

MONTGOMERY COUNTY LAND BANK FEASIBILITY STUDY



PRELIMINARY ASSESSMENT JULY 2024

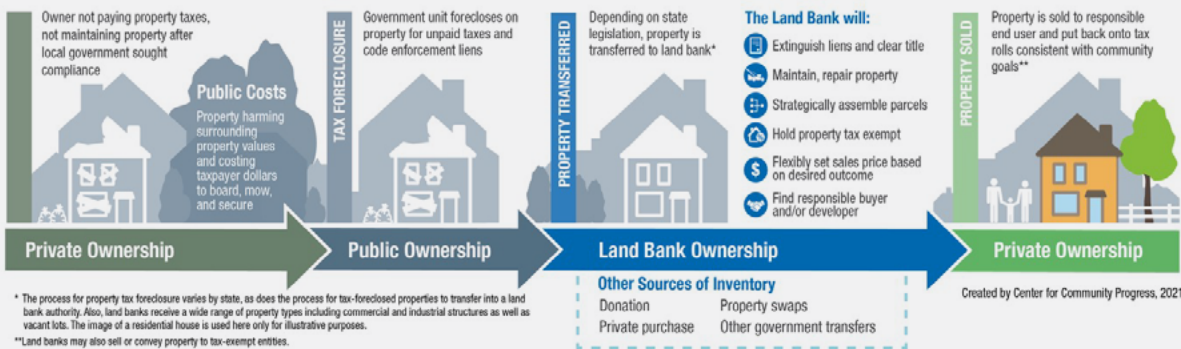
Prepared by Branton Strategies LLC



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Montgomery County faces a severe shortage of affordable housing, with a significant number of residents paying more than 30% of their income on housing. Buying or renting a home in Montgomery County is out of reach financially for many county residents and many among the workforce employed in the county.

Montgomery County's *Homes for All Plan* offers actionable recommendations on leveraging advocacy, partnerships, and funding strategies to enhance housing affordability for all residents, irrespective of income, location, or background. One of those recommended strategies is the creation of a Montgomery County land bank.



A LAND BANK IS...

a governmental entity designed to acquire vacant, abandoned, and tax delinquent properties and return them to productive use that aligns with community goals and priorities.

Montgomery County allocated American Rescue Plan Act (ARPA) funding in the amount of \$6,000,000 to establish a land bank and develop a “quick start” process for strategically and equitably acquiring property for affordable housing (ARPA Housing Opportunities Fund). In April 2023, Montgomery County issued a Request for Proposals for a land bank feasibility consultant. Branton Strategies LLC was selected as the consultant to conduct the Land Bank Feasibility Study. This Preliminary Assessment Report is Part One of the Land Bank Feasibility Study.

PRELIMINARY ASSESSMENT CONCLUSIONS

- A land bank should help to increase the supply of attainable and affordable housing units, particularly single-family homes acquired at judicial sale and transferred for rehab and resale for affordable homeownership.
- The Montgomery County Redevelopment Authority (RDA) already has the necessary power to implement a “quick start” process to acquire and hold real property for later development as affordable housing within the time constraints imposed by ARPA.
- While a land bank is not needed to acquire and hold properties, a land bank has unique powers beyond those of a redevelopment authority that are helpful in acquiring properties at low cost and transferring free and clear title to purchasers.
- Montgomery County has the legal authority to create a land bank or designate the RDA to act as its land bank.
- Creating a land bank in Montgomery County is feasible with cooperation and buy-in from the RDA and local municipalities and school districts.
- A land bank would add another avenue for property acquisition, although limited, and complement the RDA’s existing powers to acquire, hold, and sell real estate to promote housing affordability.
- Any properties acquired by the RDA as part of a “quick start” process using ARPA funds could be transferred to a county land bank for disposition.

PRELIMINARY ASSESSMENT RECOMMENDATIONS

- With the RDA board’s approval, implement a short-term, “quick start” land acquisition process using the RDA. Transfer ARPA Housing Opportunities Fund award dollars directly to the RDA to support staffing, acquisition, and holding costs. Target three (3) properties for acquisition that are appropriately zoned. Engage with the communities of those identified properties prior to acquisition.
- Pursue the creation of a land bank to augment existing avenues for acquiring property for affordable and accessible housing.
- Move ahead with the formulation of a comprehensive strategic plan for a land bank, ensuring its functionality, sustainability, and effectiveness, with a target completion date by the end of 2024.
- Provide for substantial and meaningful public involvement in the strategic planning process, especially in communities most affected by vacant and abandoned properties (Norristown, Pottstown, West Norriton) and those with the greatest need for more housing that is affordable and accessible (Lower Merion, Lower Gwynedd, Horsham, Narberth, Whitpain, Hatfield).
- Allocate ARPA Housing Opportunities Fund award dollars towards kickstarting the land bank’s operations, building essential infrastructure, and encouraging municipal cooperation in advancing affordable and accessible housing initiatives.

Accessible and affordable housing is fundamental to fostering the health, wellness, and vitality of a community. It serves as a cornerstone in guaranteeing not only the well-being of every community member but also in providing essential opportunities for educational, civic, and economic empowerment for all individuals.

In March 2021, Montgomery County released *Homes for All – A Plan for Montgomery County*. The report examines the current state of housing affordability within Montgomery County and aims to predict future housing needs and patterns based on economic, health, and social trends. Additionally, it pinpoints policy and funding obstacles hindering the development of affordable housing, while proposing strategies to promote housing equity among underserved and marginalized communities. Ultimately, the report offers actionable recommendations on leveraging advocacy, partnerships, and funding strategies to enhance housing affordability for all residents, irrespective of income, location, or background.



Montgomery County is ahead of the curve in its thinking, as the creation of affordable housing is the number one priority of land banks across the country.¹



LEARN MORE...

Explore more about *Homes for All – A Plan for Montgomery County* at homesforallmontco.org.

A joint effort by the Montgomery County Department of Health and Human Services (HHS) Office of Housing and Community Development, the Montgomery County Commerce Department, and the Montgomery County Planning Commission, the *Homes for All* planning process was supported by a cross-sector Advisory Board and involved more than two years of data-driven planning and analysis.

One of the recommended strategies offered through *Homes for All* was the creation of a Montgomery County land bank. A land bank is a governmental entity designed to acquire vacant, abandoned, and tax delinquent properties and return them to productive use that aligns with community goals and priorities. Montgomery County is ahead of the curve in its thinking, as the creation of affordable housing is the number one priority of land banks across the country.¹

¹ [“2023 State of Land Banking Survey,” Center for Community Progress, October 2023.](#)

In 2022, the County allocated American Rescue Plan Act (ARPA) funding in the amount of \$6,000,000 to accomplish the following:

1. Establish Land Bank (definition: an inventory of property owned outright free and clear **that will only ever be used for future development of affordable housing**)
 - a. Acquisition of property, mechanisms for transfer set
 - b. Land Bank entity being permanently established
2. Have a sustainable operation plan (policy/procedure around how this operates going forward)
 - a. Includes development timeline for units
3. Identify a process to equitably and strategically target properties in Montgomery County for acquisition for the stated purpose/mission, while simultaneously building the structure and partnerships needed to ensure success of the short-term goals (acquisition, expending the ARPA funding, redeveloping properties for the use of affordable housing) and long-term goals (establishing a Land Bank and an ongoing sustainable operation plan).²

In April 2023, Montgomery County issued a Request for Proposals for a land bank feasibility consultant (Land Bank Feasibility Study RFP). Branton Strategies LLC was selected as the consultant to conduct the land bank feasibility study.

Deliverables as set forth in the RFP and Contract:

1. **“Quick Start Process”** for strategically and equitably acquiring property for affordable housing
2. **Land Bank Strategic Plan** for a county-wide land bank for the primary purpose of acquiring land for affordable housing

In the initial meeting with representatives of the County Administration, the County shared that they were not simply looking for a Land Bank Strategic Plan but rather a plan for transformative change to the system for the public acquisition and land banking of land for subsequent transfer for affordable housing development.

Over the past eight months, the Branton Strategies project team requested, reviewed, and analyzed parcel and other data to better understand the scale of vacant, abandoned, and tax delinquent properties and a land bank’s potential inventory. Branton Strategies also conducted virtual and in-person interviews and sessions with a wide range of public and community stakeholders.³

This Preliminary Assessment incorporates the expanded and modified scope of work and:

- Highlights key facts (Section II) and findings (Section III)
- Outlines a “Quick Start Process” for strategically and equitably acquiring property for affordable housing with key decision points (Section IV)
- Offers a preliminary assessment of land bank feasibility (Section V)
- Provides a decision-making framework for establishing a county land bank (Section VI)
- Shares strategies for building infrastructure to support affordable housing (Section VII)
- Outlines the next steps for developing a land bank strategic plan (Section VIII)

² Montgomery County RFP 23-28, Montgomery County Department of Health and Human Services, Office of Housing & Community Development, Land Bank Feasibility Consultant.

³ A list of the individuals and organizations interviewed is attached as Appendix A.

II. KEY FACTS

- Over the last ten years, Montgomery County has built 779 units of affordable housing with \$13 million of local and federal investment leveraging \$200 million in tax credit financing.
- The County has focused largely on working with housing developers to secure low-income housing tax credits (LIHTC) to construct new rental, ownership, and senior housing units.
- Access to land is a significant barrier to the development of affordable housing.
- Zoning regulations, land use policies, and other legal restrictions can also hinder the development of affordable housing.
- Addressing the issue of land access often requires a multifaceted approach that involves collaboration between government entities, developers, residents, community organizations, and other stakeholders.
- Strategies may include land banking initiatives, zoning reforms, public-private partnerships, and incentives for developers to build affordable housing.
- Median household income in Montgomery County in 2022 was \$107,441. Per capita income was \$57,945.⁴
- However, housing affordability has reached a crisis point in Montgomery County.
- The median home sales price in Montgomery County in 2023 was \$425,000.⁵ Compared to \$295,000 in 2018, a mere five years earlier.⁶

⁴ U.S. Census Bureau, 2017-2022 American Community Survey Five-Year Estimates (Table DP03).

⁵ Montgomery County Planning Commission, 2023 Median Prices for Housing.

⁶ As reported in *Homes for All* at p. 69.

