

From Vacant to Valuable

Moving Providence's Vacant Lots into Productive

Use

by

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Thesis

Submitted in partial fulfillment of the requirements for the Degree of
Bachelor of Arts with Honors from the Center for Environmental Studies at

Brown University

May 1998

ACKNOWLEDGEMENTS

This thesis has been an incredible learning experience for me, and my hope is that others will also benefit from the research I have done. Of course, this process was not a solo endeavor. I would like to thank all of the city officials, most notably Luke Driver, for helping me demystify the tax sale and Providence's real estate operations. Without their patience and help, this process would have been much more difficult.

I would like to extend a special thank you to all of the community organizations and residents who gave of their time and opinions freely. I wrote this thesis for them, and can only hope that it has a positive impact on their lives and neighborhoods.

This paper would not have been finished without the support of my family and true friends, who knew when to encourage me, and when to distract me.

And finally, a special thank you to my advisor Harold Ward, who kept me on the right track throughout the process.

TABLE OF CONTENTS

ABSTRACT.....1

PREFACE.....2

CHAPTER 1.....4

Definitions.....7

History.....8

Statistics.....10

The Actors.....13

CHAPTER 2.....19

The Standard Practice.....19

Current Initiatives.....26

CHAPTER 3.....33

Boston.....34

The Community Land Trust.....35

Partnership with a National Land Trust.....39

Expansion of Local Land Trusts.....40

Establishment of a City Land Trust.....41

CHAPTER 4.....43

The Residents.....43

Findings.....44

Interpretation.....46

Owner-occupancy in Providence's Neighborhoods.....47

CHAPTER 5.....51

Short-term Policy

Recommendations.....52

Long-term Policy Recommendations.....55

The Community Land Trust.....58

CONCLUSION.....59

BIBLIOGRAPHY.....60

APPENDICES 1-9

TABLE OF FIGURES

Figure 1.1: Table of number of vacant lots, percent minority population, and median family income.....11

Figure 1.2: Chart of number of vacant lots by neighborhood.....12

Figure 3.1: Diagram of current vacant lot process.....22

Figure 4.1: Chart of number of vacant lots/owner occupied properties.....49

ABSTRACT

A vacant lot is a property without a standing structure. There are over 2000 neglected vacant lots in Providence. Rats, large amounts of litter and solid waste, and criminal activity are all problems associated with vacant lots. I examined how Providence can move its vacant lots into productive use by looking at current policy and talking to stakeholders: including city officials, community leaders and residents, and a land speculator.

Although recent initiatives have made great strides in the area of vacant lot policy, there is still room for improvement through expansion of current programs and establishment of long-term solutions. In order to ensure that vacant lots will be maintained, and eventually absorbed, the city of Providence needs to allow for the transfer of ownership of vacant lots from neglectful owners to community residents with a vested interest in the condition of a property.

The City's primary vacant lot policy -- the Special Vacant Land Program -- has inadequate marketing and only pertains to a select group of owner occupants who live adjacent to vacant lots. This program can be expanded and improved to include a wider range of residents more efficiently. City data collection and ordinances can be changed to record trends and ensure that a policy framework exists that allows for community residents to identify and pursue vacant lots of interest. Additionally, community organizations could adopt a community land trust model, or create new land trusts, to establish a separate system to disseminate information, improve maintenance, and transfer ownership.

PREFACE

To be quite honest, I had never given much thought to vacant land. I experienced the issue first hand during a course last year. The premise of the class was to develop a suite of environmental indicators that would give some insight into the environmental health of Providence. We were among the first to work on this type of project in an urban setting, and as a result we found ourselves stepping outside the bounds of typical environmental problems.

I focused on land use, specifically parks and vacant land. I spent most of my time in South Providence, a minority, low-income area. The landscape of this inner-city neighborhood was astonishing. Between the multi-family triple-deckers rested large parcels of meaningless land. Lots and houses that were clearly abandoned -- strewn with trash and taken over by weeds. Sometimes there were two to three on a block, sometimes a home was surrounded. The wastefulness was disheartening, and the trash-laden spaces were frightening. Vacant lots are community voids uncared for by no one, affecting everyone.

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My group's task was to design a city-wide survey of the vacant lots and abandoned properties in Providence, that when completed would give a snapshot of the lots' appearance, their surface condition, and what they were currently being used for. With the help of Providence's Department of Public Works, the assessment was completed in June of 1997, and descriptions of over 6000 lots were entered into a working database.

It was this project, and the significant amounts of unused and unplanned land, that sparked my interest and drove me to take it one step further. I spent one semester

counting and cataloging the vacant lots, attempting to determine the extent of their negative impact. Now I want to reduce this impact by finding a way to make the lots valuable to a neighborhood.

CHAPTER 1

A city possesses a number of characteristics that exist nowhere else. There is a high population density, and the built environment is designed to serve the needs of this human concentration. It is the roads, buildings, bridges, and square miles of asphalt dotted with lampposts and buildings that represent human civilization in its most urbanized fashion. This infrastructure and centralization of people forces environmentalists and planners to view the city in a special way; it is an environment in which humans are dominant and inextricably entwined like no other.

My interests were drawn to land use and issues of urban planning: how do people use space? There is an established relationship between people and the places they use, and what they use them for. Places provide connections and access to friends, school, businesses, and employment. Places also reflect and project themselves upon those around them.¹ John Logan and Harvey Molotch say that "the stakes involved in the relationship to place can be high, reflecting all manner of material, spiritual, and psychological connections to land and buildings...given places achieve significance beyond the more casual relations people have to other commodities."²

What is it about the place and the use of space in an urban setting that makes it different? There is less open space in a city; it must be planned and utilized in a manner that is beneficial to both the environment and the people residing there. The definition of open space in a city must be reexamined. Green parks and vacant lots are both open space, however neglected vacant lots cannot be considered an amenity. Many

¹ Logan, John and Harvey Molotch. Urban Fortunes: the Political Economy of Place. (Berkeley, CA: University of California Press, 1987.) 18.

² Ibid., 18.

neighborhoods in Providence have abundant open space, but much of this space is littered and dangerous.

Unmaintained vacant land poses a problem for a number of reasons. First of all, there is a lot of it in Providence. There are over 6000 vacant lots in Providence, and over 2000 of those are unmaintained. Additionally, there are 449 abandoned residential properties in varying states of neglect in the city of Providence. ³ The vacant lots often contain litter and overgrown vegetation, and are targets for illegal dumping. Rodents and vermin take up residence here, and the lots are sites for various criminal acts, ranging from drug activity to prostitution. These spaces are unhealthy, and a wasted resource. Logan and Molotch would consider vacant lots as places that break connections, and disrupt access to neighbors.

To compound the problem, the abandoned land is not evenly distributed throughout the city. Some neighborhoods suffer from this nuisance more than others. Vacant land is an aesthetic and physical problem that has been developing in Providence for several decades. Historical, social, and political structures have exacerbated the problem, and until recently, not much action was taken to change the institutions that contribute to this problem. The situation is serious, and cannot be transformed overnight. However, the city's political climate is changing, and as more and more residents voice their dissatisfaction, Providence is listening -- and changing.

The municipal government has changed legislation and policy, and made efforts to include community members in planning endeavors. Many modifications have focused on enforcement of codes and maintenance of dirty, neglected lots. This is an

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excellent start, but if the vacant land trend is to be reversed, there is a need for greater reconstruction of vacant lot policy.

If Providence's neglected vacant land can be placed in the hands of residents who are going to maintain it and use it, the trash, crime, and overgrowth that now decorate these lots would dissipate. Ownership should be transferred from neglectful owners who do not pay taxes or maintain their lots, to residents who want to make the land valuable to their community. Whether it is a residential sideyard, a new home, a community garden, or even a parking lot, a caring owner using a lot in a healthy way would impact a neighborhood positively. A lot that is maintained and valuable to a neighborhood is productive.

My question is: How can Providence move its vacant lots into productive use? I will be examining how the city government and neighborhoods interact and what the process to reduce the number of neglected vacant lots should look like. I am specifically focusing on the feasibility of marketing vacant lots to nearby owner occupants, and in what ways this strategy can be expanded to include renters and community-based organizations in neighborhood planning. How can these neglected places become valuable to those around them?

The Urban Land Institute cites physical improvements as an imperative part of the revitalization process, and community participation as essential in planning for these improvements in order to ensure effective plans and a sense of ownership.⁴

³ Brown University Center for Environmental Studies vacant land/abandoned property database, June 1997.

⁴ Suchman, Diane. Revitalizing Low-Income Neighborhoods: Recommendations from ULI Advisory Services Panels. (Washington D.C. The Urban Land Institute, 1994.) ix.

The strategies and the final recommendations included in this thesis are the result of interviews with different parties concerned with the vacant lot issue. I talked to city officials, a speculator, community organizers, and residents in order to gather different opinions and perspectives on the problem and ways to combat it. I also utilized data gathered from the survey of vacant lots conducted at the Brown University Center for Environmental Studies in conjunction with the Department of Public Works (DPW), and information on ownership provided by the city Tax Assessor.

The stories and data collected have shaped my conclusions and given me hope that there are feasible ways to reduce the numbers of neglected vacant lots, and to prevent new ones from appearing.

Definitions

There are a number of terms that I have utilized thus far in reference to different types of land. The definitions I have been using are similar to those used in the City of Providence's Planning Code. The term "vacant land" or "vacant lot" refers to those parcels that do not have a standing structure on them. Under this description, a vacant lot can be an overgrown, littered piece of land, a community garden, or a residential sideyard.

There are many positive uses for a vacant lot, but currently almost one-third of Providence's vacant lots are neglected. This means that no one is actively maintaining the lot by picking up trash or cutting the grass. Neglected vacant lots can range in seriousness of condition. Within this thesis, when I refer to vacant land or lots, I will be

referring to those that are neglected. If I am referring to a healthy vacant lot, I will specify this and its use.

