present-Beyond-CCLRC\_2009\_2011\_Report.pdf</u>.

# **Distinctions Between Ohio's Land Bank Law and Pennsylvania's Land Bank Law**

	Ohio	Pennsylvania
Corporate structure	Non-profit corporation	Governmental entity
Funding	Statutory – recurring (annual), dedicated	Statutory – no recurring, dedicated funding mechanism
Acquisition of Tax- Delinquent Properties	Direct transfer upon request	Negotiated agreement with county tax claim bureau or other tax- foreclosing entity

With an initial budget of \$3.1 million, the Cuyahoga Land Bank opened its doors in June 2009. It began with an initial six-month business plan for 120 acquisitions: 90 vacant, 30 with structures (15 for demolition and 15 for rehab).<sup>127</sup> By November, it had hired its initial staff, moved into offices, and adopted comprehensive operating protocols.<sup>128</sup>

On startup, Gus Frangos wrote -

To be successful, it is important that all of the seemingly simple "start-up" processes are in place, from making sure property acquisition, bidding procedures, and the like are carefully in place, to making sure the telephone and email systems of the organization are user friendly. In an effort to show good results, public officials might wish to rush operations, but the new land bank should focus first on ensuring that all of the fundamental organizational tasks are instituted. In Cuyahoga County, we opened our doors in June 2009, but didn't transact a property until November of that year, so that each anticipated property pipeline was tested and debugged. We also created and strictly

<sup>&</sup>lt;sup>127</sup> Ibid.

<sup>&</sup>lt;sup>128</sup> Frank S. Alexander, Land Banks and Land Banking, Center for Community Progress, 2015, p. 96.

adhered to a task grid containing all the general startup tasks applicable to any startup and refined to apply to our specific work.<sup>129</sup>

By the end of 2010, the land bank had acquired a total of 504 properties and conveyed 80 to new owners.<sup>130</sup> It received millions of dollars of additional federal funding from HUD and other sources, and it raised another \$9 million through the issuance of tax-exempt bonds. The Cuyahoga Land Bank was on its way to becoming the single largest land bank in the United States, as measured by annual revenues, properties acquired and conveyed, and staff capacity.<sup>131</sup>

## Funding

The Cuyahoga Land Bank has a range of funding sources, most notably the dedicated DTAC funding discussed above, which amounts to \$7 million per year. The land bank has been successful in securing federal, state, and local funds targeted for programs concerning demolition, environmental remediation, and home ownership. In November 2022, for example, the land bank secured a \$9.4 million state grant to continue its strategic demolition efforts across the county.<sup>132</sup>

The approved 2023 budget is \$32.7 million, with general operating expenses of \$5.8 million.<sup>133</sup> Significant revenue sources are \$7 million from the DTAC, \$6 million in grant revenue, and \$7.3 million in sales of properties and new construction.

### **Inventory and Transactions**

The Cuyahoga Land Bank has an inventory of approximately 1,400 properties. As of May 31, 2022, the land bank had acquired 12,869 properties and disposed of 11,492, with 6,448 vacant lots transferred to municipal land banks in the county.<sup>134</sup> For

<sup>131</sup> See ibid.

<sup>&</sup>lt;sup>129</sup> Gus S. Frangos, "Ohio Land Banking 2009–2021: From Legislation to Operation," included in Tackling Vacancy and Abandonment Strategies and Impacts after the Great Recession, Center for Community Progress, 2021, p. 123.

<sup>&</sup>lt;sup>130</sup> Frank S. Alexander, Land Banks and Land Banking, p. 96.

<sup>&</sup>lt;sup>132</sup> <u>https://cuyahogalandbank.org/cuyahoga-land-bank-secures-9-4-million-in-odod-funding-to-continue-</u> <u>strategic-demolition-efforts/</u>.

<sup>&</sup>lt;sup>133</sup> Cuyahoga Land Bank Resolution 2022-5 approving the Fiscal Year 2023 Budget, <u>https://cuyahogalandbank.org/wp-content/uploads/2022/12/20221216\_5\_adopted.pdf.</u>

<sup>&</sup>lt;sup>134</sup> Report of chief operating officer, board meeting minutes, June 24, 2022, <u>https://cuyahogalandbank.org/wp-content/uploads/2022/12/20220624\_Minutes\_of\_Meeting.pdf</u>.

2022, the land bank reported these achievements: 25 properties sold through its Deed in Escrow program, 8 renovated homes sold, and 9 new-construction homes developed.