- To buy a home at the median sale price requires annual income of approximately \$127,000.
- Median gross rent in Montgomery County is \$1,514 and requires at least \$75,000 of annual income.⁷
- New data shows that one-third of Montgomery County residents are considered housing unstable or paying more than 30 percent of their income towards their housing costs.⁸ In 2022, 47 percent of renters, 23 percent of households with a mortgage, 15 percent of households without a mortgage were housing cost burdened.⁹
- Montgomery County's economic position in the region as a significant and diverse job center helps to ensure its municipalities are desirable places to live and work. The continued rise in home prices and the sustained decrease in the supply of homes for sale means many homebuyers struggle to find homes to purchase.¹⁰
- Buying or renting a home in Montgomery County is out of reach financially for many county residents and many among the workforce employed in the county.
- As of 2022, Montgomery County has a shortage of 13,785 rental units affordable to extremely low-income households (making less than 30% area median income).¹¹

⁷ U.S. Census Bureau, 2017-2022 American Community Survey Five-Year Estimates (Table DP04).

⁸ "America's Rental Housing 2024." Joint Center for Housing Studies of Harvard University.

⁹ Ibid.

¹⁰ Montgomery County Planning Commission, 2023 Median Prices for Housing.

¹¹ Pennsylvania Housing Explorer Dashboard, a collaboration of the Pennsylvania Housing Finance Agency and the Housing Initiative at Penn.

III. SUMMARY OF FINDINGS AND RECOMMENDATIONS

Montgomery County Commissioners Winder, Mahkija, and DiBello have committed to advancing the recommendations included in *Homes For All*, allocating ARPA funds to the Housing Opportunities Fund, and considering the establishment of a land bank to support property acquisition for affordable housing.

The Montgomery County Redevelopment Authority (RDA) has special powers to purchase, sell, lease, and dispose of real estate as well as broad powers to work in the fields of housing and blight mitigation.

The RDA already has the necessary power to implement a “quick start” process to acquire and hold real property for later development as affordable housing within the time constraints imposed by ARPA, whether or not an official land bank is formed.

While a land bank is not needed to acquire and hold properties, a land bank has unique powers beyond those of a redevelopment authority that are helpful in acquiring properties at low cost and transferring free and clear title to purchasers.

A land bank is a governmental entity whose mission is to return vacant, abandoned, and tax delinquent properties to productive use in alignment with community goals.

Montgomery County has the legal authority to create a land bank or designate the RDA to act as its land bank.¹²

Pottstown Borough formed the Pottstown Borough Land Bank in 2017 and has demonstrated how a land bank can help return blighted properties to productive use and create new affordable units. To date, seven properties have been acquired and then sold to developers for rehabilitation and resale to income-eligible purchasers for affordable homeownership.¹³



Under Pennsylvania law, a land bank has a special power to acquire tax delinquent properties at judicial sale at low cost and without having to bid at a public auction. A redevelopment authority does not have this power.¹⁴

The Montgomery County Tax Claim Bureau (TCB) administers the county judicial tax sales.

To acquire judicial sale properties using priority bid, a land bank needs an agreement with the TCB, and the municipality and the school district where the property is located.

While a land bank may acquire property by any means, including direct purchase and donation, the primary source of land bank acquisitions in Pennsylvania has been judicial sales.

There has been a steady reduction in the number of properties going to judicial sale in Montgomery County between 2018 and 2023, from a high of 37 in 2018 to a low of 3 in 2023.¹⁵ This trend is expected to continue.

Between 2018 and 2023, the TCB offered 140 parcels for judicial sale (“exposed” to judicial sale). These parcels were located in 22 municipalities, with the highest number of parcels in Norristown and Pottstown.

Assuming agreements reached with the relevant municipalities and school districts, a Montgomery County land bank would have had the opportunity to purchase at least some of those 140 judicial sale properties, most of which were single family homes.

¹² Pennsylvania Land Bank Law, act of October 24, 2012, P.L. 1239, No. 153, as amended and codified, 68 Pa.C.S. §§ 2101–2121.

¹³ As will be discussed below, if Montgomery County forms a land bank, Pottstown would have the option to join the county land bank or continue to operate its own established land bank.

¹⁴ 68 Pa.C.S. § 2117.

¹⁵ The Montgomery County Tax Claim Bureau provided a deep and thorough analysis of tax sales from 2018 to 2023 for use in this Land Bank Feasibility Study. References to the data and analysis are throughout this report and noted as “TCB Data and Analysis.”

County land banks typically work with municipalities and redevelopment authorities within the jurisdiction to identify properties for land bank acquisition that are distressed, vacant, abandoned, or blighted.

Under the Pennsylvania Urban Redevelopment Law, the RDA has legal authority to acquire properties determined to be “blighted” through eminent domain.¹⁶

The RDA has never exercised its power to use eminent domain to acquire blighted properties due to lack of funding and other resources.

Additional data and information on distressed, vacant, abandoned, and blighted properties from municipalities in the county is needed to better assess the number and scale of properties that could potentially be acquired by a Montgomery County land bank. Given the strength of the real estate market, the expectation is that the reported number of distressed, vacant, abandoned, and blighted properties will be small.

A land bank is not limited to acquiring properties that are distressed, vacant, abandoned or blighted, and may acquire properties of all types in any condition. Like the RDA, a county land bank could purchase properties and hold them tax exempt for later transfer to affordable housing developers.

Municipalities bear primary responsibility for addressing vacant, abandoned, and blighted properties, but do not always have adequate resources to demolish, secure and stabilize these properties.

Through a land bank, Montgomery County could incentivize municipalities to remove regulatory barriers to affordable housing development by committing to fund and redevelop blighted properties in those municipalities. The County could provide blight funding in exchange for municipal support of affordable housing development.

One means of supporting municipal blight remediation efforts is creating a county demolition fund pursuant to Act 152 of 2016 and directing those dollars to municipalities to fund demolitions.¹⁷



ACT 152 DEMOLITION FUND

Act 152 of 2016 amended the Recorder of Deeds Fee Law to allow the governing body of any county to adopt a resolution or an ordinance that authorizes the recorder of deeds to charge and collect an additional fee not to exceed \$15 for each deed and mortgage recorded. The fee must be deposited in a county demolition fund and used exclusively for the demolition of blighted property in the county. At last count, 26 counties in Pennsylvania have created an Act 152 demolition fund. Neighboring Delaware County has an Act 152 demolition fund which generated \$514,000 in revenue in 2022 and funded the demolition of thirteen structures in five different municipalities.¹⁸ In York County, the York County Land Bank Authority administers the Act 152 Demolition Program, working with the York County Redevelopment Authority, the City of York Redevelopment Authority, and municipalities within the County.¹⁹ In 2022, the York County Act 152 program funded ten demolitions of structures owned by municipalities, nonprofit organizations, and developers.

¹⁶ The act of May 24, 1945, P.L. 991, No. 385, codified and as amended 35 P.S. §§ 1701-1719.2

¹⁷ The act of November 4, 2016, P.L. 1170, No. 152, codified and as amended 42 P.S. § 21052.2

¹⁸ Delaware County Act 152-2016 Annual Report for 2022. Downloaded from <https://dced.pa.gov/library/?wpdmc2=act-152#.WK3qwUrKUI>.

¹⁹ York County Land Bank Authority 2022 Annual Report.

Other efforts could include providing technical assistance to municipalities on addressing blighted properties and giving them priority access to county funding programs.

Judicial sales are not likely to be a significant source of property acquisition for a Montgomery County land bank. The number and scale of other properties for possible acquisition is uncertain but expected to be low and small. Another possible source includes blighted properties acquired by the RDA which could be transferred to the land bank for disposition.

Creating a land bank in Montgomery County is feasible and should help to increase the supply of attainable and affordable housing units, particularly single-family homes acquired at judicial sale and transferred for rehab and resale for affordable homeownership. However, with the very small number of properties going to judicial sale and a very strong real estate market, a land bank does not provide a significant advantage for the acquisition of properties at any scale. Even so, given the tight market and the urgent need for affordable housing, a land bank provides new opportunity.

A land bank would add another avenue for property acquisition and complement the RDA's existing powers to acquire, hold, and sell real estate to promote housing affordability.

Whether or not Montgomery County elects to create a land bank, there are immediate and impactful opportunities to build the sustainable staffing, policies, procedures, and infrastructure within the County, particularly through the RDA and the HHS Office of Housing & Community Development, to more aggressively acquire and hold properties for the purpose of affordable housing development. This increased capacity of County Government can support the creation of affordable housing and leverage existing resources to assemble high-performing community infrastructure such as building the capacity of nonprofits, supporting the creation of a community land trust, and expanding access to capital for Black and Brown affordable housing developers.

Ultimately, improving access to land for affordable and accessible housing development is essential for creating more equitable and inclusive communities where people of all income levels can find suitable housing options.

RECOMMENDATIONS

Quick Start Process: With the RDA board's approval, implement a short-term, "quick start" land acquisition process using the RDA. Transfer ARPA Housing Opportunities Fund award dollars directly to the RDA to support staffing, acquisition, and holding costs. Target approximately three properties for acquisition.

Land Bank Preliminary Assessment: Pursue the creation of a land bank to augment existing avenues for acquiring property for affordable and accessible housing. Allocate ARPA Housing Opportunities Fund award dollars towards kickstarting the land bank's operations, building essential infrastructure, and encouraging municipal cooperation in advancing affordable and accessible housing initiatives. Move ahead with the formulation of a comprehensive strategic plan for the land bank, ensuring its functionality, sustainability, and effectiveness, with a target completion date by the end of 2024.



IV. “QUICK START” PROCESS

One of the components of this project is outlining a “quick start” process for land acquisition. The purpose of the “quick start” process is to acquire land and properties swiftly and strategically using the time sensitive ARPA funds while also pursuing a longer-term strategy for transformative systemic change.

Available land is limited and expensive in Montgomery County. Local regulations and zoning further limit the supply of land for affordable housing development. With the ARPA funds and the potential creation of a land bank, there lies an opportunity to divert tax foreclosed parcels, evaluate and transfer surplus publicly owned land, and purchase land for affordable housing.