“Abandoned properties” are parcels of land that are unused, but there is a standing structure on the land. Although these types of properties are also a problem in Providence, I chose not to focus on them. There are fewer abandoned properties than vacant lots in the city of Providence, and these types of properties pose different problems and deserve special consideration.

An abandoned structure provides a means of shelter for transients, drug dealers, and various vermin. If not secured properly, children may enter and be injured. Also, abandoned structures are a fire hazard, and many residents fear for the safety of their homes. Although specific policies should be developed for abandoned properties, a number of the strategies detailed in this paper may be adapted to include lots with standing structures.

In order to suggest solutions to Providence’s vacant land problem, it is important to consider the historical foundation as to why so many lots exist today, and how the problem is presently being addressed. A picture of how the vacant lot issue progressed can be developed through an exploration of Providence’s history, land use practices, and current initiatives.

History

The city of Providence has experienced a series of rapid changes in population, size, and economic orientation in the past 150 years. From 1868-1899, Providence

tripled its area and was listed as the twentieth most populous city in 1900.⁵ By focusing on the historical development of one neighborhood -- South Providence (a neighborhood that has a high number of vacant lots today), and looking at the similar experiences of Boston, it is easy to see how the vacant land problem has progressed.

Around the turn of the century, immigrants flocked to South Providence, attracted by the growing industry, especially the textile and jewelry businesses. By the 1950's, a strong ethnic community had developed in South Providence, including both Jewish and Irish immigrants.⁶ As these immigrants became established second and third generation residents and transportation methods continued to improve, an out-migration began. A significant number of Irish families began to move to the newer neighborhoods of Washington Park, Edgewood, and Warwick. As home-owners moved out and renters moved in, landlords allowed a once sturdy housing stock to fall into disrepair.

This depopulation, in combination with a number of other factors, has left South Providence in its present condition. Beginning in the 1960's, fire has been an issue in South Providence. Fire has destroyed many houses and stimulated the demolition of others, causing the number of vacant lots to rise. The construction of Interstate 95 and heavy land speculation in the 1980's severed South Providence's ties with downtown and the waterfront, successfully isolating the community and making problems worse..

This phenomenon was not isolated to Providence. In Peter Medoff's Streets of Hope, he recounts how the Roxbury neighborhood in Boston came to be plagued with vacant lots:

⁵ Conley, Patrick T. and Paul Campbell. Providence: A Pictorial History. (Norfolk, VA: Donning Company, 1982) 99.

⁶ Burton, Hannah. Politics, Non-Profits, and Neighborhoods. (Brown University: Independent Study Project, 1997) 9.

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The earthquake that hit Dudley was neither natural or sudden. Instead, a pattern repeated nationally, a thriving urban community was trashed and burned. It was redlined by banks, government mortgage programs, and insurance companies in a self-fulfilling prophecy of white flight, devaluation, and decline.⁷

A Boston Redevelopment Authority report described abandonment, proceeding unchecked, as a “cancer” that had taken whole city blocks.⁸ The cycle of abandonment was exacerbated as private and public investment followed the migration to the suburbs. The decay of inner-city neighborhoods was “wrongly blamed on newcomer people of color.”⁹

Parallels can be drawn between these descriptions of the Dudley Street neighborhood in Boston and South Providence. Today, South Providence is a low-income minority neighborhood, set in a landscape that is broken by the conspicuous presence of vacant land and abandoned structures. South Providence is not alone. Vacant lots burden many Providence neighborhoods.

Statistics

Many neighborhoods with high numbers of vacant lots have low median incomes and a high minority population. This presents an environmental justice issue, as poor and minority citizens are suffering disproportionately from this environmental risk (see Figure 1.1).

The risk code referred to in the table comes from the vacant lot survey. Risk was determined by characteristics such as vegetation height, amount of litter and solid waste,

⁷ Medoff, Peter and Holly Sklar. Streets of Hope: The Fall and Rise of an Urban Neighborhood. (Boston: South End Press, 1994) 1.

evidence of rats or other vermin, or evidence of criminal behavior. Lots were rated one if a low risk, two if a medium risk, and three if a high risk. The higher the risk code average, the worse condition more of the lots are in.

Figure 1.1¹⁰

Neighborhood	% minority population	median family income	number of vacant lots	average risk code
College Hill	17.2%	\$82,109	13	1.68
Blackstone	4%	\$79,351	32	1.06
Olneyville	80.4%	\$16,857	72	1.88
Smith Hill	39.7%	\$20,707	114	1.62
Lower South Providence	80.4%	\$18,867	203	1.87
Upper South Providence	66.1%	\$11,604	272	2.21

Vacant lots contribute little and have a negative affect on any neighborhood.

Where there is a higher concentration of vacant lots, especially those that are considered high-risk, there is a more significant impact. The number of vacant lots varies greatly by

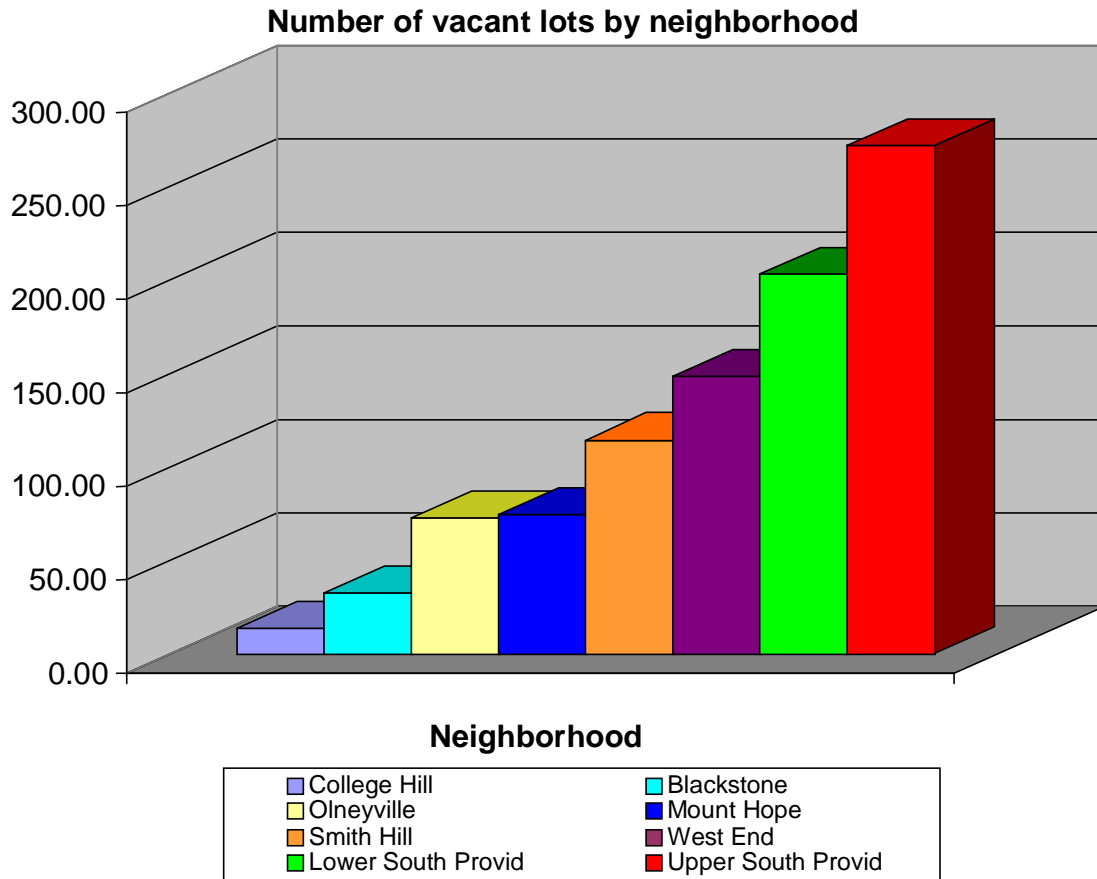
⁸ Ibid., 32.

⁹ Ibid., 14.

¹⁰ % of population minority and median family income taken from the Providence Neighborhood Fact Book (1990 census data), and number of vacant lots, average risk code taken from the Brown University Center for Environmental Studies vacant land/abandoned property database, June 1997.

neighborhood. A more complete distribution of lots can be seen in the graph of selected neighborhoods below.

Figure 1.2¹¹



Despite the discouraging history and statistics, progress has been made on the vacant lot problem. Within the past few years, community groups have voiced dissatisfaction with the state of their neighborhoods, and vacant lots have been at the top

of their priority list. Groups that have been particularly confrontational, such as the South Providence group Direct Action for Rights and Equality (DARE), have put the vacant lot issue on the City's political agenda. Public meetings, interviews, and newspaper accounts show a public that has worked to change vacant lot policy dealing with enforcement, transfer of ownership, and speculators. Recent government efforts show that Providence is responding to this call from the community.

The problem with vacant lots is best illustrated through a discussion of the actors involved, the current process, and recent initiatives.

The Actors

Although the entire city is impacted indirectly by vacant lots, the nature of the problem and the policies formed affect certain groups more than others. The main stakeholders are those who suffer the consequences most, those who form policy, and those who have a monetary interest in the situation: that is, community members who live near vacant lots, government officials, speculators and landlords.

The community

As demonstrated by the earlier table and statistics, certain Providence neighborhoods suffer more from vacant lots than others. It is these neighborhoods that put the vacant lot and abandoned property issue on the City's political agenda. Through protests, meetings, letters, and persistent community organizing, these neighborhoods

¹¹ Number of vacant lots taken from the Brown University Center for Environmental Studies vacant lot/abandoned property database, June 1997.

and the community organizations that represent them have pushed Providence to take action.

