

Attachment:  
from the 1992 Housing and Community Development Act

**H11966**                    **CONGRESSIONAL RECORD - HOUSE**  
**October 5, 1992**

**SEC. 212. HOUSING EDUCATION AND ORGANIZATIONAL  
SUPPORT FOR  
COMMUNITY LAND TRUSTS**

(a) *COMMUNITY LAND TRUSTS.* --- Section 233 of the Cranston-Gonzales National Affordable

*Housing Act (42 U.S.C. 12773) is amended -*

(1) *in subsection (a)(2) by inserting "including community land trusts," after "organizations";*<sup>1</sup>

(2) *in subsection (b), by adding at the end the following:*<sup>2</sup>

*(6) COMMUNITY LAND TRUSTS. --Organizational support, technical assistance, education, training, and community support under this subsection may be available to community land trusts (as such term is defined in subsection (f) and to community groups for the establishment of community land trusts"; and*

(3) *by adding at the end of the following:*

*(f) DEFINITION OF COMMUNITY LAND TRUST.---For purposes of this section, the term "community land trust" means a community housing development organization (except that the requirements under subparagraphs (C) and (D) of section 104(6) shall not apply for purposes of this subsection)--*

*"(1) that is not sponsored by a for-profit organization;*

*"(2) that is established to carry out the activities under paragraph (3);*

*"(3) that--*

*"(A) acquires parcels of land, held in perpetuity, primarily for*

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<sup>1</sup> The subsection of the 1990 legislation that is here amended reads as follows: "(a) In General – The Secretary is authorized to provide education and organizational support and assistance in conjunction with other assistance made available under this subtitle... (2) to promote the ability of community housing development organizations to maintain, rehabilitate and construct housing for low-income and moderate-income families in conformance with the requirements of this title."

<sup>2</sup> Subsection (b) begins as follows: "(b) Eligible Activities – Assistance under this subsection may be used only for the following eligible activities..."

*conveyance under long-*

*term ground leases;*

*"(B) transfers ownership of any structural improvements located on such leased parcels to the lessees; and*

*"(C) retains a preemptive option to purchase any such structural improvement at a price determined by formula that is designed to ensure that the improvement remains affordable to low-and moderate-income families in perpetuity;*

*"(4) whose corporate membership that is open to any adult resident of a particular geographic area specified in the bylaws of the organization; and*

*"(5) whose board of directors---*

*"(A) includes a majority of members who are elected by the corporate membership;*

*and*

*"(B) is composed of equal numbers of*

*(i) lessees pursuant to paragraph (3)(B),*

*(ii) corporate members who are not lessees, and*

*(iii) any other category of persons described in the bylaws of the organization."*

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<sup>1</sup> The language quoted here from the Housing and Community Development Act of 1992 was incorporated in early versions of the HOME program regulations. Unfortunately, although these specific provisions for CLTs remain a part of federal law, they are included in HUD's streamlined "Final Rule" only by reference. Buried within earlier federal regulations, these CLT provisions are harder to find, resulting in an increase in the number of federal state, and municipal officials who are not even aware that these CLT provisions exist. Relevant portions of the 1992 legislation are included in Appendix B.

<sup>2</sup> HOMEfires: Policy Newsletter of the HOME Investment Partnership Program, Office of Affordable Housing Programs, Vol. 3, No. 10, October, 2001.