One of the initial questions posed by the County during our interviews was whether the County needed a land bank to acquire properties. **A “quick start” process for land acquisition does not require a land bank.** The RDA already has the power to acquire and hold real property tax exempt for later development. **Available ARPA funds could be directed to the RDA to acquire real property for future development as affordable housing. Approval from the RDA Board of Directors would be needed to accept funds for property acquisition from the County as well as for individual property acquisitions.**



Establishing a land bank and getting it operational in time to meet the ARPA deadlines may be difficult. Using the RDA for a “quick start” process will allow acquisitions to begin sooner but will likely require additional staff and other capacity. If a land bank is eventually established, properties acquired by the RDA could be transferred to the land bank for disposition.

While a land bank is not required for Montgomery County to acquire and hold properties, a land bank has unique powers beyond those of a redevelopment authority that are helpful in acquiring properties at low cost and transferring free and clear title to purchasers:

1. Acquisition of judicial tax sale properties at a low cost using a “priority bid”
2. Power to untangle and clear title through an expedited quiet title proceeding
3. Ability to discharge liens and claims on property with the agreement of the taxing bodies.

A redevelopment authority does not have these powers. Section V below includes a discussion of how and where these unique land bank powers could be used in Montgomery County.

Using the RDA for a “quick start” process **will allow acquisitions to begin sooner** but will likely require additional staff and other capacity.

RECOMMENDATION

With the RDA board’s approval, implement a short-term, “quick start” acquisition process using the RDA. Transfer ARPA Housing Opportunities Fund award dollars directly to the RDA to support staffing, acquisition, and holding costs. If a land bank is eventually formed, transfer the acquired properties to the land bank for disposition.

Based on this recommendation, here are the key decision points for implementation.

Quick Start Decision Point #1:

How will properties be selected?

Various Montgomery County entities must work together to identify properties, including the RDA, the HHS Office of Housing and Community Development (OHCD), the Planning Commission, and the Commerce Department. Additionally, these Departments should consult and collaborate with municipalities, members of the OHCD Affordable Housing Developers Workgroup, municipal code enforcement and zoning officers, school districts, and others to identify properties for acquisition.

Sources of property to be explored:

- “For sale” properties on the market
- Surplus publicly owned property
- Brownfields property
- Mortgage and tax foreclosed property
- Blighted property

Developing affordable housing is a challenge. Perceptions and fears of increased crime, lower property values and quality of life, and traffic congestion often motivate opposition to affordable housing development.²⁰ Changing public attitudes about affordable housing requires a strategic communications plan like the one outlined in the *Homes for All* report. Given municipalities’ zoning and land development powers over housing development, outreach to municipalities, school districts, and local residents should be a central component of implementing a “quick start” process.



²⁰ Miriam Axel-Lute, What Is NIMBYism and How Do Affordable Housing Developers Respond to It? (ShelterForce, November 17, 2021).

Quick Start Decision Point #2:

Will specific properties be acquired for identified purchasers or will the RDA simply acquire and hold for later disposition?

Acquiring properties for identified purchasers bears less risk for the RDA and the County than simply purchasing and holding. But it may require the development and implementation of new processes by the RDA to support such directed acquisitions. Capacity at the RDA and the fast-approaching deadline for ARPA spending may prohibit directed acquisitions.

To gather suggestions for properties to acquire and hold beyond those offered by the stakeholders identified above, the RDA could post a simple form like the one used by the Pottstown Borough Land Bank to identify properties for possible acquisition.

— COMMUNITY SPOTLIGHT:

The Pottstown Borough Land Bank invites [requests for investigation of properties for acquisition by the Land Bank](#). It is a simple one-page form that includes a question about whether the person submitting the form would be interested in buying the property if it is acquired by the Land Bank.

By equipping the RDA to have the funds and capacity to acquire properties for the purpose of affordable housing development, the County will be well-positioned to quickly increase the pipeline of affordable housing opportunities.



Quick Start Decision Point #3:

How much of the ARPA funding will be made available for property acquisition? How can the ARPA funding be leveraged to ensure not just transactions but transformational changes?

Approximately three properties will be targeted for acquisition. Median sale prices for 2023²¹ and current listings of lots for sale provide some relevant information for making this decision:

- Median sale price for existing multi-family housing units: \$249,000
- Median sale price for existing single family attached homes: \$325,000
- Median sale price for existing single family detached homes: \$475,000
- Vacant land for sale: 94 lots listed for sale; prices ranging from \$11,000 (694 sq. ft., Pottstown) to \$5.4 million (36 acres, Gilbertsville).²²

²¹ Median sale prices as reported by the Montgomery County Planning Commission. [2023 Median Prices for Housing](#).

²² Results of Zillow search, <https://www.zillow.com/>. Accessed March 18, 2024.

In addition to deciding how much money will be allocated to property acquisition, costs of holding and maintaining the properties for at least two years should be included.

If the decision is made to use the RDA for the “quick start” acquisition of properties, funding will need to be allocated to the RDA for property acquisitions as well as program administration, including staffing. Of course, the County should consult with the RDA executive director and board of directors to gain their support for this approach.

The County’s expressed goal was to use this ARPA funding to support transformational and systemic change. Building out the capacity of the RDA to use its existing powers to buy land for affordable housing advances the objectives of *Homes for All* and lays the foundation for systems change within County Government and externally in collaboration with municipalities, school districts, residents, housing developers, and nonprofit organizations. Some of the ARPA dollars should be reserved for incentivizing municipalities and building the necessary infrastructure to support affordable housing as discussed in Sections V and VI below.

Quick Start Decision Point #4:

How will the properties be sold? Through the RDA or a land bank if created?

With properties acquired and being held by the RDA, the next step is soliciting proposals for the acquisition and development of the properties for affordable housing. The RDA has the necessary authority to serve that function. However, as discussed above, a land bank has unique powers to discharge liens and clear title expeditiously that would be beneficial when selling properties. Also, land banks nationally are being used to advance housing equity for underserved and marginalized populations, one of the objectives of *Homes For All*.

While the RDA has the requisite legal authority to acquire, hold, and sell properties for affordable housing development, through this project, the County is exploring another option – a land bank.

Quick Start Decision Point #5:

Who needs to be engaged throughout this “quick start” process?

Decisionmakers within the County and municipalities, nonprofits, developers, and most importantly residents who are most in need of affordable housing should be engaged, recruited, and convened. The RDA and the HHS OHCD should host public meetings, convenings of targeted stakeholders, and one-on-one meetings as appropriate to review the “quick start” process, answer questions, and gather feedback. These events and activities will also provide an opportunity to discuss next steps for considering a land bank.

The “quick start” process is intended as a short-term solution with the RDA as the lead agency charged with spending down time-constrained ARPA funds to acquire and hold property for affordable housing development. For a longer-term approach, the County is considering a land bank. The next section of this report is a preliminary assessment of land bank feasibility.

Montgomery County is exploring the creation of a land bank to facilitate the acquisition of real estate for affordable housing and support making housing accessible and affordable to all Montgomery County residents.



There are many informative examples of how land banks are used to support affordable housing throughout Pennsylvania and the country. Land banks are critical tools that help revitalize communities challenged by vacant, abandoned, and deteriorated properties. There are over 300 land banks and land banking programs across the country.²³

A land bank is a governmental entity whose mission is to return vacant, abandoned, and tax delinquent properties to productive use in alignment with community goals. Based on parcel and market data reviewed, the number and scale of vacant, abandoned, and tax delinquent properties in Montgomery County is exceptionally low across most of the county.



There are **over 300 land banks and land banking programs** across the country.²³



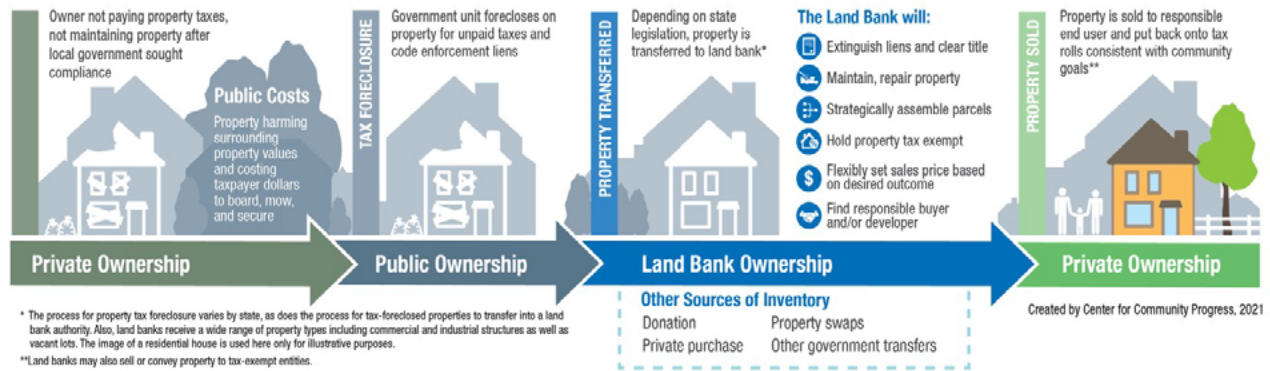
Vacant, abandoned, and tax delinquent properties impose significant costs on local governments and reduce property values, tax revenues, and quality of life. Many of these properties cannot be sold on the traditional real estate market because the property has debt greater than its value. Land banks can move these “underwater” and distressed properties to market by acquiring them, clearing title, demolishing unsafe structures, publicly inventorying the properties, and marketing them for sale. Land banks have unique powers to acquire properties at low or no cost at judicial tax sales without having to bid at a public auction.

A land bank is a modern system for land recycling. It acquires vacant, abandoned, and tax-delinquent properties, discharges liens and clears title, making the properties ready for transfer to new owners who will get them back into productive uses that align with community goals and generate taxes (most of the time).

²³ [Center for Community Progress, National Land Bank Map.](#)

In 2012, Pennsylvania enacted land bank enabling legislation, authorizing counties and certain eligible municipalities to establish a land bank.²⁴ Amendments to the law in 2018 authorize certain counties and municipalities with redevelopment authorities to establish a land bank by designating their redevelopment authorities to act as their land banks.²⁵ A land bank is created by the adoption of an ordinance.