A 1997 letter from Direct Action for Rights and Equality (DARE) to Mayor Vincent A. Cianci Jr. of Providence stated:

Lots on the South Side of Providence have become a home for rats, drug addicts use abandoned property to shoot up, and broken glass and other debris make lots unsafe for children.¹²

Shannah Kurland, director of DARE, runs an organization whose mission is to “organize low income families in communities of color to win economic, social, and political justice.”¹³ DARE has been one of the most visible community organizations in the fight to solve the vacant land problem. 800 families, the majority of which are African-American and Latino, make up DARE’s membership, and it is these families that determine both the problems and the actions.

Kurland says that vacant lots and abandoned properties are a problem that has been important to DARE for years. However, it is within the past three to four years that their objectives have moved from lot maintenance to broader land reform issues dealing with absentee landlords, speculators, and the tax sale.¹⁴

DARE is not the only organization working towards a reform in vacant land policy. It is a priority for many groups, although each group has a different approach. All the groups would like to see the number of neglected vacant lots reduced. However, different neighborhoods have different needs, so there are different ideas about what

¹² Smith, Gregory. “Cianci vows to clean vacant lots.” The Providence Journal-Bulletin. September 16, 1997.

¹³ Direct Action for Rights and Equality informational pamphlet

¹⁴ Kurland, Shannah, director of DARE. Personal communication, March 1998.

should ultimately happen to vacant lots. Some desire infill housing, others would like to see playgrounds, parks, gardens, or more off-street parking. Many of my recommendations incorporate the perspectives of these groups and their constituents by promoting a policy that allows communities to participate in decision-making, determining their own outcome.

During the course of my research, I had the opportunity to speak to many of these groups and find out about their objectives and tactics in relation to vacant lots. In addition to DARE, I visited with representatives of the Center for Hispanic Policy and Advocacy (CHisPA), the Elmwood Foundation, Mount Hope Neighbor Land Trust, Rhode Island Organizing Project, Southside Community Land Trust, and the Smith Hill Council. Each of these organizations have displayed an interest in the vacant lot issue. I conducted informal interviews with these community leaders, asking them about recent City initiatives and their own projects. These groups put me in contact with neighborhood residents living near vacant lots, whom I also interviewed.

Government

The city of Providence has responded to the call from the community by launching a series of recent initiatives, led by Mayor Vincent A. Cianci, Jr., that have involved the cooperation of government and concerned community leaders. The Mayor's office and Department of Planning and Development (DPD) are the city departments most involved. The Mayor's office organized a task force and initiated legislation and enforcement restructuring, while DPD is establishing the long-term framework needed to curb the number of vacant lots. The process has not been easy. The fact that no central

database for ownership and environmental violations currently exists, and the difficulties posed in modifying legislation, have made changing policy complex. Providence often finds itself in a difficult position because major legislative changes must pass through at the state level. Urban and rural tensions have historically been an issue in many state legislatures. Bills to change laws dealing with vacant land were proposed in 1995, and failed in the 1996 session. However, in June of 1997 Providence succeeded in passing three bills that significantly impact vacant lot policy in Providence.

Speculation

Speculators, those who buy property in order to sell it at a profit, are the third group of stakeholders in the vacant lot issue, because they profit from, and often contribute to the problem. Speculators are concerned about vacant land policy and tax sale legislation because vacant land is a lucrative investment, and attempts to change policy may impact profits. Until 1997, Providence had little power to control speculation. The recently passed tax sale legislation was created in order to improve maintenance on these lands, and reduce speculation overall.

Community groups such as DARE cite land speculation as a major cause of neglected vacant lots, and this is one area that legislative changes have attempted to address. These “investors” are accused of acquiring the tax title to lots at tax sale, then holding onto the lots in order to give them an opportunity to appreciate. Meanwhile, the speculators do not take responsibility for the lot’s condition, and often overgrowth and litter accumulate. Neighborhood community groups say that “land speculators acquire tax title to properties sold by the city each year and then allow the parcels to become

trash-filled eyesores.”¹⁵ At the 1996 Environmental Justice Vacant Lot Summit, convened by DARE, one resident asked: “What are we going to do about Patrick Conley?”¹⁶

Conley is a well-known land speculator, and at one time was the second largest land owner in Providence, after the City’s redevelopment agency. There is a concentration of land ownership in the holdings of a few of the top speculators. Conley and other speculators acquire their lots through tax sale, a process that will be explained more fully later in this chapter.

Citizens are concerned with the lack of maintenance on these properties. Upon talking to Conley, I discovered that he had a very different opinion about what he does with his land, and is disturbed that people regard him in this fashion:

But if it wasn’t for me, those taxes for which the property was sold would never have been paid, nobody would have bid at the tax sale because usually I’m the only bidder on vacant land and vacant houses. So the City would have ended up taking it in, and eventually knocked it down. And if the City took it in and knocked it down, it would still be worthless, because the City wouldn’t have gone through the court process to clear the title, so the City would have a lot of vacant lots that were tax reverted, and therefore unmarketable on their hands... so I perform an extraordinary service...if it wasn’t for me, all those properties would either be boarded up houses -- blight on the neighborhood -- or they would have been vacant lots that the City would have to buy in at a tax sale...I mean that’s the reality of it.¹⁷

¹⁵ Mingis, Ken. “Ambitious Plan Aims to Clean Up the City,” Providence Journal-Bulletin. June 14, 1997.

¹⁶ Dujardin, Richard C. “South Providence has had it with rubbish,” Providence Journal-Bulletin. October 31, 1996.

¹⁷ Conley, Dr. Patrick T., property lawyer and land speculator. Personal communication, December 1997.

He is correct in his statement that the City does not have an efficient or effective way of disposing of vacant land, and that he does *eventually* develop his lots. However, community residents are concerned because the process that Conley and other speculators go through to acquire, foreclose, and sell land is time consuming. Speculators with large holdings do not maintain their lots in between the time they purchase the tax title and eventually take ownership and sell the land, because this is not profitable.

Unchecked speculation increases property prices and makes land unaffordable for some. However, it is through this route that much development takes place, so the process should not be totally extinguished. A process that allows community residents to have an opportunity to purchase land before speculators and allows them to have a voice in what happens would help to alleviate some of these concerns.

CHAPTER 2

The vacant land and abandoned property issue is infused with a complicated property system and a list of actors who live near, govern, or make money off of vacant lots. Creating a process to reduce the number of vacant lots concerns each of these parties, and demands an interaction between them.

A study of the current system, or the “life cycle of a vacant lot,” illustrates how these people interact and conflict, and identifies areas where changes would improve the system and move toward a community-friendly vacant lot policy.

The Standard Practice

The ways in which vacant land is handled are changing, but looking at the previous standard practice demonstrates why problems have developed and the number of vacant lots is still high.

Tax sales and foreclosure

Many of the lots that are neglected are in property tax arrears. In an attempt to generate revenue and regain some of the taxes owed, the City holds an annual tax sale. The City can auction the tax title of any property that has taxes owed. The Tax Collector often waits until a year’s worth of back taxes have accumulated on properties with a building, and even longer for a vacant lot. This is because the tax assessment is much lower on land without a structure. The Tax Collector receives more money on fewer lots by putting built land up for auction first. A vacant lot may be in tax arrears for several

years before going to auction. There is no specific formula for deciding when a vacant lot goes to tax sale; the decision lies with the Tax Assessor.¹⁸

Before going to tax sale, the City must advertise the land that is being auctioned. At the tax sale, anyone can purchase the tax title for the amount of taxes owed, and any interest or charges that have accrued. The parcel goes to bid for the amount of taxes owed. The price never alters during the auction, but the percentage interest in the land does. For example, if a vacant lot has \$100 owed in taxes, this is the price of the lot's tax title. The first party will bid to pay \$100 for 100% interest in the tax title. If someone were to bid against the first party, they would bid at the same price, but for a lower percentage interest in the tax title. Someone may end up paying the \$100, and only controlling a 20% interest in the tax title, leaving the remaining 80% to the original owner. This is advantageous to investors, because if the original owner wants to redeem that 20%, the tax title purchaser will receive money back, in addition to interest on the taxes paid.¹⁹ If no one bids on a property at tax sale, the tax title becomes "reverted" and belongs to the City.

After a year and a day, the tax title holder can foreclose the rights of redemption on a property -- meaning that they become the outright owner. Before foreclosing, the tax title holder must notify all parties with an interest in that parcel. This could include the original owner, any banks that hold mortgages on the property, or any tax title holders from previous years. In order to redeem the property, one of these parties must pay the tax title holder the original tax_title purchase price, any taxes paid by the purchaser since the sale, plus a penalty of ten percent of the original purchase price for each of the first

¹⁸ Anthony Annorino, Tax Collector. Personal communication, October 1997.

six months after the date of the sale, and an additional one percent for each succeeding month.²⁰ The tax title holder is not required to foreclose, he or she can hold on to the tax title and wait for someone to come forward and redeem the property.

Property law is complicated, which is part of the reason that it is difficult to transfer ownership of neglected lots to someone with the willingness to own and care for the land. There is a “line of succession” with the parties that hold an interest in a piece of property. The original owner is last in this line. Ahead of her could be any number of bank mortgages and liens. There are a few specific liens that are deemed “first position” and are always ahead of everything else. These liens are sewer, water, tax, demolition, and the environmental lien (a new addition that will be discussed later in the chapter.) The tax, demolition, and environmental lien are combined as one, so when a tax title is cleared, these liens are also wiped out, leaving only sewer and water to be paid (and typically sewer and water liens only occur on properties with structures). If an owner wants to sell, or one of the interested parties wants to foreclose on the property, all first position liens must be paid off unless they are forgiven.²¹

The process just described lays out the basic framework for the tax sale process, foreclosure, and the different routes a tax delinquent property can take. Besides the sheer complexity of the process, there are a number of inherent problems. The following diagram shows how the current process flows. The highlighted text and arrows indicate areas where changes have been made, and where further modifications would improve the movement of vacant land to community members.