Image source: Cuyahoga Land Bank

## Highlights

#### NIMBLE, TRANSACTIONAL ENTITY

The Cuyahoga Land Bank was designed to be a nimble, transactional entity that could act speedily to help stabilize the real estate market after the housing market collapse in 2008.<sup>135</sup> One of the land bank's core principles is to:

*Work Efficiently and Strategically.* The Land Bank is uniquely empowered to help local governments foster effective land re-use. Put simply, the Land Bank has many of the same powers as traditional municipal land banks, yet as a non-profit is, by design, unhindered from bureaucratic impediments enabling us to be efficient and strategic.<sup>136</sup>

The land bank has adopted more of a business model strategic plan.<sup>137</sup> At the outset, the land bank leadership focused on processes and typical organizational

<sup>&</sup>lt;sup>135</sup> <u>https://www.cleveland.com/business/2019/06/after-10-years-and-143-billion-in-economic-impact-cuyahoga-land-bank-prepares-to-shift-gears.html.</u>

<sup>&</sup>lt;sup>136</sup> https://cuyahogalandbank.org/about/.

<sup>&</sup>lt;sup>137</sup> Gus Frangos, president and general counsel, Cuyahoga Land Bank, in an email to the author dated February 21, 2023.

startup tasks, creating a task grid to guide their activities.<sup>138</sup> To strategically manage its large inventory of properties and support decision-making, the land bank developed a cloud-based software application known as the Property Profile System (PPS).<sup>139</sup> The land bank monetized the PPS and makes it available to other land banks for a modest fee.<sup>140</sup> With its non-government structure and entrepreneurial approach, the Cuyahoga Land Bank can act expeditiously to acquire vacant, abandoned, and tax-delinquent properties, stabilize them, and return them to productive use.

#### **PARTNERSHIPS FOR AFFORDABLE HOUSING**

To develop and maintain affordable housing, the land bank partners with nonprofit, faith-based, and social-service organizations. One of its key nonprofit partners is Habitat for Humanity of Greater Cleveland. Through an ongoing collaboration, the land bank provides formerly abandoned homes to Habitat, to be renovated for new owners. The land bank has sold or supported 89 Habitat properties. Thirteen of the 23 properties that Habitat sold in 2022 were acquired from or supported with rehabilitation grants from the land bank.

Bob Whitney, neighborhood planning manager for Habitat, describes the land bank's acquisition process as simple and efficient.<sup>141</sup> Habitat acquires land bank properties for a nominal sum of \$400 or \$500 each. Essentially, the land bank returns that money and more to Habitat through grant funds to help renovate each property.<sup>142</sup>

Habitat and the Cuyahoga Land Bank are partnering to build or rehab 40 homes in the Buckeye-Woodhill neighborhood of East Cleveland.<sup>143</sup> The land bank donated a vacant lot for the construction of a new Habitat home that was built with donated union labor – a first for the Greater Cleveland Habitat.<sup>144</sup> The Buckeye-Woodhill

<sup>&</sup>lt;sup>138</sup> Gus S. Frangos, "Ohio Land Banking 2009–2021: From Legislation to Operation," included in Tackling Vacancy and Abandonment Strategies and Impacts after the Great Recession, Center for Community Progress, 2021, p. 123.

<sup>&</sup>lt;sup>139</sup> <u>https://cuyahogalandbank.org/pps-software-subscribers-grow/</u>.

<sup>&</sup>lt;sup>140</sup> Payton Heins and Tarik Abdelazim, Take it to the Bank: How Land Banks are Strengthening America's Neighborhoods, Center for Community Progress, 2014, at p. 36.

<sup>&</sup>lt;sup>141</sup> Discussion with Bob Whitney, Neighborhood Planning Manager, Habitat for Humanity of Greater Cleveland, on February 23, 2023.

<sup>142</sup> Ibid.

<sup>&</sup>lt;sup>143</sup> Ibid.