There are 39 land banks in Pennsylvania, including the Pottstown Borough Land Bank. A map of Pennsylvania Land Banks is included in Appendix B.



²⁴ The act of October 24, 2012, P.L. 1239, No. 153, codified and as amended, 68 Pa.C.S. §§ 2101–2121.

²⁵ Ibid. § 2104(h).

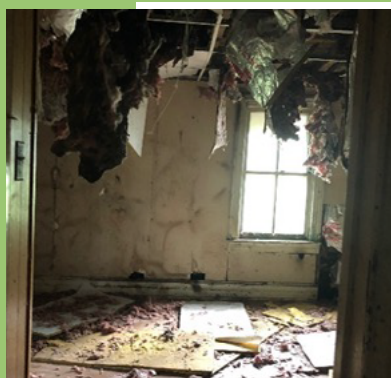
— COMMUNITY SPOTLIGHT:

The Pottstown Borough Land Bank

Pottstown Borough Council adopted a land bank ordinance in November 2017. The Land Bank board of directors had its first meeting in June 2018. In 2021, the Land Bank received a \$200,000 grant award from the Pennsylvania Housing Affordability and Rehabilitation Enhancement Fund (PHARE Grant), also known as the state housing trust fund, for the acquisition and disposition of four properties through the Land Bank and for home repair grants up to \$10,000 for six households through Genesis Housing Corporation. Working

with Pottstown Borough and the Montgomery County Tax Claim Bureau, the Land Bank has acquired seven properties, almost twice the number required under the PHARE grant. Six properties were purchased from the TCB using priority bid and one was purchased from the Borough. All seven properties have been sold to developers for rehabilitation and resale to income-eligible purchasers. Plus, the Land Bank has not yet depleted the original award and expects to purchase additional properties with the remaining PHARE funds.

Image credits: Genesis Housing Corporation



707 Hamilton Street

The Land Bank acquired this tax foreclosed twin home from the Borough in February 2023. The property was simultaneously transferred to Genesis Housing Corporation for complete rehab and resale to a low- to moderate-income household. The rehabilitation is underway. Genesis expects the project to be completed by July with a new homeowner moving in by the Fall.

Figure 1: Work in progress at 707 Hamilton Street, Pottstown

Montgomery County has the legal authority to create a land bank or designate the RDA to act as its land bank.²⁶

While the legal authority for a land bank exists, other questions remain. Will it help in developing affordable housing? Is it feasible? Will municipalities and school districts be willing partners?

The discussion that follows focuses on key considerations for assessing whether a land bank would be a useful tool to support the acquisition of more properties for affordable housing:

- A. Understanding the Key Powers of a Land Bank**
- B. Evaluating the Inventory of Potential Properties for Land Bank Acquisition**
- C. Engaging Essential Partners**
- D. Assessing the Added Value of a Land Bank**

If the County decides to go forward with the creation of a land bank, certain decisions will have to be made. These initial four decision points, which will set the direction for a land bank strategic plan, are outlined below.

- 1. How will the land bank be structured? By designating the RDA or creating a new land bank authority?**
- 2. Appointing a board of directors – how many and who?**
- 3. How to staff a land bank**
- 4. How to fund a land bank**

A. Understanding Key Land Bank Powers and Duties

A land bank is a locally created and controlled governmental entity whose purpose is to acquire, manage, and dispose of vacant, abandoned, and tax delinquent properties in order to return them to productive use. In Pennsylvania, counties and municipalities with population greater than 10,000 may establish a land bank. Some counties and municipalities have the option to designate their redevelopment authorities to act as their land banks. Montgomery County has the option to create a new land bank or designate the RDA to act as its land bank.

A land bank's objective is to create a unified, predictable, and transparent process for individuals, organizations, and others to acquire properties that contribute to neighborhood disinvestment and turn them into community assets.

Land banks deal with properties that are neglected, blighted, and tend to have little or no market value. Such properties often have complicated ownership

histories and clouded titles that make them unmarketable. Other properties are burdened with liens that exceed the property's market value. These obstacles overwhelm potential buyers and thwart property transfers. Land banks have special powers to acquire a property, clear title, and extinguish liens, thereby making the property marketable and ready for transfer to a new owner.

Tax delinquency and blight correlate strongly. The Pennsylvania Land Bank Law empowers land banks to acquire properties at tax sales held to collect delinquent taxes.²⁷ Typically, a tax delinquent property is sold to the highest bidder at public auction. At judicial tax sales, properties are sold free and clear of all liens and claims. Properties can often be acquired for as little as \$2,000 which attracts speculators. Many inexperienced buyers purchase properties at judicial sales, with little knowledge of the properties' condition or what will be needed to rehabilitate them.

²⁶ 68 Pa.C.S. § 2104.

²⁷ Ibid. § 2117.



KEY LAND BANK POWERS AND DUTIES

- Acquire property primarily through judicial sales using priority bid*
- Maintain and hold property in accordance with local standards
- Extinguish tax liens on property it owns*
- Quiet title to property expeditiously*
- Hold property tax exempt
- Maintain and make publicly accessible an inventory of properties the land bank owns**
- Flexibly sell property to a buyer or developer, driven not by the highest price but by other factors such as the merits of the proposal and outcomes aligned with community goals
- Sell property for other than monetary consideration
- Recapture up to 50 percent of the real estate taxes collected on land bank properties returned to the tax rolls for up to 5 years (5/50 tax recapture)*
- Operate transparently with opportunity for public participation and encourage community and resident engagement

* Denotes a key power that a land bank has, that a redevelopment authority does not.

** Denotes a key duty that a land bank owes, that a redevelopment authority does not.

Under certain circumstances, land banks have a priority right, called a priority bid, to acquire tax delinquent parcels listed for judicial tax sale without having to compete with other bidders at a public auction.²⁸ This unique power is intended to help communities avoid the speculation and uncertainty inherent in auction sales of tax delinquent properties.

A land bank may acquire property and hold it for later development. With this power, a land bank can hold potential development sites in areas experiencing rising property values and gentrification, thereby preserving land in desirable neighborhoods for affordable housing and other public purposes. With limited exceptions, the real property of a land bank and its income and operations are exempt from state and local tax.²⁹ While properties are held by a land bank, they remain exempt from real estate taxes, which makes land banks attractive partners for public, private, and nonprofit developers assembling sites for future development.

While holding properties and preparing for disposition, land banks work to discharge liens and claims on the property. If a land bank has concerns about other claims of ownership interests in property it acquires—or simply as a matter of course—the land bank may file an action to quiet title to the property.³⁰ A quiet title action is a lawsuit filed to establish a good and marketable, or insurable, title to land by compelling anyone with an interest in the land to assert a claim or be forever barred from asserting it. The Pennsylvania Land Bank Law provides an expedited schedule for quiet title actions filed by land banks (hearing within 90 days; final judgment within 120 days).³¹

²⁸ Nationally, there has been some discussion of the impact of the recent United States Supreme Court decision in [Tyler v. Hennepin County](#) on a land banks' power to acquire tax foreclosed properties without a public auction. In *Tyler*, the Court held that a Minnesota law permitting a county to sell property for delinquent real estate taxes and keep the excess value above the amount of the tax debt, constitutes a "classic taking" and violates the Fifth Amendment's Takings Clause. It remains unclear whether that case will have any implications for a land bank's priority bid under Pennsylvania law but continued monitoring of legal developments around this issue is recommended.

²⁹ 68 Pa.C.S. § 2109.

³⁰ *Ibid.* §2118(a).

³¹ *Ibid.* § 2118(c).

Counties and municipalities in Pennsylvania are subject to strict rules for selling public properties, which includes selling to the highest bidder for fair market value after an appraisal and public advertisement of the opportunity to purchase.³² These rules that restrict how local governments may dispose of real property do not apply to land banks.³³ Under the Land Bank Law, land banks have greater flexibility disposing of properties than counties and municipalities do. They are not required to sell to the highest bidder and can sell for less than market value or for non-monetary consideration.³⁴ Land banks may consider the long-term interests of the community and owners of surrounding properties, the development experience of the purchaser, and other factors that may not be considered for most local government decision-making on property dispositions.

A land bank works best when it is part of a comprehensive blight strategy. It is not a “silver bullet” but rather one element of a comprehensive strategy that should include strategic code enforcement³⁵, delinquent property tax enforcement, and redevelopment.

A land bank cannot operate unilaterally. Collaboration and cooperation with the local taxing authorities is required. To discharge liens, a land bank needs the approval of local and county taxing authorities and the school district. To acquire properties at judicial tax sales, a land bank needs the approval of the county tax claim bureau. In Pennsylvania, land banks often enter into intergovernmental cooperation agreements (ICA) with the taxing authorities to set forth the terms for collaborating to return properties to productive use. An ICA template is included as Appendix C.

KEY TAKEAWAYS: Understanding Key Land Bank Powers and Duties

- A land bank has unique powers beyond those of a redevelopment authority that would be useful in developing affordable housing:
 - (1) Acquisition of judicial tax sale properties at a low cost using a “priority bid”
 - (2) Power to untangle and clear title through an expedited quiet title proceeding
 - (3) Ability to discharge liens and claims on property with the agreement of the taxing bodies.
- Montgomery County has the option to create a new land bank or designate the RDA to act as its land bank.



³² See, e.g., 16 Pa. Stat. § 2306 (County Code); 8 Pa.C.S.A. § 1201.1 (Borough Code).

³³ 68 Pa.C.S. § 2110(d)(2).

³⁴ Ibid. § 2110(b).

³⁵ By enacting key codes, setting a legal framework, and holding properties to clear standards, municipalities can better maintain conditions of properties and prevent blight. Counties can support municipalities in developing strategic code compliance programs and blight mitigation plans. For more on strategic code compliance, see “[Progress Points: Strategic Code Compliance](#),” Center for Community Progress, April 2024.

B. Evaluating the Inventory of Potential Properties for Land Bank Acquisition

Pennsylvania land banks may acquire properties in several ways: as gifts or donations, through direct purchase and foreclosure, and by transfer from municipalities, redevelopment authorities, and tax claim bureaus.³⁶

Understanding and evaluating the inventory of potential land bank properties is a crucial step in assessing whether a land bank will be a useful tool. A land bank may acquire any type of property in any condition, not just blighted property. Vacant, abandoned, and tax delinquent properties are usually the focus.