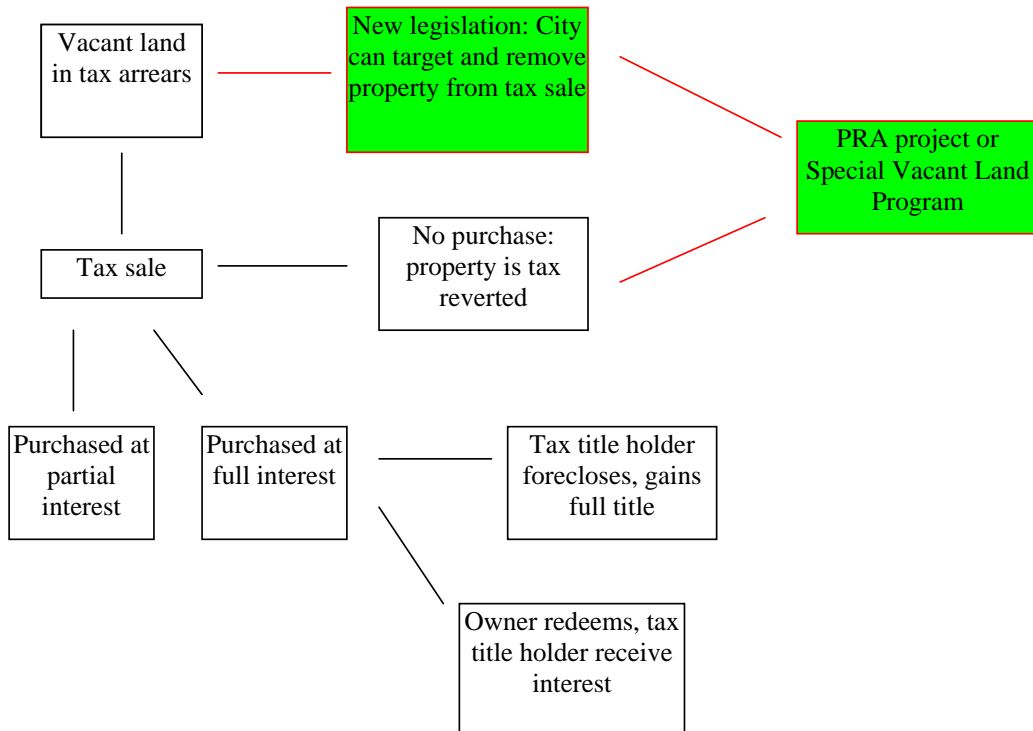
¹⁹ Conley, December 1997.

²⁰ Alejandrino, Simon. Limbo, Liens, and Litter: Policy Solutions to South Providence’s Abandoned and Vacant Land Problem. (Brown University: AB Thesis, 1996) 16.

²¹ Wolf, April director of Code Enforcement. Personal communication, October 1997.

Figure 3.1

CURRENT PROCESS



The Providence Redevelopment Agency

The Providence Redevelopment Agency (PRA) was chartered by the City in the 1950's as the City's real estate arm. It has the power to acquire properties in a variety of ways and dispose of them in order to rehabilitate areas. The mission of the PRA is to "clean up blight in the city" and to increase the city's tax base.²² Their power and mission deems the PRA as the appropriate City agency to implement vacant land policy.

The PRA can acquire lots in several ways. The City can give the PRA foreclosed titles, or tax-reverted titles which can then be foreclosed. The redevelopment agency can also obtain lots by typical negotiated sale, or through eminent domain (where land is taken for public use and the owner is given just compensation.) The PRA addresses areas that are "arrested, deteriorated, or blighted." Arrested is defined as stagnant, or with no growth occurring on the land. Deteriorated refers to properties with burned out or severely damaged structures. And blighted refers to land that is unkempt.²³ Land is acquired for specific projects, but the lots that are not within the limits of a particular project go into the Special Vacant Land Program (SVLP).

The properties in this program are available to a variety of people, for a variety of prices. The PRA is primarily interested in conveying these properties to abutting land owners, who may submit an application, 10% deposit, and site plan for the approval of the PRA. The thought is that abutting land owners will be a stable source of care for the property. If approved, the land can be conveyed for \$.25/ft². The land may be conveyed to a non-profit for \$1 (although an abutting land owner will get preference over a non-

²² Floriani, William, Providence Redevelopment Agency. Personal communication, October 1997.

²³ Floriani, October 1997.

profit because a non-profit is not required to pay property taxes). A commercial developer must pay full market value for the lot.

Problems with the tax sale and the SVLP

Although the tax sale and the PRA are the primary vehicles for moving vacant land into productive use, there are a number of problems that inhibit this progress. If vacant land and abandoned properties are to be absorbed and subsequently maintained, they first must be made accessible to those who will maintain it.

Although the City determines when a lot goes to tax sale, until recently it did not have the power to keep lands out of tax sale. Properties of interest to the City, or particularly vulnerable to speculation, were required by state law to go to tax sale first before they could be turned over to the City to clear the title. This did not leave a lot of options for neglected vacant land; a property either continued to be neglected and sunk further into tax arrears, or it was required to go to tax sale, most likely to be purchased by a land speculator. Those that were not purchased were left to the City, but they were typically the most degraded lots. The City had no incentive to spend the money to foreclose, because no prospective buyer existed, and there was no way to recoup the costs.

After much lobbying from the City and community groups such as Rhode Island Organizing Project, legislation has been passed that gives the PRA the power to target particular parcels of land, and remove them from the tax sale process. In the past, the tax sale process has driven speculation and made land purchase inaccessible to community

residents. Typically, only investors and speculators attend tax sale due to cost and the legal intricacies of acquiring property in this manner.

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Although legislation has been enacted to address these problems, it is still difficult for a community member to purchase a vacant lot. Besides attending a tax sale, bidding on a parcel, and then entering the legal maze that must be run in order to foreclose on a property, a potential property owner's only other route to obtain a parcel is through the PRA's Special Vacant Land Program, a program that is not advertised and inflexible to community members' needs in regard to price and eligibility.

As the system currently stands, someone who is interested in a property must approach the PRA in order to inquire if that lot is in the Special Vacant Land Program. The PRA does little to market this program. They have the opportunity to sell land relatively cheaply, but no one is aware of this. If the SVLP is to be improved, an aggressive marketing plan should be considered in order to give people information on prices and potential development.

Price can also be an issue. For some abutting land owners, \$.25/ft² may be expensive, considering the fact that after the purchase they will be required to pay property taxes on the parcel, and the cost of maintenance. The City Council has the power to reduce the price further on a case by case basis, but in order to offer a lower price routinely, the city ordinance must be changed. The ordinance also says that lots must be offered to an abutting owner occupant, but unfortunately many of the neighborhoods that are plagued by vacant lots have low owner-occupancy.

Current Initiatives

Growing attention to the vacant land issue has made it evident that the current practices meant to address the problem are not sufficient. In the past two years, many community groups have spoken out about the problems with vacant lots. As a result, the City has responded by creating new policy and changing existing processes.

The Vacant Land Task Force

The Vacant Land Task Force (VLTF) was created by Mayor Cianci through executive order in February 1996. The task force was made up of a combination of community residents and organizations, and city officials. It was one of Providence's most extensive efforts in community-based planning. A majority of the task force members were not government officials, and the leadership was shared by community and government representatives. The VLTF produced a comprehensive report that defined the issue and offered a series of recommendations to help fight the problem. It was Providence's most visible attempt at community planning, in cooperation with community leaders.

Pia Frye, a community leader who co-chaired the task force, called the VLTF a "unique process...the beginning of the true meaning of collaboration." Frye said that the VLTF allowed community groups and government officials to sit down and face each other "without repercussions", in a way they never had before. The task force was cited as a "wonderful concept" that should be used as a model to involve the community in other issues.²⁴ However, the results of the VLTF have been controversial. DARE's

²⁴ Frye, Pia, co-chair of the Vacant Land Task Force. Personal communication, April 1998.

director Shannah Kurland described the process as not being friendly to community residents. Kurland was not happy with the process, but all of DARE's vacant land proposals were included in the final report's recommendations.²⁵

Several of the final report's recommendations have been implemented, and plans for the implementation of others exist. Providence's environmental ordinances have been revised, the Department of Public Works has been restructured, an environmental court and clean and lien program established, and the vacant lot data base created. The clean and lien program is an effort by the City to maintain neglected vacant lots by issuing a violation ordering an owner to clean up a lot. If the owner does not respond, the City will clean up the lot and place a lien on the property for the amount of clean-up. Despite these accomplishments, some community leaders have expressed disappointment in the lack of action taken since the issuance of the report. Frye said that although the task force produced a strong set of recommendations, a framework for implementation should have been created to ensure the implementation of more recommendations.²⁶ There is talk of a second task force reconvening in order to continue the thrust and ensure that other recommendations are carried out, but no moves have been made yet.²⁷

Luke Driver from the Mayor's office acknowledged that the task force was "not a perfect process."²⁸ It was difficult to organize a discussion and create a report with such a wide variety of people, who brought such different experiences and perspectives to the

²⁵ Kurland, March 1998.

²⁶ Frye, April 1998.

²⁷ Driver, Luke, director of the Office of Environmental Affairs, Mayor's Office. Personal communication, October 1997.

²⁸ Driver, Environmental Education Diversity Forum meeting, March 1998.

table.²⁹ As a result, the report was lengthy, combining many suggestions and a multitude of strategies.

Many of the recommendations dealt with enforcing clean-up and maintenance of lots. The report discussed a number of strategies. Those that have been implemented, or are in the stages of implementation are: streamlining the clean and lien, strengthening the Department of Public Work's inspection procedures, creating an environmental court, and reducing speculation through a series of legislative changes.