<sup>&</sup>lt;sup>144</sup> <u>https://www.clevelandhabitat.org/news-events/newsroom.html/article/2023/03/15/habitat-partners-with-</u> construction-employers-association-to-dedicate-home-to-deserving-family.

neighborhood is located just south of one of the oldest public-housing developments in Cleveland and the nation.<sup>145</sup> The Cuyahoga Metropolitan Housing Authority and the City of Cleveland were recently awarded a \$35 million HUD Choice Neighborhoods Grant to reimagine the Buckeye-Woodhill neighborhood, including the demolition of the existing public housing and the construction of affordable new homes.<sup>146</sup>



Figure 23. Dedication of new home constructed by an all-union labor force on a vacant lot donated by the Cuyahoga Land Bank Image credit: Greater Cleveland Habitat for Humanity

Cuyahoga Land Bank Charities, a 501(c)(3) nonprofit subsidiary of the Cuyahoga Land Bank, was created to provide housing opportunities to vulnerable populations and communities and to the organizations that serve them.<sup>147</sup> Habitat also partners with Cuyahoga Land Bank Charities.<sup>148</sup>

<sup>&</sup>lt;sup>145</sup> Discussion with Bob Whitney, Habitat for Humanity of Greater Cleveland, on February 23, 2023.

<sup>&</sup>lt;sup>146</sup> <u>https://www.clevelandcitycouncil.org/resources/news-media/cmha-wins-grant-buckeye-woodhill-neighborhoods-be-reimagined.</u>

<sup>&</sup>lt;sup>147</sup> <u>https://landbankcharities.org/</u>.

#### **PROVEN ECONOMIC IMPACT**

In 2019, the Cuyahoga Land Bank conducted a 10-year economic-impact study.

From the report:

Findings suggest CCLRC [aka Cuyahoga Land Bank] achieved significant positive economic outcomes from its work over the past decade. Research provides evidence of higher home values, stronger neighborhoods, more jobs, and more overall economic activity in Cuyahoga County because of the CCLRC. Assuming community goals and increased quality of life are tied to these fundamentals of local economic strength, this economic impact evaluation suggests that the CCLRC is having success in fulfilling its mission.<sup>149</sup>

The study of the land bank's economic impact found direct and indirect impacts totaling \$1.43 billion. The largest contribution came from the land bank's demolition program. The land bank spent \$79 million on nearly 7,000 demolitions, an average of \$11,380 per unit. On average, each demolition resulted in nearly \$60,000 in property-value benefit to neighboring homes, for a total impact of \$415.3 million.<sup>150</sup> That means that for every \$1 the land bank spent on demolition, the property-value benefit was  $$5.26^{151} - a$  sizable and significant return on investment. Analyzing economic impact demonstrates that the land bank is working: mitigating blight, increasing property values and tax revenues, leveraging private investment, and creating jobs.

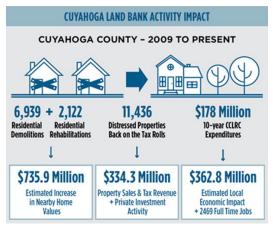


Figure 24. Cuyahoga Land Bank Activity Impact, 2009–2019

150 Ibid., p.8.

<sup>&</sup>lt;sup>149</sup> Cuyahoga Land Bank: 10-year Economic Impact Analysis (June 2019), p. 6. <u>https://cuyahogalandbank.org/wp-content/uploads/2021/09/Cuyahoga-Land-Bank-10yr-Impact-Report-20190626-1.pdf</u>.

#### FOCUS ON HOME OWNERSHIP

The Cuyahoga Land Bank's Deed-in-Escrow Program allows a qualified owneroccupant or investor to buy a home for a modest purchase price based on an agreement to make certain renovations to the property, typically within four months. To promote home ownership, the land bank offers renovation assistance to eligible buyers who will reside in the house for at least three years (Deed-in-Escrow Owner-Occupant Improvement Plus Program).<sup>152</sup> Land bank staff works with the buyer from the outset to create a realistic renovation plan that meets a set of established housing quality standards.<sup>153</sup> The land bank holds the deed/title to the home in escrow until the renovations are completed in accordance with the agreed upon renovation specifications.<sup>154</sup>

The buyer must pull all necessary permits and complete renovations according to the specifications. The land bank performs monthly inspections of the renovation work in progress. Renovations are deemed complete when the applicable municipality issues an official Certificate of Occupancy or when all necessary permits are officially closed by the municipality. Upon completion, the deed is released from escrow and ownership is transferred to the buyer. If renovations are not completed within the agreed upon time frame, the land bank retains title and the buyer forfeits the money invested in the property's renovation.<sup>155</sup>



House: Three-bedroom, one-bath home in Cleveland Asking Price: \$24,000 (or best offer) Estimated Cost of Renovations: \$52,844

Renovation Assistance up to \$30,000 available to owner occupants under the Deed-in-Escrow Owner-Occupant Improvement Plus

Figure 25: Property Available through the Deed-in-Escrow Program<sup>156</sup>

<sup>152</sup> <u>https://cuyahogalandbank.org/land-bank-homes/buying-a-home-to-renovate/#owner-occupant-improvement-plus.</u>

<sup>153</sup> The housing quality standards can be found on Cuyahoga Land Bank's website, <u>https://cuyahogalandbank.org/wp-</u> content/uploads/2021/09/cuyahoga\_land\_bank\_housing\_quality\_standards.pdf.