Based on data reviewed to date, Montgomery County does not have a large inventory of vacant, abandoned and tax delinquent properties. However, Norristown and Pottstown have notable concentrations of these properties. In other municipalities across the county, such properties are scattered rather than concentrated.

To fully understand the scope of blight and the potential inventory for a land bank, the County will need to engage with municipal officials and code enforcement departments to gather local information on blighted properties and feedback on how a land bank might benefit them. If a land bank is pursued, the availability of other sources such as publicly owned properties, donations, and private sales should be evaluated.

Available data on real estate tax delinquency, blighted properties, and housing vacancy, was reviewed as part of this project to gather insights on the scope of a potential inventory of land bank properties. The following section provides an in-depth overview of the primary and targeted sources of potential properties for a land bank: Real Estate Tax Delinquency, Blighted Properties, and Housing Vacancy. Where possible, data is provided to show the scale of these types of properties in Montgomery County and how a land

bank's special powers could be used to better access these properties and transform them into productive use.

Real Estate Tax Delinquency

When property owners fail to pay their real estate taxes, their properties can be sold at tax sales to recover the taxes owed. Under the state Real Estate Tax Sale Law (RETSL)³⁷ which governs tax foreclosure in Montgomery County, the County Tax Claim Bureau (TCB) is able to sell parcels to recover delinquent taxes in one of four ways:

1. Upset Sale - Scheduled each September and includes those parcels whose taxes, from two years earlier, remain unpaid or other specified conditions exist. Owners of the property are notified, and the list of properties is published in the newspaper along with a minimum bid (equal to taxes, penalties and interest owed plus TCB costs). Properties are publicly auctioned to the highest bidder. The purchaser assumes liability for all liens on the property.
2. Private Sale – Properties exposed but not sold at the Upset Sale may be sold at Private Sale. Interested buyers may submit bids to the TCB for review and advertising. If the bid is accepted and no objections are filed, the purchaser gets the property and assumes liability for all liens on the property.
3. Judicial Sale – Held at least once each year and includes only those properties that have been exposed but not sold at an Upset Sale. A minimum bid price is set which is equal to the costs of the sale. After advertisement and notice to owners and lienholders, the parcels are auctioned off to the highest bidder. Judicial sale properties are sold free and clear of all liens with some limited exceptions.

³⁶ 68 Pa.C.S. § 2109.

³⁷ The act of July 7, 1947, P.L. 1368, No. 542, codified and as amended 72 P.S. §§ 5860.101- 5860.803.

- Repository Sales - Properties that are exposed but not sold at a Judicial Sale are placed in a repository for unsold properties (Repository List). Any bid on a repository property must be approved by all taxing districts where the property is located (i.e., township, borough, county, and school district).³⁸

Properties are sold to the highest bidder at tax sales. At judicial sales, properties are sold free and clear of all liens and claims (with a few exceptions). With minimum bids generally starting around \$2,000, judicial sales are attractive to real estate investors and speculators who may choose to do nothing to improve the properties.

Because tax delinquency and blight correlate strongly, the Pennsylvania legislature empowered land banks to acquire properties at judicial sales without competition from other bidders. Specifically, the Land Bank Law authorizes the land bank and the tax claim plaintiff (usually the tax claim bureau or another tax foreclosing body) to enter into an agreement so that the land bank can purchase a property at judicial sale for a negotiated sales price, usually the minimum bid or costs of the sale. The land bank does not have to compete against any other bidders. The property is conveyed to the land bank in accordance with the negotiated agreement. By way of example, Figure 2 below shows the negotiated purchase price for judicial sale properties acquired by the Pottstown Borough Land Bank.

Figure 2: Purchase Price, Judicial Sale Acquisitions by Pottstown Borough Land Bank

Address	Purchase Price
208 Gable Street	\$4,299
439 Chestnut Street	\$2,520
421 Hale Street	\$2,223
948 Queen Street	\$3,015
122 Beech Street	\$2,290
403 Walnut Street	\$3,611

Commonly referred to as a “priority bid,” this unique power is intended to help communities avoid the speculation and uncertainty inherent in auction sales of tax delinquent properties (at least for the properties that the land bank acquires). Priority bid may only be used at judicial sales, the second auction of a tax delinquent property. Redevelopment authorities do not have “priority bid” power unless they are expressly designated to act as a land bank.

In recent years, very few properties have been going to judicial sale in Montgomery County. The real estate market is strong, with low inventory and high prices.

To better understand opportunities for a county land bank to acquire judicial sale properties, the project team reviewed judicial sale data and analysis provided by the Montgomery County Tax Claim Bureau (TCB) regarding tax sales between 2018 and 2023.³⁹

Between 2018 and 2023, the TCB advertised 363 properties for judicial sale. Figure 3 shows the total number of properties and aggregates them into six outcomes.

Figure 3. Judicial Sales, 2018-2023

Row Labels	Count of Parcel
Bankruptcy	3
Continued	135
Exposed Not Sold	43
Exposed Sold	97
Paid in Full	78
Sale Exception	7
Grand Total	363

As shown in Figure 4, 140 of those 363 parcels made it to the sale, i.e., were “exposed.” The other parcels were removed from the judicial sale due to payment of taxes due, exceptions, and bankruptcy.

³⁸ See the [Montgomery County Tax Claim Bureau's website](#) for additional details regarding conditions for these tax sales and other requirements.

³⁹ Data for the Continued Judicial Sale in December 2023 is not included in the data provided by the TCB and discussed in this report.

If a county land bank had been created in 2017, it would have had the opportunity to priority bid for at least some of the 140 parcels exposed to judicial sale between 2018 and 2023.⁴⁰

Figure 4 below shows a steady reduction in the number of properties going to judicial sale between 2018 and 2023, from a high of 49 in 2019 to a low of 2 in 2023. Figure 5 shows the number of parcels exposed and sold by municipality.⁴¹

Figure 4. Judicial Sales, Properties Exposed 2018-2023

Row Labels	Count of Parcel
2018	
Exposed Not Sold	12
Exposed Sold	25
2019	
Exposed Not Sold	18
Exposed Sold	31
2020	
Exposed Not Sold	2
Exposed Sold	9
2021	
Exposed Not Sold	8
Exposed Sold	23
2022	
Exposed Not Sold	2
Exposed Sold	8
2023	
Exposed Not Sold	1
Exposed Sold	1
Grand Total	140

Figure 5. Judicial Sales, By Municipality

Row Labels	Count of Parcel
Abington	3
Cheltenham	2
Collegeville	1
Douglass	1
East Norriton	1
Hatfield Township	4
Horsham	1
Lansdale	1
Limerick	2
Lower Pottsgrove	4
Lower Providence	2
Marlborough	1
Norristown	30
Pottstown	27
Springfield	1
Upper Hanover	1
Upper Merion	1
Upper Moreland	1
Upper Providence	2
Upper Salford	1
West Norriton	8
West Pottsgrove	2
Grand Total	97

A map of the 140 judicial sale properties is attached as Appendix D. More than half of the properties are located in Norristown and Pottstown.

⁴⁰ To purchase these parcels, the land bank would have had to negotiate with the TCB as well as receive the approval of the municipalities and school districts where the properties were located, ideally through an ICA.

⁴¹ A total of 43 parcels were exposed but not sold over the five-year period, with more than half of those located in West Norriton (11), Norristown (9) and Pottstown (5).

A county land bank could also acquire properties at upset sale and through private sale, but the land bank would assume all liens on the property other than delinquent taxes. For example, if an upset sale property purchased by the land bank had a \$100,000 delinquent mortgage, the land bank would assume liability and be responsible for paying the mortgage. Some land banks have acquired upset and private sale properties where liens were immaterial or the property was needed for a particular project. The Repository List would not be a source of property for affordable housing development.⁴²

Another potential source of property for a county land bank is tax delinquent Sheriff's Sale properties. Some municipalities and school districts in the County do not use the TCB to collect their delinquent taxes but rather they hire a third-party collector. For example, Cheltenham Township and the Cheltenham School District use Portnoff Law Associates to collect their delinquent real estate taxes. The third-party collector obtains court orders to sell the properties free and clear of all liens and claims pursuant to the Municipal Claim and Tax Lien Law (MCTLL).⁴³ These auction sales are held by the County Sheriff as part of their normal monthly Sheriff's Sale. Four of the County's 62 municipalities and 10 of the 22 school districts use a third-party collector and have not appointed the TCB to collect their delinquent taxes for 2024.⁴⁴ Data from the Sheriff's Office regarding the number of tax delinquent properties sold free and clear would provide some insight into opportunities for potential acquisitions by a county land bank.

The Pottstown Borough Land Bank would continue to have the exclusive right to priority bid for judicial sale properties located in Pottstown unless they agreed otherwise or chose to join the county-wide land bank.

BLIGHTED PROPERTY

Municipalities often maintain lists of properties that they consider to be blighted, vacant, or abandoned. Some of these properties have long been vacant and abandoned. Some are owned by chronic violators of local codes who ignore municipal officials and their enforcement efforts. Some are occupied and others are vacant. All of these properties pose challenges for municipal leaders and code enforcement officers and could provide opportunities for a county land bank. Information about blighted, vacant, and abandoned properties should be requested from municipal officials in conjunction with a briefing on this Feasibility Study.

Generally speaking, a blighted property is a physical space or structure no longer in acceptable or beneficial condition to the community. Under the Pennsylvania Urban Redevelopment Law (URL), a blighted property is specifically defined as a property which meets at least one of the following criteria:

1. Public nuisance
2. Attractive nuisance to children
3. Accumulation of trash and debris or vermin-infested
4. Unfit for human habitation
5. Fire hazard
6. Lack of water, gas, or other utilities
7. Any unoccupied property which has been tax delinquent for a period of two years
8. Vacant and not code-compliant within one year of receiving notice of violations
9. Vacant or unimproved lot, liened for cost of demolition, and no payments on the lien for twelve months
10. Vacant and with delinquent real estate taxes and municipal claims exceeding 150% of the fair market value.⁴⁵

⁴² Properties on the Repository List are typically vacant lots which cannot be developed due to size or other conditions. As of March 15, 2024, there were 27 properties on the Repository List and 13 of them are owned by Montgomery County. Some Pennsylvania land banks acquire repository properties and offer them to neighboring property owners at low cost for use as side yards.