Further recommendations that have not been implemented yet relate to the absorption of vacant land through transferring property to the community. The task force wants a soil-testing initiative to ensure the community's health and safety, a restructuring of the SVLP with the inclusion of a marketing program and a reexamination lot pricing and potential owners. The City is in the process of negotiating with the Environmental Protection Agency to secure money for soil-testing.

The largest changes that have been made are legislative, and will be detailed in the following section. In addition, an environmental court is being held once a week to hear cases dealing specifically with environmental issues, including vacant lot and trash violations. Soon the court will be held five days a week. The Department of Public Works (DPW) has also undergone restructuring in order to improve its inspections. Instead of responding solely to citizen's complaints, the inspectors now have a

²⁹ The Vacant Land Task Force included representatives from the Center for Hispanic Policy and Advocacy, Keep Providence Beautiful, the Lockwood Community Collaborative, Southside Community Land Trust, Olneyville Housing, the Urban League, West Broadway Neighborhood Association, Mount Hope Land Trust, Direct Action for Rights and Equality, Elmwood NHS, Save the Bay, Smith Hill Center, Stop Wasting Abandoned Property, the Providence Plan, EPA, Brown University, and several city officials from the Planning Department, DPW, and the mayor's office

designated route, and routinely inspect the entire city. Each neighborhood is inspected every six weeks.

The City has put enormous resources into improvement of vacant lots. \$40,000 was spent on a vacant land/abandoned property survey conducted by Brown University's Environmental Studies Department and DPW. This city-wide survey was used to prioritize the lots by level of risk. Lots with high-risk characteristics, such as chemical waste, more than three cubic yards of solid waste, vegetation higher than three feet, or evidence of rats, were considered the highest priority. DPW issued 592 violations in the summer of 1997 to lots that were characterized as "high risk". This action forced private owners to clean up their own lots (245 owners responded to the warnings and cleaned their lots). The lots of those who refused were cleaned by the City, with a lien placed on the lot. This effort also prompted some land donations from private property owners who no longer wished to have the responsibility of owning lots, the largest being a donation to the PRA of 58 vacant lots from Patrick Conley. It is hoped that stricter enforcement, in combination with the tax bill legislation, will temper the speculation market. However, this cannot be determined until the 1998 tax sale.

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New legislation

Recently three pieces of legislation were enacted. The "Default Law", the "Super Lien Law", and most importantly, the "Tax Sale Realty Law". All three of these bills were recommended by the Vacant Land Task Force, and were passed by the General Assembly in its 1997 session. Rhode Island Organizing project played an instrumental role in getting these bills passed through persistent lobbying.

The purpose of the default law is to hasten the court process and ensure that more violators pay their fines. Before this law was passed, 85% of the maximum fine violators ignored their summons.³⁰ This new law says that a violator will be notified by certified mail of the violation. If two notices of violation go unanswered, then the municipal court judge can hold the violator in default of any fine imposed.³¹ This means that the City will turn the fines over to a collection agency, who will locate violators, collect the money and retain a fee for service.

The City is preparing to gather the names of all violators from the past 10 months and print them in a paper of state-wide circulation on two separate occasions. If they do not pay within three days, the names will go to a collection agency, and if a person has received five or more tickets, they will be subject to arrest.³²

The super_lien law provides a method for reimbursement when the Department of Public Works cleans a property in response to an ignored notice of violation. Any expenditures toward cleaning the property will be placed as a lien on the property, in first position, commensurate with tax liens.³³

The tax sale law has the potential to be the most effective in the long-term, if used to its full effect. This bill is lengthy, and accomplishes a number of changes. The most significant alterations impact land going to tax sale, the responsibility of a tax title holder, and limitations on who can purchase titles at the auction.

This bill gives the city the power to advertise and take or sell any real estate that is liable for taxes. The City must notify those parties with an interest before taking it, but

³⁰ Driver, EEDF meeting, March 1997.

³¹ General Laws of Rhode Island, Title 23, Chapter 19, Section 5.

³² Driver, EEDF meeting, March 1997.

³³ General Laws of Rhode Island, Title 23, Chapter 19, Section 6.

if no one comes to redeem the property, the City is free to foreclose on the property and convey the parcel to someone interested in purchasing and maintaining the lot.³⁴ This gives the City the power to target lands that are of special interest to a city agency or perhaps a community group, or those that would be particularly vulnerable to speculation, before they go to tax sale. This way, the City will have an opportunity to acquire lands that are worth something, and remove them from the speculative market.

Implementation will raise such questions as: what lands should be targeted and how should this decision be made? What should these lands be used for, and who should own them? These are the types of questions that are important, and the most difficult to address when planning a neighborhood.

Another important segment of the tax bill deals with the responsibilities of the owner and tax title holder. Before this bill was passed, a situation often developed where a lot was being neglected, and the owner was not paying taxes or fines. Meanwhile, someone else held the tax title but they were not held liable for the violations. Often speculators accumulate a large amount of land and then wait for it to appreciate. It could be years until the property is sold, and meanwhile the lot accumulates litter and solid waste, developing into an eyesore and a danger. The new law states that a tax title holder is to be held jointly and severally liable for the condition of a lot with the owner, one year after acquiring the tax title.³⁵ With this new legislation, it is likely that speculation will be deterred because now tax title holders will be held responsible for the titles they buy, and the situation will not be as profitable as before.

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³⁴ General Laws of Rhode Island, Title 44, Chapter 19, Section 7.

³⁵ Ibid., Section 12.

Another provision of the bill is that from now on, an individual who is delinquent in paying any taxes cannot bid at tax sale. This applies to anyone who holds more than 10% interest in a corporation that owes taxes on any property located within the city or town where the tax sale is being held.³⁶ This may prevent some speculation because many speculators do not pay taxes on their land until they foreclose. However, it is difficult to track down who owes taxes, because often speculators buy titles under many different names and corporations.³⁷

Under the new law, speculators will not be able to operate as they are accustomed. When purchasing a tax title, it will be a responsibility as well as an investment. After one year they will be obligated to maintain the property, and also to pay taxes if they want to be eligible to bid at the next tax sale. Due to the language in the bill and the protection of previously acquired tax titles, his legislation can only be applied prospectively, and will not affect the tax titles that were previously bought. It will be interesting to see how these new laws affect vacant land maintenance and the total number of vacant lots in the city. This legislation, if properly applied, has the potential to make a significant difference in this city's vacant lot landscape.

The next chapter describes a number of strategies that could be put into action by the City and the community as a result of recent accomplishments in the area of vacant lot policy.

³⁶ Ibid., Section 13.

³⁷ Wolf, October 1997.

CHAPTER 3

Some of the important questions to keep in mind when considering land use policy are: What process is most effective? Who holds the power of decision? And most basic and important when addressing neglected lots -- who should own and take care of this land, and what would it best be used for? The last two questions do not lend themselves to one answer. The solutions will change from neighborhood to neighborhood. Where one area needs safe parks, another may be lacking in off-street parking. One community may desire houses while another is seeking commercial development. Although some of these decisions are made by zoning ordinances, the nature of the questions stress the importance of community involvement when making land use decisions. There are also the more technical questions to consider, such as the density of a neighborhood and the size of a lot (whether or not the lot is buildable.)

This chapter is a compilation of strategies to combat neglect of vacant land, ranging from city policy to actions by community-based organizations. I have gathered this list from a number of sources, including city officials, literature, community leaders, in addition to adapting programs that have historically been utilized in relationship with land use reform. This chapter's purpose is to describe different approaches that could be expanded or started in Providence, although there are inconsistent levels of feasibility and security. The final chapter analyze these strategies and determine which are most appropriate for Providence.

Many of the cities that have created programs to deal with vacant lots have been of larger size and greater population. However, these programs demonstrate what changes can be made on a city level, and many could be adapted to Providence.

Boston

The Great Boston Yard Sale was an initiative developed by Boston Public Facilities (BPF) in the Fall of 1995. BPF identified 300 home-owners who lived next door to a vacant lot that was smaller than 5000 ft² and mailed them application forms. Lots up to 3000ft² were sold for \$500, lots between 3000-4000ft² were sold for \$750, and lots up to 5000ft² were sold for \$1000. The lots were used as gardens, parking, housing additions, landscaped open space, and side yards. In addition to mailing applications to homes, BPF took out ads in the newspaper and distributed pamphlets throughout communities. The program also organized free landscaping workshops and offered coupons at local hardware and gardening stores.

In less than a year, the Boston Yard Sale had transferred 140 lots to abutting owners. In the past decade, the PRA has conveyed 424 lots.³⁸ This program illustrates the effects an active marketing campaign can have on a stagnant vacant lot program. Boston was not transferring vacant lots at a satisfactory rate, so they rejuvenated the program through an aggressive marketing campaign. The Special Vacant Land Program could adopt similar marketing strategies.

The Community Land Trust

A land trust is defined as “ a non-profit organization whose purpose is to protect natural, scenic, recreational, agricultural, historic, or cultural property. It can be either local, regional, or national in scope. It acts in the public interest, to acquire, protect, and

³⁸Floriani, April 1998.

manage property.”³⁹ This is a general definition that is echoed in literature from many other land trusts, from local efforts to national umbrella organizations.

The key sections of this definition are “non-profit” and “public interest.” The movement towards protecting land through private ventures is growing, and land trusts are a result of this movement. There are over 1,100 land trusts in existence in the United States, and the numbers are increasing.⁴⁰ While many state their goals as preservation of open space and often focus on rare terrain or wild spaces, land trusts are a natural extension of planning and land use policy in an urban setting.

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As land trusts are non-profit organizations, their structure tends to be similar to other non-profits. There is a Board of Directors as a decision making body, and often a few paid staff members and a strong core of volunteers. As often times property transactions can be complicated legally, it is helpful if land trusts have a way of garnering sound legal advice. Typically, land trusts gain property through normal purchasing routes, or by donation.