<sup>154</sup> <u>https://cuyahogalandbank.org/land-bank-homes/buying-a-home-to-renovate/#owner-occupant-improvement-plus.</u>

155 Ibid.

<sup>156</sup> https://cuyahogalandbank.org/property-detail/?parcel\_id=129-30-066.

# Challenges

Land banks are growing and evolving, but they encounter challenges. Here are a few shared by many of Pennsylvania's land banks.

#### Funding

Lack of dedicated, recurring funding undercuts a land bank's effectiveness and hampers recruitment and the retention of qualified staff. Although public and private grants are useful, not all land banks have grant-writing and administrative expertise. For many land banks, competitive grants are out of reach.

#### **Management of Vacant Land**

Inventories of vacant lots are growing as more houses and other buildings are demolished. Sustainable vacant-land maintenance, management, and marketing requires considerable resources.

#### **Data Collection and Management**

Antiquated systems incapable of integration complicate data collection and management. New technology, equipment, and software is expensive. Staff training and expertise is also necessary.

## **Building and Keeping Public Support and Trust**

A land bank's work in acquiring and selling vacant and tax-delinquent properties is complicated and can be misunderstood by the public. Constant community dialogue is needed to build and keep public support and trust. With limited staff, prioritizing community engagement can be difficult.

#### **Managing Expectations and Relationships**

Once a land bank is created, there is an unrealistic expectation that it will immediately start acquiring problem properties and "fixing" the problems. Relationships with elected officials, community leaders, and funders must be maintained. Frequent turnover in those groups requires land bank leaders to dedicate time educating and engaging with them.

#### **Getting to Scale**

With limited staff and resources, land banks struggle to work at a communitywide scale and have meaningful, lasting impact.

# **Foundations for Success**

High-functioning and impactful land banks share common elements and practices that contribute to their success.

#### **Committed Leader(s)**

Successful land banks have champions with the power and political will to marshal the necessary resources and partners to establish, fund, and operate them. Where power is shared, as in cities with mayors and legislative bodies or in multi-municipal land banks, there must be a shared vision for the land bank. A skilled leader as the land bank's executive director works cooperatively with the board, taxing bodies, and stakeholders to advance the land bank's mission.

#### **Starting Slowly with Target Properties**

The process of acquiring and transferring properties that are vacant, abandoned, and tax delinquent is complicated. Clearing title and discharging liens adds another layer of complexity that must be mastered. Having the necessary conversations with political leaders, government officials, and stakeholder groups also takes time. For its first six months, the Cuyahoga Land Bank developed, tested, and finetuned its processes before acquiring a single property. Starting slowly and with only a handful of properties allows a land bank to test its processes, stay engaged with stakeholders and partners, and lay the foundation for operational success and public support.

### **Dedicated, Recurring Funding**

Certainty and adequate funding allow land banks to plan, experiment, grow, and evolve. Successful land banks work with the taxing bodies, elected officials, community foundations and other philanthropic organizations to develop a long-term funding plan.

#### **Uniform System for Acquisition and Disposition**

A uniform system is a hallmark of good land banking. A land bank's objective is to create a unified, predictable, transparent process by which individuals and organizations can acquire distressed properties that lead to neighborhood disinvestment and turn them into community assets. A unified system helps manage expectations and streamline the process.

## **Open, Accountable, Transparent, Data-Driven Decision-Making**

Effective land banks make decisions based on data, and in an open and transparent manner. Making decisions that way holds a land bank accountable and builds community trust. The Philadelphia Land Bank makes the full board packet available to the public before all board meetings, records the meetings, and provides a full transcript of each meeting.<sup>157</sup> Given notice, members of the public are better prepared to offer comments on matters before the board.

### Robust, Inclusive, Persistent Community Engagement and Education

Successful land banks recognize the value of neighborhood residents and their "on the ground" knowledge about problem properties in their communities. Community groups and neighborhood organizations know the community's history and concerns about blighted properties and development. They are invaluable assets to land banks. Engaging with all interested community groups, organizations, residents, and stakeholders in an intentional and thoughtful way strengthens the land bank.