⁴³ The act of May 16, 2023, P.L. 207, No. 153, codified at 53 P.S. §§ 7101-7455.

⁴⁴ <https://www.montgomerycountypa.gov/DocumentCenter/View/16449/Entities-that-TCB-is-Third-Party-Collector>.

⁴⁵ 35 P.S. § 1712.1(c).

Blighted properties are the focus of most Pennsylvania land banks. Redevelopment authorities have the power to mitigate blighted properties too. **The Pennsylvania Urban Redevelopment Law grants redevelopment authorities the power to acquire any “blighted property” using eminent domain.**⁴⁶

The power of eminent domain (also known as condemnation) is the involuntary taking of private property for a public purpose provided that the owner is paid fair market value. Land banks do not have eminent domain power.⁴⁷

The use of eminent domain by a redevelopment authority is conditioned on “the creation or existence of a blighted property review committee by ordinance of the governing body of the municipality.”⁴⁸ Municipalities and counties have the power to establish a Blighted Property Review Committee (BPRC). A BPRC is designed to work in concert with the municipal code enforcement department to determine whether a property is “blighted.” Where an owner ignores or refuses to correct code violations, the municipality may refer the property to the BPRC. Working with the code enforcement department, the BPRC prepares a notice of determination that the property is a blighted property under the URL and serves it on the owner along with an order directing the owner to correct the violations and eliminate the blighting conditions. The owner has a

right to appeal the determination, in which case the BPRC will schedule a hearing. If the owner still fails to correct the violations and the property is declared blighted, a certification order is sent to the owner. If the redevelopment authority proceeds with taking the property using eminent domain, the redevelopment authority must pay the owner “just compensation” – the fair market value of the property taken. Once acquired, the property can be resold by the redevelopment authority. This blight tool is most effective when the threat of eminent domain is real and the redevelopment authority has the funding and capacity to proceed.

At least three municipalities in Montgomery County have blighted property review committees – Pottstown (Blighted Property Review Committee), Abington (Vacant Property Review Committee) and Norristown (Blighted Property Review Committee). Pottstown maintains a list of properties determined to be “blighted” on its website, but the list is not current and indicates that some of the properties have been transferred to new owners.⁴⁹ Abington’s Vacant Property Review Board maintains an interactive map of vacant commercial properties in the township.⁵⁰ Norristown’s website shows no recent activity by the Blighted Property Review Committee.⁵¹ A representative of the RDA sits on each BPRC.

— COMMUNITY SPOTLIGHT: CITY OF ERIE

The City of Erie has a [Blighted Property Review Committee](#) which works with the [Redevelopment Authority of the City of Erie](#) to mitigate blighted properties using eminent domain. In evaluating blighted properties, the BPRC, the Redevelopment Authority, and the [City of Erie Land Bank](#) collaborate to determine the most effective strategy for acquisition. Eminent domain through the RDA or priority bid at judicial sale through the Land Bank.



⁴⁶ The act of May 24, 1945, P.L. 991, No. 385, codified and as amended 35 P.S. §§1701-1719.2.

⁴⁷ 68 P.C.S. § 2108.

⁴⁸ 35 P.S. §1712.1(b).

⁴⁹ [Pottstown BPRC List of Blighted Properties, March 2023.](#)

Accessed on March 1, 2024.

⁵⁰ [Abington VPRB Web Map.](#) Accessed on April 24, 2024.

⁵¹ See <https://norristown.org/129/Agendas-Minutes>. Accessed on June 17, 2024.

For some property owners, the threat of eminent domain motivates compliance. However, there is no real threat of eminent domain in Montgomery County because neither the RDA nor the local municipalities have dedicated or allocated funding to pursue eminent domain of blighted properties.

The cost of acquiring a property by eminent domain will usually be greater than the cost of acquiring a judicial sale property using priority bid.

HOUSING VACANCY

As with tax delinquency, vacancy and blight correlate strongly. While land banks may acquire occupied properties, most land banks in Pennsylvania acquire only vacant properties.

Housing vacancy has long been used as a basic indicator of the housing market. According to the Census Bureau and shown in Figure 6 below, the housing vacancy rate in the County is estimated at 4.9 percent, about one-half the rate for Pennsylvania and the United States. Low vacancy rates are an indication that supply is not keeping up with demand. Higher vacancy rates are an indication of weaker markets and excess, lower quality housing.

Figure 6: Housing Vacancy

Housing Vacancy	Montgomery County	Pennsylvania	United States
Total housing units	346,692	5,753,908	140,943,613
Occupied units	95.1%	90.3%	89.2%
Vacant units	4.9%	9.7%	10.8%

Source: U.S. Census Bureau. 2018-2022 American Community Survey 5-Year Estimates (Table B25004)

The United States Postal Service (USPS) collects parcel-based data regarding vacancy which is helpful when trying to determine the vacancy status of individual properties rather than housing units. The estimates included in Figure 7 below were obtained using the Regrid Property App, a parcel-based mapping tool that integrates USPS vacancy data.⁵² The Regrid Property App provides parcel addresses where vacancy is indicated and maps those properties.

Figure 7. USPS Vacant Status, March 2024

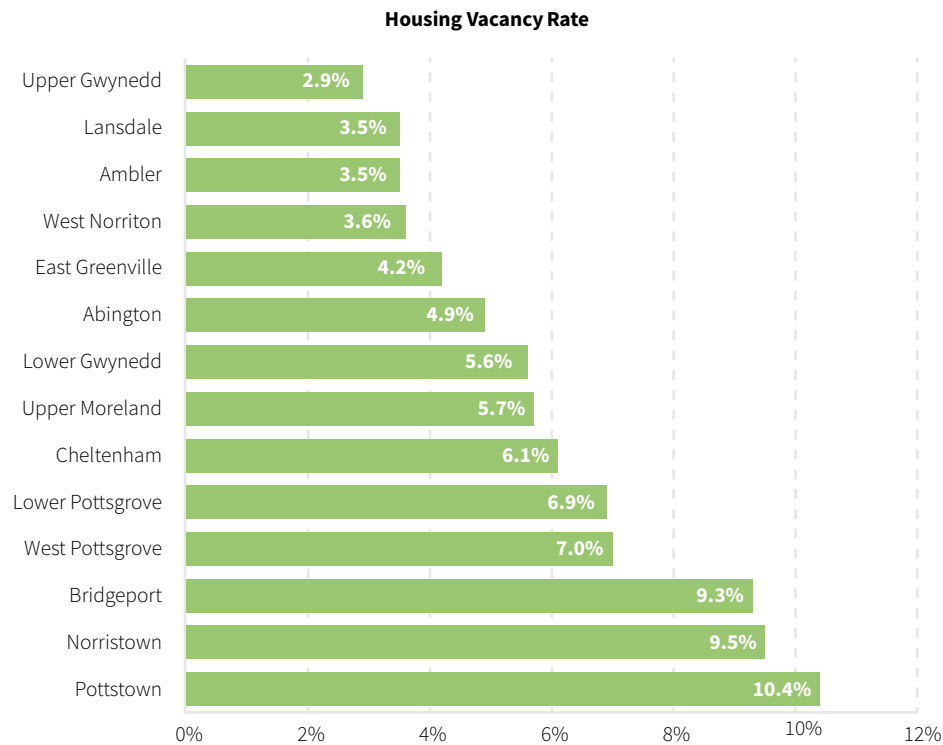
USPS Vacant Status	Montgomery County (Estimate)
Occupied Residential Parcels	261,725
Vacant Residential Parcels	1,485
Occupied Non-Residential	10,272
Vacant Non-Residential	376
Unknown Status Residential	4
Unknown Status	33,382



⁵² <https://regrid.com/>. Accessed on March 11, 2024. The data is updated approximately every month. This data is admittedly not perfect. [Limitations on use.](#)

Census Bureau vacancy rates for select municipalities are shown in Figure 8 – ranging from 2.9 percent in Upper Gwynedd to 10.4 percent in Pottstown.⁵³

Figure 8: Housing Vacancy, Select Municipalities, Montgomery County



Source: U.S. Census Bureau. 2018-2022 American Community Survey 5-Year Estimates (Table B25004)

Some level of vacancy is normal. Properties are vacant for a variety of reasons. They may be for sale or rent. Figure 9 shows the number of vacant housing units subdivided according to their housing market classification as determined by the Census Bureau. Of the 17,012 vacant housing units, 5,025 units or 30 percent of the units are characterized as “other vacant.”

A housing unit is classified as “other vacant” when it does not fit into any of the other categories.⁵⁴ Common reasons why a unit is classified as “other vacant” include the unit is being repaired or renovated, held for the settlement of an estate, or foreclosed. Given the nature of properties classified as “other vacant,” some practitioners consider this data as an indicator of potential blighted property.