The intention of a community land trust (CLT) is to acquire a parcel of land, and then retain the title in perpetuity in order to play a role in the land use decision, and to remove the land permanently from the speculative market. Land use is determined by a process similar to those used in public planning and zoning, and then leased to individuals, families, cooperatives, community organizations, or for public or commercial use. Leases are usually long term, and can be transferred to heirs. Lease holders pay a regular lease fee based on use, and not full market value. Improvements upon the land,

³⁹ Interior Alaska Land Trust, <http://www.fairnet.org/agencies/ialt.html>

⁴⁰ Land Trust Alliance, <http://www.bullitt/ta.htm>

such as buildings or homes, are often owned by the lease holders.⁴¹ This aspect of the CLT is particularly useful in urban areas striving for affordable housing. It simplifies the buying process, ensures long-term affordability, and gives the decision-making process to an organization that is dedicated to a community and its interests. The Community Land Trust Handbook says that by utilizing the CLT model,

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neither the CLT nor the lease holder holds the land itself as a commodity. The CLT holds it as a basic resource in which the community and individuals within the community are acknowledged to have certain legitimate interests. In this situation the lease agreement becomes the specific, flexible, legal means by which the legitimate interests of both the community and the individual lease holder are explicitly described and protected in accordance with the policies of the CLT.”⁴²

CLT's have been adopted in a number of both rural and urban areas, large and small. Major metropolitan areas such as Atlanta, Cincinnati, Minneapolis, and Boston have adopted this model successfully. Burlington, Vermont created the Burlington Community Land Trust in response to its affordable housing problem.

If a land trust does not have the means to become a large land holder in the area and lease property to individuals, a method employed by land trusts is the use of easements or title restrictions. A property owner has a "bundle of rights" in relation to their property that can be separated and held by different individuals. A restriction and an easement are very similar concepts. A restriction limits what a party can do on a property, and an easement is any right or set of rights that is granted by a property owner

⁴¹Institute for Community Economics. The Community Land Trust Handbook. (Emmaus, PA: Rodale Press, 1982) 18.

⁴²Ibid, 19.

to another party.⁴³ Instead of becoming the outright owner of property and accumulating large amounts of land, the land trust can acquire property (in the case of neglected vacant land), and then sell it with an easement placed on the deed, or a title restriction that can limit development or impede an owner from selling the property for more than it was purchased. The land trust maintains control by dictating specific land uses on the property determined by the needs of the community organization.

In Providence, the land trust could exist in a number of forms, from a single comprehensive city-wide land trust, to a greater number of smaller, neighborhood land trusts. The land trusts could be either privately or publicly funded, or a combination of both. Either way, a land trust could serve as an information center for the public, and a purchasing tool for community residents. The land trust could also provide the support needed to help maintain land ownership, through maintenance workshops and simply being a place for people to come to when they have questions.

The land trust model could be applied in order to achieve the goal of better maintenance of existing vacant lots and reduction in the total number of neglected vacant lots. This approach to the problem could work in a variety of different forms, or a combination of more than one:

- *Cooperation with a national land trust*
- *Creation or expansion of local land trusts*
- *Establishment of a city-wide land trust*

Utilizing these methods would organize and provide a voice for the community in decisions made about land in their own neighborhood. The community would know

⁴³ Ibid., 124.

where to go for information. The goal of fewer vacant lots and better maintenance could be achieved without overhauling existing policy, and with minimal dependence on government if outside funding was secured.

Currently, the land trust idea is not used extensively in Providence. Southside Community Land Trust acquires vacant lots for the use of community garden, but transferring ownership to community residents is not one of their objectives. The funding they receive goes primarily toward educational programs and staffing the gardens rather than absorption of vacant lots. The Mount Hope Neighbor Land Trust is attempting to rehabilitate lots with the help of a national land trust.

Funding and resources are an important factor in a successful land trust. There is no magic formula for acquiring financing, except for careful planning. Grants, loans, and an extensive network of volunteers are essential. In Providence, a land trust would relieve some of the city services not adequately provided by the PRA, justifying a public/private partnership to help fund a land trust venture. Also, funding can be sought on a regional or national level, such as EPA grants, or a from a land trust umbrella group such as the Land Trust Alliance or Trust for Public Land.

Partnership with a National Land Trust

A strong partnership with a nationally based land trust has made a difference in New York City. The office of Mayor Giuliani has a program called “City Spaces” that is meant to turn city-owned vacant lots into community spaces, primarily playgrounds. Unfortunately it takes more than a single clean-up and installation of play equipment to create a safe, clean, community space. The Trust for Public Land entered the scene as a

partner that garnered community support, leadership, and resources for the City Spaces program -- the key ingredients that were missing from the original program. The Trust for Public Land (TPL) gathered a strong four-sided foundation for the program, including the help of a non-profit environmental group, the municipal government, corporate funders, and a strong community group. The City supplied the land, and TPL organized what already existed in New York, and what already exists in Providence: a community interested in a viable solution.⁴⁴

The city of Providence already owns several hundred lots that are sitting vacant, and unlike New York City -- whose government hesitantly donated the land -- Providence has recognized the problem and the need for change, even if it means relinquishing some lots to non-profit uses that will not contribute to the tax base. The Tax Collector is not collecting taxes on neglected vacant lots in the present situation. It would be more beneficial to the city as a whole if taxes were not being collected, but the property was being maintained.

Providence also has a large number of dedicated community organizations who consider the vacant land issue one of their top priorities. TPL has already entered the Providence scene in creating the new Woonquatucket greenway, and in cooperation with the Mount Hope Neighbor Land Trust. With an initiative from the Mayor's office, TPL could expand this relationship to other areas of Providence's neglected inner-city neighborhoods.

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⁴⁴ Chavis, Melody Ermachild. "Hope and Peace: Urban Playgrounds that Offer Both." Land and People,

Expansion of Local Land Trusts

Another possibility lies in the expansion of those community land trusts already operating in Providence's neighborhoods. Of course the difficulty in this option lies in severely limited resources. Southside Community Land Trust's staff and board of have visions of new and larger programs, but at this time it is impossible to expand due to limited funding and a small staff.

Mount Hope Neighbor Land Trust (MHNLT) is making a comprehensive effort in a small section of the city. MHNLT's goals include the creation of affordable housing and the preservation of open space in the community. They are working towards these goals by addressing neglected vacant land in the area. This program is just beginning, and is being made possible with help from the Trust for Public Land. TPL is aiding the group by making contact with the owner of a neglected vacant lot -- often a difficult task, and by putting up the initial capital. It would be difficult for the neighborhood group to build up the financing to acquire the lots up front, but with a revolving line of credit and TPL's help, this program is underway.⁴⁵ It is possible that several small land trusts could be established in Providence, similar to this one. However, this may not be as reliable as a city-wide land trust that could gain public support by benefiting the city as a whole.

Establishment of a City Land Trust

A city-wide land trust would serve as a more comprehensive way to reuse vacant land. It would provide a number of services, and serve as a clearinghouse for currently

volume 9, Fall 1997, 22.

owned city properties and tax reverted lots. Presently, the City owns approximately 200 lots, and has about 165 in tax reversion.⁴⁶ The City and PRA have no marketing plans or strategies to dispose of the property that they already possess, and there is no incentive to foreclose on the tax-reverted properties, due to the expense of foreclosure. However, the City is interested in getting this property into the hands of caring owners, and would be interested in options for a public or private entity that would be willing to provide this service.⁴⁷

A city-wide land trust would exist for the purposes of clearing the titles of tax reverted land, and either holding the title in perpetuity and signing long-term leases with neighborhood associations and non-profits, or transferring the property to a private owner who is willing to care for it with an easement or restriction on the property. This organization could perform the tasks that the City has difficulty providing -- the legal work needed to foreclose on a property and clear the title, and the marketing needed to find new owners. Support is also needed for those choosing to own land and houses, and could be provided by a CLT in the form of guidance for improvements and maintenance. It is no small undertaking, but it is a service that would be helpful in moving Providence's vacant lots into productivity. If the City cannot provide this service to the extent that is necessary, perhaps a community-based land trust would be more effective. If trust and a system of community participation could be established within a land trust organization, it is likely to stimulate vacant lot maintenance and absorption.

The following chapter will include reactions from Providence's community groups and several residents.

⁴⁵Jackson, Chet, director of Mount Hope Neighbor Land Trust. Personal communication, December 1997.

⁴⁶Driver, October 1997.

⁴⁷Driver, October 1997

CHAPTER 4

The strategies mentioned in the previous chapter have little chance of working unless accepted and deemed feasible by those who are meant to participate, primarily the people who live near vacant lots. Secondly, those administrators who are responsible for running the programs must be willing to implement policies that will work. The cooperation and understanding of both parties are imperative if any vacant lot policy is to impact Providence's neighborhoods. In this chapter I have attempted to amplify the voices of a few residents who have not been heard.

This chapter reflects the impressions of community residents, those who live near neglected vacant lots and feel the consequences everyday. It is followed by an analysis of the Tax Assessor's database and its demonstration of owner-occupancy, a key qualification for participation in the SVLP. These two sections will lead to conclusions of the efficacy of the current SVLP and the possibility of other solutions.

The Residents

Six Providence residents were interviewed, five home-owners and one renter, all long-time residents of Providence. Three were men, two of whom could be considered very active in local community groups and/or street associations. Olneyville, South Providence, Smith Hill and the West End were represented -- all neighborhoods with a high number of vacant lots and a low rate of owner-occupancy. I received names of participants from Rhode Island Organizing Project, DARE, and the Smith Hill Council. This most likely resulted in a skewed sample population -- those who were more likely to be active in a community organization and known to the leaders of these specific

organizations. Although these views may not represent the entire population, it is these types of concerned residents who are most likely to participate in the program. I conducted interviews over the telephone during March of 1998. Each lasted approximately twenty minutes. My objective was to explore the general sense of vacant lots as a problem, and to determine whether or not there was an interest in purchasing vacant lots. Although the sample was small, their views reflected those found in my other research.