<sup>&</sup>lt;sup>157</sup> See, e.g., meeting materials for the April 11, 2023, board meeting, <u>https://phdcphila.org/who-we-are/boards/philadelphia-land-bank-board/</u>.

#### Partnerships, Partnerships, Partnerships

Creative partnerships foster effective land banks. Nonprofit organizations that have expertise in home building and repair make great partners. So do real estate agents, chambers of commerce, universities, labor unions, and those in the trades, to name a few. Partnerships expand the capacity of land banks to return properties to the tax rolls.

#### Communication with Elected Officials and Policymakers

Cuyahoga Land Bank President Gus Frangos communicates regularly and frequently with elected officials and policymakers, especially those who intersect with the land bank or are new on the scene.<sup>158</sup> He recommends that other land banks do the same, noting that elected officials and policymakers are focused on many issues and need to be educated and informed about land banks' work. Keeping lines of communication open builds awareness of land banks and their impact.

<sup>&</sup>lt;sup>158</sup> Gus S. Frangos, "Ohio Land Banking 2009–2021: From Legislation to Operation" included in Tackling Vacancy and Abandonment Strategies and Impacts after the Great Recession, Center for Community Progress, 2021, p. 126.

# Integrated System of Data Management and Collection

As discussed above, the Westmoreland County Land Bank is developing and building an integrated data-management and collection system to support the operations of the land bank and the redevelopment authority. The system's purposes are to foster regional collaboration on code enforcement and to market development opportunities. Gathering, sharing, and using key data to make decisions on land bank acquisitions and dispositions is fundamental to a successful land bank program.

#### **Freedom to Experiment**

Freedom to experiment with new approaches and innovative programs helps land banks grow stronger and add more value to community revitalization. Small-scale pilot projects can demonstrate the feasibility and effectiveness of proposed solutions.

# Conclusion

Land banks are powerful tools for transforming vacant, abandoned, and taxdelinquent properties into community assets, such as high-quality homes that people can afford, gardens and farms for fresh food, and new businesses and industries. By reimagining blighted properties and returning them to productive use, land banks can spark hope and strengthen communities.

Planning, implementing, and operating a land bank takes leadership, persistence, and a fair degree of scrappiness. Creative problem-solving is at the heart of successful land banking. Through the work of land banks such as the Tri-COG Land Bank, the Westmoreland County Land Bank, the Philadelphia Land Bank, and the Cuyahoga Land Bank, communities just starting land banks and others considering them can better understand what it takes to successfully operate a land bank, navigate the complexities, and manage the challenges.

Shared learning is central to the Pennsylvania Land Bank Network (PALBN), organized through the Housing Alliance of Pennsylvania. The PALBN invites all Pennsylvania land banks to share knowledge, resources, and practices. The National Land Bank Network (NLBN) of the Center for Community Progress does the same thing nationally. The PALBN and NLBN advocate for legislation, policies, and funding programs to benefit land banks. Peer-to-peer networking and advocacy offer land banks opportunities to learn and grow.

"At its core, land banking is a tremendously fun and creative enterprise. It is tough, challenging diagnostic work at the front end; it is creative problem-solving in the middle; it is rewarding and rejuvenating at the end, when new blossoms emerge from devastation. It is an opportunity to renew and rethink our relationships one to another, and to the places and spaces in which our relationships occur."

## – Frank S. Alexander, 2015

Preeminent expert on Land Banks and author of "Land Banks and Land Banking"

# **Acknowledgments**

Publication of this report was made possible by the generous support of the Eden Hall Foundation.

The author gratefully acknowledges the insights, information, and time given by these land bank leaders and partners:

Gus S. Frangos, Cuyahoga Land Bank Kim Graziani, Center for Community Progress Brian Larkin and Mallory Rappaport, National Land Bank Network Brian Lawrence, Westmoreland County Land Bank An Lewis and Natalie Boydston, Tri-COG Land Bank Angel Rodriguez, Jesse Lawrence, and Andrea Saah, Philadelphia Land Bank Bob Whitney, Habitat for Humanity of Greater Cleveland

Special thanks to the Housing Alliance of Pennsylvania and all the land banks in the Pennsylvania Land Bank Network for their work revitalizing communities.

# Thought Leadership by

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