Figure 9. Vacancy Status

Vacant Housing Units	Montgomery County (Estimate)
Total:	17,012
For rent	6,354
Rented, not occupied	857
For sale only	2,711
Sold, not occupied	1,322
For seasonal, recreational, or occasional use	719
For migrant workers	24
Other vacant	5,025

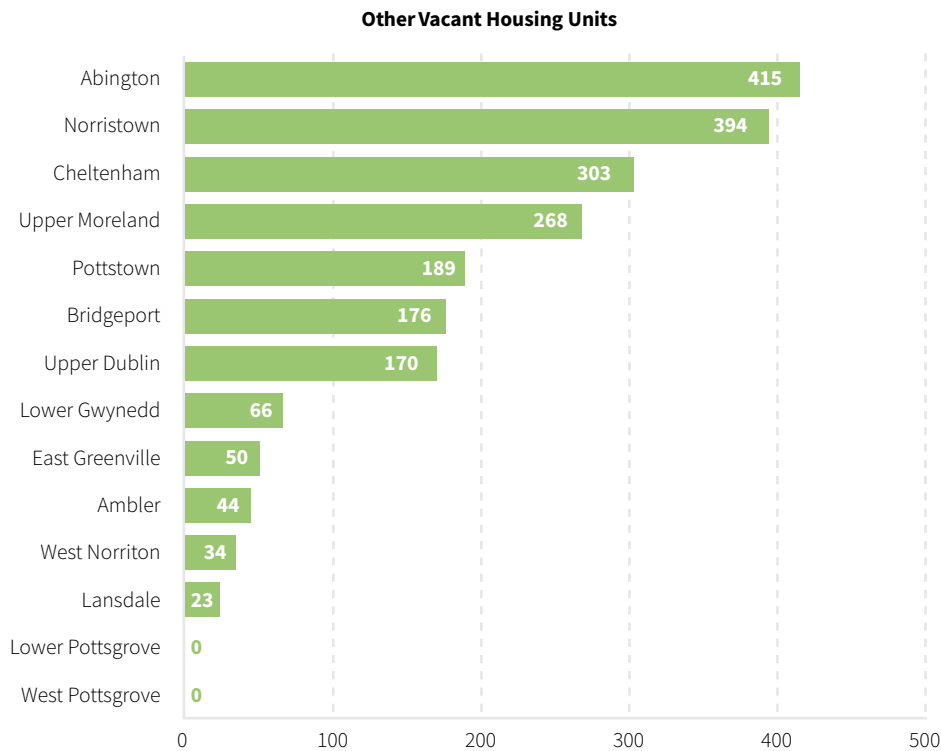
Source: U.S. Census Bureau. 2018-2022 American Community Survey 5-Year Estimates (Table B25004)

⁵³ In interviews with OHCD staff and other individuals, these municipalities were identified as places where there was notable vacancy or an openness to discussion of affordable housing development.

⁵⁴ U.S. Census Bureau. “American Community Survey and Puerto Rican Community Survey 2022 Subject Definitions.” Accessed on January 28, 2024.

To put the County’s data in context, Figure 10 shows the “other vacant” data for several municipalities in Montgomery County.

Figure 10: Other Vacant, Select Municipalities, Montgomery County



Source: U.S. Census Bureau. 2018-2022 American Community Survey 5-Year Estimates (Table B25004)

The Census Bureau undercounts the true number of vacant housing units. It excludes from vacant housing data any units that are open to the elements—that is, the roof, walls, windows, and/or doors no longer protect the interior from the elements. Also excluded are vacant units with a sign that they are condemned, or they are to be demolished.⁵⁵ A useful source for vacancy and property conditions information, including properties condemned or in need of demolition, is often the municipality’s code enforcement office. For more granular information, some land banks, county and local governments, and community organizations conduct parcel-by-parcel property conditions surveys.

From 2010 to 2020, Montgomery County saw an increase of almost ten percent in housing units.⁵⁶ More than half of all housing units in the County are single-family detached homes.⁵⁷ More than 70 percent of occupied housing in the County is owner-occupied, with almost 30 percent renter-occupied. Figure 11 shows comparative figures for Pennsylvania and the United States.

Figure 11: Housing Tenure

Housing Tenure	Montgomery County	Pennsylvania	United States
Occupied housing units	329,680	5,193,727	125,736,353
Owner-occupied	71.2%	69.1%	65.2%
Renter-occupied	28.8%	30.9%	34.8%

Source: U.S. Census Bureau. 2018-2022 American Community Survey 5-Year Estimates (Table DP04)

⁵⁵ Ibid.

⁵⁶ [Housing Trend Report, Montgomery County Planning Commission \(2023\)](#).

⁵⁷ Ibid.

Census data shows that the inventory of vacant housing in Montgomery County is low. But it also shows more than 5,000 potentially blighted housing units (“other vacants”), and admittedly does not account for properties that are seriously distressed or condemned. Further data collection from municipalities is needed to better assess vacant properties as a potential source for land bank acquisition.

Another possible source of inventory is publicly owned surplus property. Data for those properties should be reviewed and analyzed as part of the land bank strategic plan. Publicly owned surplus properties have been transferred to land banks in Philadelphia, Pittsburgh, and Altoona. A land bank may also simply purchase properties.



Image credit: Lucas County Land Bank

— COMMUNITY SPOTLIGHT:

Lucas County Land Bank Property Conditions Survey

Measuring 120,000 property parcels in Toledo, Ohio is not easy, but the Lucas County Land Bank has done it twice, once in 2015 and again in 2021. The Land Bank has always prided themselves on being a service-based organization. Working primarily in Black and Brown communities in Toledo and throughout Lucas County, the Land Bank has invested significant staff time towards building community relationships. In order to develop the most impactful strategies at the neighborhood level, detailed and real-time data on property conditions was needed and not available from another source. Therefore, the Land Bank engaged and hired neighborhood (resident) surveyors and partnered with Regrid, a technology firm based in Detroit, MI, to use

their mobile app to complete these surveys in the field. That data was then presented to the residents, strategies were collectively developed, and money was allocated to a Neighborhood Justice Fund (NJF). In the past three years, the NJF has been able to provide significant contributions to residents, ranging from small home repairs to driveway installations and full rehabs. Particularly in neighborhoods where the land bank is already acquiring, rehabilitating, and maintaining properties, the land bank intentionally reaches out to existing residents to offer assistance with maintenance. This helps build relationships with residents to ensure they are involved and considered as the land bank makes investments and changes within their neighborhood.

KEY TAKEAWAYS:
**Inventory of Potential Properties for
Land Bank Acquisition**

Potential Sources

Judicial Sale (140 exposed, 2018-2023)

Upset and Private Sale

Sheriff's Sale

Vacant, abandoned, and blighted properties identified
by municipalities

Transfers from municipalities and RDA

Publicly owned surplus properties

Direct purchase

Donations



- Data on tax sales, “blighted properties,” and housing vacancies offer a glimpse of potential properties that could be acquired by a land bank or the RDA for affordable housing. But more data and commitments to join a land bank from municipalities are needed to better assess the range of opportunities for potential acquisition.
- The number and scale of potential properties for land bank acquisition is uncertain at this time. But judicial sale properties, the primary source for most Pennsylvania land bank acquisitions, have been declining in Montgomery County and are not expected to be a significant source of properties for a county land bank. Such acquisitions require agreements with the municipalities and school districts where the properties are located – typically through an intergovernmental cooperation agreement. Also, if Pottstown chooses not to join a county land bank then access to judicial sale properties would be further limited.
- Based on data reviewed to date, Montgomery County does not have a large inventory of vacant, abandoned, and tax delinquent properties. Rather, the data shows concentrations of such properties exist in Norristown and Pottstown and are scattered throughout other municipalities across the County.
- Census data shows low housing vacancy. More localized information on residential and commercial vacant properties should be sought from municipalities. Abington’s vacant commercial property map is a useful resource that could be replicated county-wide.
- Data on deteriorated properties that have long histories of noncompliance or have been identified or certified as “blighted” by municipalities should also be requested and analyzed as part of a land bank strategic plan.
- Although the potential inventory of vacant, abandoned, tax delinquent, and blighted properties is uncertain and appears small at this time, further engagement with municipalities, residents, housing partners, and other stakeholders will provide additional information.
- A land bank can purchase real estate on the open market and accept property donations.
- A land bank would add another avenue for property acquisition and complement the RDA’s existing powers to acquire, hold, and sell real estate.



Key Decision-Makers, Partners, and Constituencies for Land Banks

- Local elected officials
- Residents
- Municipal and county planning departments
- Municipal public safety departments including police and code enforcement
- County tax claim bureau
- County sheriff
- Redevelopment authority
- Housing authority
- Economic development agencies
- Community development corporations
- Affordable housing developers and advocates
- Land trusts and other conservation and environmental groups
- Local real estate agents association
- Local building industry association
- Private foundations

C. Engaging Essential Partners

Land banks are meant to be partnerships with county and local governments, school districts, policymakers, developers, community groups and residents. Any planning for a land bank requires a significant level of interaction between representatives of county and municipal government. This is especially true here in Montgomery County where the land bank would be focused on acquiring land and properties for affordable housing – an often-contentious issue.

There is a broad network of government, philanthropic, and housing leaders in Montgomery County who are committed to increasing the supply of affordable housing. This network has developed over time and was strengthened through *Homes for All* and the HHS OHCD's continuing engagement. They will be strong partners for a land bank if one is created.

A land bank cannot exercise its powers unilaterally. County government, municipalities, and school districts (collectively, the taxing authorities) are essential partners for acquiring properties, discharging liens, clearing title, and 5/50 tax sharing.⁵⁸ County departments and agencies may be tapped to staff and manage the land bank. The Tax Claim Bureau plays a key role in a land bank's acquisition of judicial sale properties. Buy-in from municipalities is critical. Municipal leaders know their communities and the problem properties impacting their residents. Many join land banks because they lack the capacity to acquire and repurpose vacant and abandoned properties on their own. County support through a land bank can help get deteriorated buildings demolished and clear the path for new accessible and affordable housing. School districts often have the most to gain from returning properties to the tax roll, given their percentage of the real estate taxes collected. School board members and superintendents are often highly regarded community "influencers." Getting them educated and onboard will improve a land bank's likelihood of success.

⁵⁸ Under the Pennsylvania Land Bank Law, taxing bodies may allocate to a land bank up to 50 percent of the property tax revenues collected on properties conveyed by the land bank for a period no longer than five years. See further discussion below.

The most successful land banks across the country have found creative and consistent ways to inform, engage, and build relationships with residents to help prioritize land bank interventions and develop long-term solutions.

The most successful land banks across the country have found creative and consistent ways to inform, engage, and build relationships with residents to help prioritize land bank interventions and develop long-term solutions. Many land banks engage residents most impacted by vacancy and abandonment through the

make-up of their board, by establishing formal or informal community advisory committees, and by routinely hosting public forums. A land bank can promote equity by giving a voice to residents most impacted by vacancy and abandonment who tend to be people of color.

— COMMUNITY SPOTLIGHT:

Omaha Land Bank

The [Ambassador Program](#) of the [Omaha Land Bank](#) in Nebraska expands the bench of stakeholders and community members who educate and inform the land bank, and whom the land bank seeks to support and serve. The land bank selects ambassadors from across Omaha for this one-year program with the goal of building a diverse cohort of community members and advocates. While the primary goals of the Ambassador Program are to provide more residents with information about the land bank and ultimately improve communication between neighbors and the board, the program's secondary goal is to build a potential pipeline of future land bank board members.