My overall sense of the issue is that long-term residents are interested in purchasing a vacant lot if it is near their homes. However, only one interviewee had heard of the SVLP (and that was most likely because he had been a staff member at a community group in his neighborhood.) My interviews led me to believe that with better marketing for the SVLP, more lots would be absorbed. But the City should not put all of its resources into this one solution because it will not have a large impact on vacant lots in several of the hardest hit neighborhoods due to the low rates of owner-occupancy, making only a small number of lots are eligible for the program.

Findings

The fact that only one out of six participants had heard of the SVLP points to the conclusion that this program is not well advertised. Other community leaders confirmed this fact by telling me that their constituents were also unfamiliar with how to acquire land, and that the SVLP was unknown. It was this fact that prompted DARE and CHisPA to collaborate in creating a guide that explains the process to distribute in their neighborhoods.

Vacant lots are a presence in each of these participants lives, but for some it is more salient. The problems mentioned by these participants echo those opinions found in newspapers and community groups. The fact that the vacant lots are eyesores and dangerous was mentioned frequently. Only one participant said that the vacant lots in his neighborhood did not impact him, but thought that the impact was greater “for people who live closer.” His closest vacant lot was described as being about “two football fields away.” Tall vegetation, litter, and illegal dumping were mentioned in all interviews but one. It was these physical, unkempt characteristics that seemed to bother people most. Lots were described as not “looking nice” or as having a “negative impact on the neighborhood and people” because of the their “visual affect.”

Safety and crime were priority problems stated by the two women interviewed. A woman from Olneyville was concerned for neighborhood children, because the lots in her neighborhood contained things “children shouldn’t be able to get a hold of.” A woman from Smith Hill blamed the lot next door for the burglaries she had suffered on more than one occasion. “They hide in the abandoned lot and then climb the fence to my shed roof” and from there enter her home. Since the lot is vacant, no one sees the burglars entering her yard.

Four out of the five participants said that they would be interested in purchasing a lot if it was adjacent to their home. However, only two actually had a lot abutting their property. All of the home-owners thought that the approximate price (\$.25/ft²) and taxes (approximately \$40 for every \$1000 assessed value) were reasonable. Lots were wanted for a variety of uses, from a garden and sideyard, to a housing addition and tennis court. Many were interested in seeing greenspace added to their neighborhoods, and a place for

children to play. The one participant who was not interested in owning a lot herself said it was because she “was alone” and did not want to take on the responsibility in her “physical condition.” Her desire was to see houses constructed on the vacant lots.

When asked about the possibility of purchasing with a group, sharing both costs and maintenance duties, the reception was lukewarm. Participants viewed this option in a negative light because of potential problems, arguments, and a lack of dependability and confidence in their neighbors’ ability to share the maintenance duties. Only the renter saw this as a feasible solution.

Interpretation

Although my interviewing was not extensive, the opinions revealed were consistent with my other research. Vacant lots are considered a problem for aesthetic and safety reasons, and residents would like to see them taken care of. These residents care about their neighborhoods, and many say they are willing to take responsibility for the neglected properties themselves. Unfortunately, they do not know how to begin the process, where to get information, or what exactly is involved. The population that is eligible and willing to take on the responsibility of owning a vacant lot is small, and the criteria are specific. A portion of owner-occupants who live next door to neglected properties are interested in buying, but like any good product, a vacant lot needs a little marketing in order for people to purchase.

Because the group of eligible participants is not large, it would not be wise for Providence to count on the SVLP to stimulate the absorption of all neglected vacant lots in Providence. Foremost, marketing must be improved, and then expansion considered.

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Additionally, technical and financial assistance will be imperative for vacant lots to be permanently maintained.

When participants were asked whether or not they would be interested in purchasing a lot as a group with neighbors, there were concerns that others would not live up to their end of the bargain. Whereas this type of program would allow more people to participate, and perhaps make it more feasible when considering financial and time availability, it will not work if people do not feel confident that their partners will meet their responsibilities. It seems logical for a trusted neighborhood organization to step in at this point, perhaps helping to organize a street association and allow people to familiarize themselves with each other, and a framework for ownership and maintenance. A land trust would also serve as a means of acquainting people with the process of acquiring and owning property and planning issues in their own neighborhood.

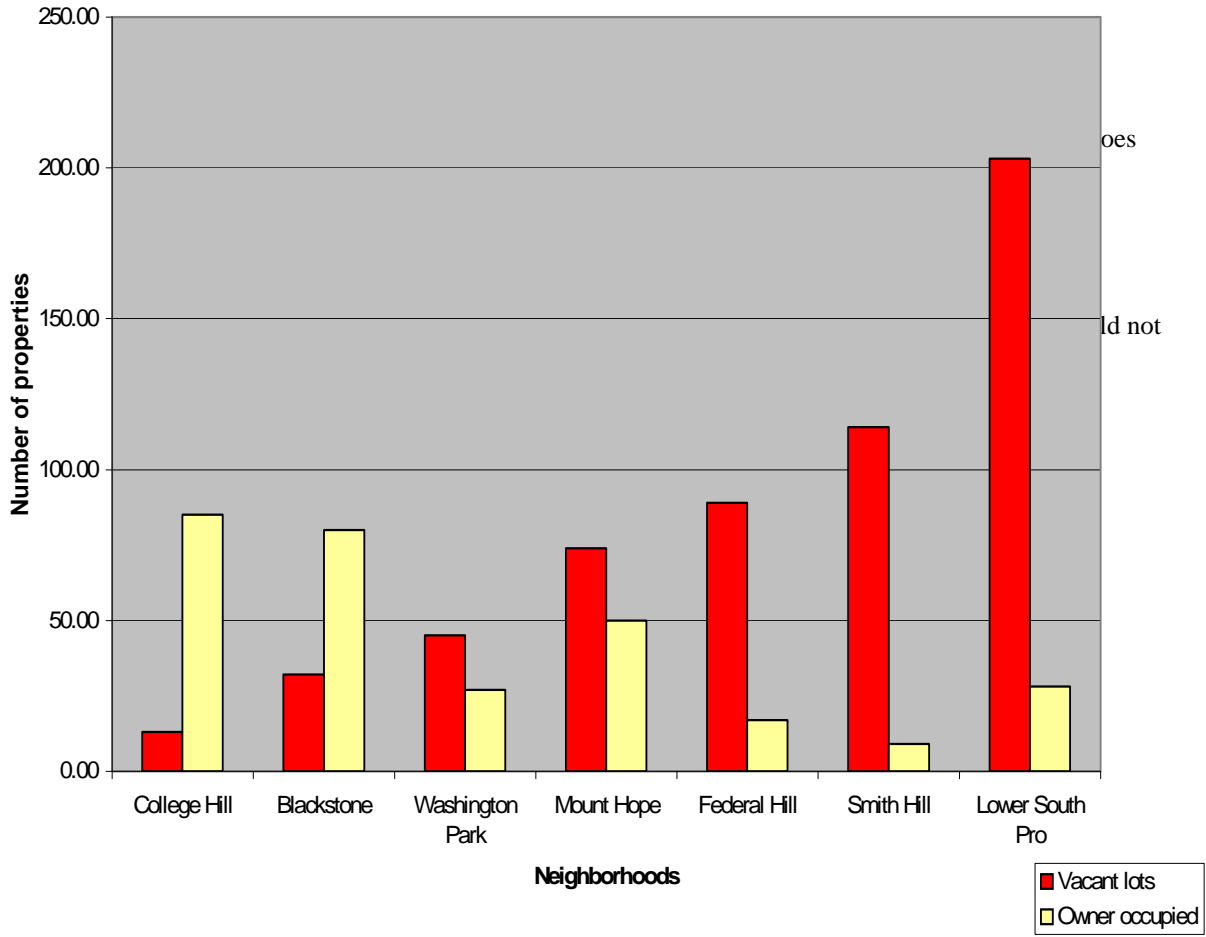
Owner-occupancy in Providence's Neighborhoods

Owner-occupancy was taken from the Tax Assessor's database, which contains such information as address, assessed land value, and billing address. Owner-occupancy was determined by matching the address of the property with the billing address. If the two were the same, it was assumed that the property was owner-occupied. However, due to the way the database was originally organized, it was not possible to detect every matching address. Additionally, owners do not always put down their true billing address when signing the deed, and this could account for even more error. In this situation, the Tax Assessor automatically sends the bill to the property's address, and in reality this may not be where the owner lives. Due to these potential errors, owner

occupancy data collected are not 100% accurate, but a telling picture is painted. The following chart illustrates the ratio of vacant land and owner occupancy in neighborhoods that have both vacant land and owner-occupied properties. The maps contained in Appendix 1-7 give a detailed visual representation of where these properties are located in each neighborhood. It is evident that both vacant and owner-occupied properties are clustered, and that although there are owner-occupied properties abutting vacant lots, the number is low.

Figure 4.1⁴⁸

Vacant lots and owner occupancy



⁴⁸ Number of vacant lots taken from Brown University Environmental Studies vacant lot/abandoned property, owner occupancy numbers taken from the Tax Assessor's database.

CHAPTER 5

Analysis of current policy, suggested strategies, and collected interviews have led me to the following conclusions and recommendations. They range from simple alterations in the Special Vacant Land Program, to more permanent structural and ordinance changes that may have a greater and more lasting impact on the number of neglected vacant lots. These policy changes must be created in partnership with communities, for residents and community leaders must play a strong role if the total number of vacant lots is to be reduced, and long-term land use patterns are to change permanently.

Leaders of community organizations have expressed the need for neighborhoods to have different plans. Federal Hill and Lower South Providence have different looks and different needs, as do other neighborhoods. Providence must invoke a creative set of policies and procedures that allows each neighborhood to determine its own needs and use the policy as a tool to lessen the impact of dirty, forsaken lots on their homes and lives. Providence and its residents must agree on the goal of moving Providence's vacant lots into productive use, a goal that is beneficial to both the City for its added tax revenue, and the residents because each neighborhood will become safer and cleaner.

The Vacant Land Task Force and others have agreed that the best way to make vacant land valuable is by transferring ownership to someone who lives near the vacant lot, someone who will feel the consequences if the lot is not maintained. This is an approach that should be taken with as many lots as possible, but my research has shown that due to the limited number of owner-occupants living next door to a vacant lot, policies need to include those that wish to care for a lot, but do not own their own home.

The recommendations range from short-term operational changes to the Special Vacant Land Program, to the creation of new entities to help manage transfer of ownership. Each new policy's objective should be to create a market for currently neglected vacant lots, thus allowing the City to sell the lots it owns and give it the incentive to foreclose on those tax titles presently in its possession. A fluid system that moves neglected vacant lots into the hands of the City --which has the power to clear the title and forgive any debts -- and then transfers properties to those interested needs to be established. The continuation of neglected vacant land is a cycle that has been in progress for years. The solution must also be viewed as a cycle created between City and community.

Short-term Policy Recommendations

There are a number of changes that the City of Providence can employ without major legislative overhaul. Several have been recommended on previous occasions, and my research has further supported the needs for these actions.

- *Creation of a central ownership database:* Gaining accurate ownership data is a difficult task. The Tax Assessor's Office, the Tax Collector's Office, the Recorder of Deeds, and the Department of Public Works each keep separate databases, and it is nearly impossible to get accurate, up-to-date information on who owns what and the type of violations incurred on a property. This information is vital in targeting problem properties and transferring ownership. The creation of one central database would make it easier to locate owners eligible to participate in the SVLP, and make

the entire process more efficient. Luke Driver said that the City is working on establishing this database, but it has not yet happened. A main frame computer with the capacity to link city departments is estimated to be functioning within two years.⁴⁹

- *Periodically update the vacant lot database:* The cooperation of Brown University and the Department of Public Works produced a picture of what Providence's vacant lots looked like in June of 1997. This is significant information to have, but it only provides a snapshot, due to rapid change. It is important to be able to see trends in numbers of neglected vacant lots in order to evaluate land use policy. This is a procedure that Department of Public Works should incorporate into its routine inspections.

The Providence Redevelopment Agency's Special Vacant Land Program has established a solid framework for transfer of ownership. Its strengths can be enhanced and expanded to make the program into a successful tool that reduces the number of vacant lots and continually moves these types of lots into a program that makes purchase and maintenance accessible to the Providence resident. However, this program alone cannot solve the problem. As the previous chapter pointed out, Providence's most stricken neighborhoods will not be impacted by the SVLP unless it is made more flexible and purchase is extended to a greater variety of residents. Only a small number of vacant lots are abutted by owner occupants.

⁴⁹ Driver, October 1997.

- *Market the Special Vacant Land Program:* Many residents have never heard of the SVLP. Similar to the Great Boston Yard Sale, accurate ownership information should be used in conjunction with the vacant land database to determine adjacent owner-occupants. These eligible participants should be mailed simple applications stating the conditions and procedures of the program. Why not include a description of the program in the Mayor's monthly newsletter that gets mailed to all his constituents?
- *Increase flexibility of the SVLP:* Eligibility and pricing may prove to be the two stumbling blocks in applying the SVLP to a broader part of the city. Expanding the program to include renters and groups of neighbors would allow more vacant lots to be absorbed. The two primary issues with this type of eligibility are security and continued maintenance. For single renters, perhaps a minimum requirement for three years in one location could be used to help minimize turnover. Additionally, landlords could be offered the opportunity to purchase vacant lots abutting their buildings, on the condition that they would maintain the property. These landlords could maintain the properties themselves, or rent to tenants willing to care for the vacant lot, and willing to sign a lease saying so. Although this does not work toward the goal of community ownership, it will help the over-arching goal of reducing the number of neglected vacant lots. Every person would have to submit a plan to the PRA stating intended use and maintenance, and the PRA would have to follow through and make sure the plans were being followed.

- *Develop a small grant system for street associations:* A main ingredient to sustainable maintenance, besides dedication, is resources. Funding and equipment are essential to successful maintenance. The West Broadway Neighborhood Association has developed a central bank of tools that members can contribute to and borrow from. The City could use some of the revenue generated by environmental violations to create street association grants. If a group of neighbors was able to create a land use plan for vacant lots on their block, including a plan and schedule for maintenance, they would receive a small grant. This would encourage residents to think long-term and holistically

The City, in cooperation with community organizations, must help residents take control of their neighborhoods and absorb vacant lots by providing information and financial and technical resources. Widespread ownership of vacant lots cannot occur successfully until there are more home-owners. Maintenance of vacant lots is an important first step in the physical improvement of low-income neighborhoods, which in turn may increase home-ownership and the absorption of vacant lots.

Long-term Policy Recommendations

We need to create a cycle in which vacant lots can move from neglect to use. Currently, there is a spectrum of neglected vacant lots at different levels of availability.

- Neglected vacant lots in tax arrears that have not yet gone to tax sale
- Vacant lots whose tax titles have been purchased at tax sales but are still not being maintained

- Vacant lots that went through tax sale but were not purchased and have reverted back to the City
- Lots that are owned by either the City or the PRA and available for purchase through the SVLP.

If the SVLP is improved, in addition to creating a process that allows vacant lots to move from a neglected property in tax arrears, to a PRA-owned lot ready to be sold, the number of vacant lots would be reduced. If maintenance was made sustainable through technical and financial assistance, the vacant lots could be permanently absorbed.

It would be necessary to include community members in long term planning situations, so that neighborhoods developed lots into the most manageable and needed uses. In the resident interviews, people were not as choosy as to what a lot became just as long as it was clean, safe, and did not have a negative impact on them or their neighborhood. Although an interest in participating in planning activities was not directly expressed by the participants, it is necessary to gain community support through participation in neighborhood planning. The Urban Land Institute recommends including community input in neighborhood planning.

To ensure that community stakeholders share fully in the decisions that affect their neighborhoods and have a sense of ownership in the results, plans for the future of a neighborhood must filter up from the community itself.⁵⁰

⁵⁰ Suchman, ix.

One way to speed this movement would be to create a process to target neglected vacant lots in tax arrears before going to tax sale. The new tax sale legislation gives the City this power, but as of yet there is no formal process that removes land from tax sale. If a nomination and pre-sell contract system could be created, the City would know which lots to remove from tax sale with some security that they would be bought. The only place where the City would sustain a financial loss would be in the foreclosure process which can cost up to \$4500. However some of this money could be recouped in the purchase price, and then the lot is back on the tax rolls when conveyed through the SVLP to an abutting owner. Taxes would not be received from those lands owned by community land trusts or other non-profits.

The process could be operated under a now inactive ordinance that created a "Homestead Board." It applies to lots with structures, but could be adapted for vacant lots. The Board would exist in order to approve applications and to follow through on site contracts. Problems rest in the typical political questions that must always be asked when such agencies are created: who would get to sit on the board and what criteria would govern the decision of whether or not to approve a contract? This is an easy place for political connections and issues to dominate, so it would be important to lay out a groundwork for approval that would be adjustable by neighborhood needs. However, this type of policy structure is necessary in order to promote widespread change and set out a framework for participation on an individual resident or community organization level. It is through this process that they could make their voices heard on which properties are of interest to them and why. (See Appendices 8 and 9).

The Community Land Trust

The community land trust model as described in chapter three is not the easiest change to employ in Providence due to resource constraint, but it has a great number of advantages. A city land trust could be run in a number of different forms, but I suggest a city-wide land trust, such as those in Burlington, VT and Boston. Providence is not a large city, although there are a number of different neighborhoods with different needs, a city-wide land trust could look at these insufficiencies in a comprehensive manner, while still addressing individual neighborhood needs of housing, parking, and open space.

Some of the pressure could be taken off the PRA for providing much-needed general information, technical assistance, and follow-up support. Either by becoming a major landholder and leasing out properties, or the less intensive approach of selling land but maintaining an easement/title restriction on the deed that allows the land trust to dictate use and price, the community land trust approach would consolidate many of the characteristics and responsibilities of the Special Vacant Land Program in an entity outside of the municipal government. This would allow for the organization to take a more customer-service oriented approach, and involve the community more directly, in addition to presenting an argument for some funding from the City.

CONCLUSION

I have viewed Providence's vacant lots through the eyes of a city official, a community leader, and a community resident. The situation is improving, but there is still room for further development. Thousands of neglected vacant lots are scattered throughout Providence neighborhoods, topped with tall grass and debris. Residents are unhappy with this situation and see the lots as a wasted resource. Greenspace, gardens, houses -- residents desire anything but the dirty, frightening lot, owned by what one of my participants called, "the phantom owner."

The idea is, if the "phantom owner" is not paying his or her taxes, it is within the City of Providence's power to identify the lot, remove it from tax sale, clear the title, and market the property to someone who lives in the neighborhood -- a stable owner occupant, a devoted group of renters, a community land trust, or other non-profit. An improvement of the physical features of a neighborhood will have far reaching effects. It is important to approach the problem with a long-term plan in mind in order to make a permanent and sustainable change.

This is only the beginning. Providence must examine itself as a whole, while still considering its individual neighborhoods. Both the city of Providence and its residents are seeking solutions. The Special Vacant Land Program and community land trusts are tools to help Providence begin to move its vacant lots into productive use. It is the use of these tools that will break the cycle and allow residents to take back their neighborhoods.

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