A land bank needs partners and public support to achieve its mission. Successful land banks intentionally and strategically build and steward partnerships with a diverse group of constituencies and stakeholders. These strategic partnerships along with broad public support are essential to a land bank’s long-term success.

— COMMUNITY SPOTLIGHT:

Jumpstart Norristown

Jumpstart Norristown is a real estate investment training program designed to help new and experienced real estate investors who live and work in Norristown create safe and equitable housing. The program is based on **Jumpstart Germantown**, a unique community development program, spearheaded by **Philly Office Retail**, that works to revitalize the Germantown section of Philadelphia, and surrounding communities through training, mentoring, networking and providing financial resources to local aspiring developers. Two key objectives of Jumpstart programs are creating opportunities for local residents to invest and develop in their neighborhoods and reducing blight by rehabbing dilapidated properties. Jumpstart Norristown and its trainees are potential land bank partners and purchasers who bring knowledge, passion, and resources to revitalizing Norristown and creating more quality housing.



Educating key decision-makers, partners, and constituencies about land banks is a crucial first step in building partnerships and public trust. Through this Feasibility Study, the education process has started. Additional briefings, meetings, and public forums are recommended as part of the land bank strategic plan.

KEY TAKEAWAYS: Engaging Essential Partners

- In Montgomery County, there is a diverse and expansive group of potential partners for a land bank.
- From the outset, the land bank should seek to build strong relationships with municipal officials, residents, and community organizations to gain their trust and support for the land bank and its mission and encourage their participation.
- A county land bank cannot operate without collaboration and cooperation from municipalities and school districts where the land bank wants to operate.
- If the County decides to proceed with a land bank, considerable time and resources should be dedicated to engagement with municipalities, school districts, residents, and community organizations.

D. Added Value of a Land Bank

Creating a land bank dedicated to fostering affordable and accessible housing, while actively collaborating with municipal and community partners, has the potential to catalyze transformative systemic change.

The urgent need for affordable housing and the many obstacles to its development call for new and innovative strategies for accessing land and properties. The magnitude of the problem supports taking risks and trying new approaches. With a land bank, policies, procedures, and programs can be developed to encourage, incentivize, and cultivate partnerships for developing affordable housing. Existing programs like MontCo Forward can be integrated and promoted.

At its core, a land bank is a tool for the strategic acquisition and disposition of real property. A county land bank would add another avenue for property acquisition and complement the RDA's existing powers to acquire, hold, and sell real estate. In addition,

a county land bank could develop policies and procedures for disposition of properties that support permanent affordability and equitable and inclusive community development. Given the tight real estate market and the dire need for affordable housing, a county land bank would provide one more tool, one more path to affordable housing development.

A land bank's most significant power is acquiring judicial sale properties at low cost using priority bid. Given the declining number of properties going to judicial sale, a land bank's opportunities for acquisition of these properties will be limited. But judicial sale properties are not a land bank's only source for properties. A land bank can acquire properties by direct purchase and donation, through tax and mortgage foreclosure, and by transfer from municipalities and other governmental entities. The real value of judicial sale priority bid is the low purchase price for properties. A land bank has wide discretion in choosing which properties to acquire.

— COMMUNITY SPOTLIGHT:

Westmoreland County Redevelopment Authority and Land Bank

Objectives stated in the Westmoreland County Redevelopment Authority and Land Bank's strategic plan include building local capacity and supporting regional solutions. The WCRALB offers local elected officials, code officers, managers, secretaries, and their staff opportunities for training, education, and networking to address blight. To help municipalities struggling to enforce their codes, the WCRALB is piloting a shared code enforcement services program. At its annual blight summit, the WCRALB hosts blight-fighters from across the region, offering opportunities to learn about best practices, highlight successes, and network among peers. The WCRALB is a trusted partner, helping municipalities solve their blight problems.⁵⁹



⁵⁹ [Westmoreland County Redevelopment Authority and Land Bank, Strategic Plan 2022-2027.](#)

Municipal and community engagement will uncover more opportunities for acquisitions.

Properties being developed for affordable housing need insurable title. A land bank's power to extinguish liens and clear title expeditiously adds value by making properties more attractive to developers and reducing the risk of property abandonment.

A county land bank could work in conjunction with the RDA to better support municipalities in their efforts to

get blighted properties demolished or rehabilitated. Helping municipalities address blight strengthens municipal-county relationships and lays the foundation for cooperation on affordable housing development.

A land bank provides an opportunity for resident, community, and municipal engagement in creating and operating a new, transparent, uniform system for acquiring and disposing of properties for affordable and accessible housing development.

KEY TAKEAWAYS: Added Value of a Land Bank

- Creating a land bank dedicated to fostering affordable and accessible housing, while actively collaborating with municipal and community partners, has the potential to catalyze transformative systemic change.
- A land bank adds value through its powers to acquire properties and extinguish liens and clear title expeditiously before transfer to a new, responsible owner.
- A land bank provides a flexible, predictable, and transparent system for recycling land which works best when communities and residents are engaged and involved.
- Even more value is added by the land bank's ability to support municipalities' efforts to mitigate blight and revitalize their communities.



VI. Initial Decision Points for Forming a Land Bank

If the County decides to go forward with the creation of a land bank, certain decisions will have to be made. These initial four decision points will set the direction for the Strategic Plan.

LAND BANK FORMATION DECISION POINT #1:

How will the land bank be structured? By creating a new land bank authority or designating the RDA?

Montgomery County has two options for forming a land bank: create a county land bank or designate the RDA to act as the county land bank.⁶⁰

Option 1:

Create a County Land Bank

Key advantages of creating a county land bank:

- Opportunity to create a new system for the acquisition and disposition of vacant, abandoned, and tax delinquent properties for affordable housing that can be tailored to achieve the objectives of *Homes for All*
- Commissioners would have an opportunity to appoint the Land Bank board members
- Focused mission
- Flexibility in land bank management

A land bank has great flexibility in determining how to manage administration and operations. One common model is to contract with another existing agency, such as a redevelopment authority, for the management of the land bank. Once established, a Montgomery County land bank could contract with the RDA to manage the day-to-day operations of the land bank.

Option 2:

Designate the RDA as the County Land Bank

Key advantages of designating the RDA:

- Existing staff and board with blight mitigation and property development experience
- Eliminates the need to create a new agency
- Land banking activities could begin more quickly and be performed more efficiently
- Strong relationships between RDA and municipalities

The RDA brings extensive experience that aligns closely with the mission and functions of a land bank. This includes their collaboration with the HHS OHCD and other partners in the areas of affordable housing

development and financing. Additionally, the RDA has established relationships with municipalities on matters of economic development, brownfields, and blighted properties.

When choosing a land bank structure, consideration should be given to basic differences in the mission of a redevelopment authority and that of a land bank. In terms of mission, land banks are focused on acquiring, stabilizing, and returning problem properties to productive use aligned with community goals. A redevelopment authority, however, typically focuses on properties with near-term redevelopment potential and on large-scale development projects that align with long-term economic development goals. When designating an RDA as a land bank, special care should be taken to ensure adequate capacity to address the expanded and new land banking functions, especially community engagement.

If the County designates the RDA to act as the Montgomery County Land Bank, there would be an opportunity to develop a strong model for integrating the community into all aspects of the Land Bank's creation, start-up, and operation. Regardless of the land bank structure selected, Montgomery County is embracing the opportunity to create a new system for the acquisition and disposition of vacant, abandoned, and tax delinquent properties for affordable housing.

To form a land bank, either as a new entity or by designating the RDA, the County Commissioners will need to adopt an ordinance in accordance with the state Land Bank Law. A draft ordinance will be included in the strategic plan.

The project team is available to meet with the County Commissioners and administration for further discussion on land bank structure.

⁶⁰ 68 Pa.C.S. § 2104.

LAND BANK FORMATION DECISION POINT #2:

Appointing a Board of Directors – How Many and Who?

If the RDA is designated as the land bank, the RDA board serves as the land bank board. Otherwise, a land bank is governed by a board of directors of between 5 and 11 members.⁶¹ The land bank ordinance must name the initial board members and specify how permanent board members will be appointed and how long they will serve. Public officials and municipal employees may serve. The board must include at least one member who is a community resident and a member of a civic organization but who is not a public official or municipal employee. For designated RDA land banks,

any subsequent RDA board vacancy must be filled with a civic organization representative if none of the existing board members fit the statutory requirements.

The number of members of the board and qualifications, manner of selection or appointment, and terms of office of members of the board must be included in the ordinance creating the land bank.⁶² Land bank boards typically include individuals with expertise in planning, community and economic development, real estate development, tax foreclosure, and housing.

— COMMUNITY SPOTLIGHT:

York County Land Bank Staffing Agreement

The York County Land Bank Authority (YCLBA) has a Memorandum of Understanding (MOU) with the County to administer the Act 152 county demolition fund.

The YCLBA has a staffing agreement with the York County Economic Alliance and the Alliance is paid 10% of the demolition funds collected each month. Those fees cover one staff member's time administering the Land Bank as well as any legal fees and audit expenses. In 2022, York County collected Act 152 fees in the amount of \$430,230, of which \$43,000 would have been paid to the Alliance.



LAND BANK FORMATION DECISION POINT #3:

Staffing a Land Bank

A land bank may hire employees and/or contract for the use of municipal or other government personnel.⁶³ Most land banks have shared staffing arrangements.

Land bank staffing and leadership sizes vary widely and are largely dependent on inventory, community needs, and funding. According to a national survey of land banks, the median number of full-time and part-time employees and volunteer staff is one.⁶⁴ The median number of board members is seven.⁶⁵ Many land banks

start operating with one employee or shared employee. As land banks evolve and their inventories grow, staff are added.

Staffing options will be reviewed further in the strategic plan. The selection of a land bank structure will influence staffing. To obtain the desired result of a high-functioning and impactful land bank, at least one full-time staff member is recommended.

⁶¹ 68 Pa.C.S. § 2105.

⁶² Ibid. § 2104(a).

⁶³ Ibid. § 2106.

⁶⁴ [2023 State of Land Banking Survey, Center for Community Progress, October 2023.](#)

⁶⁵ Ibid.

LAND BANK FORMATION DECISION POINT #4:

Funding a Land Bank

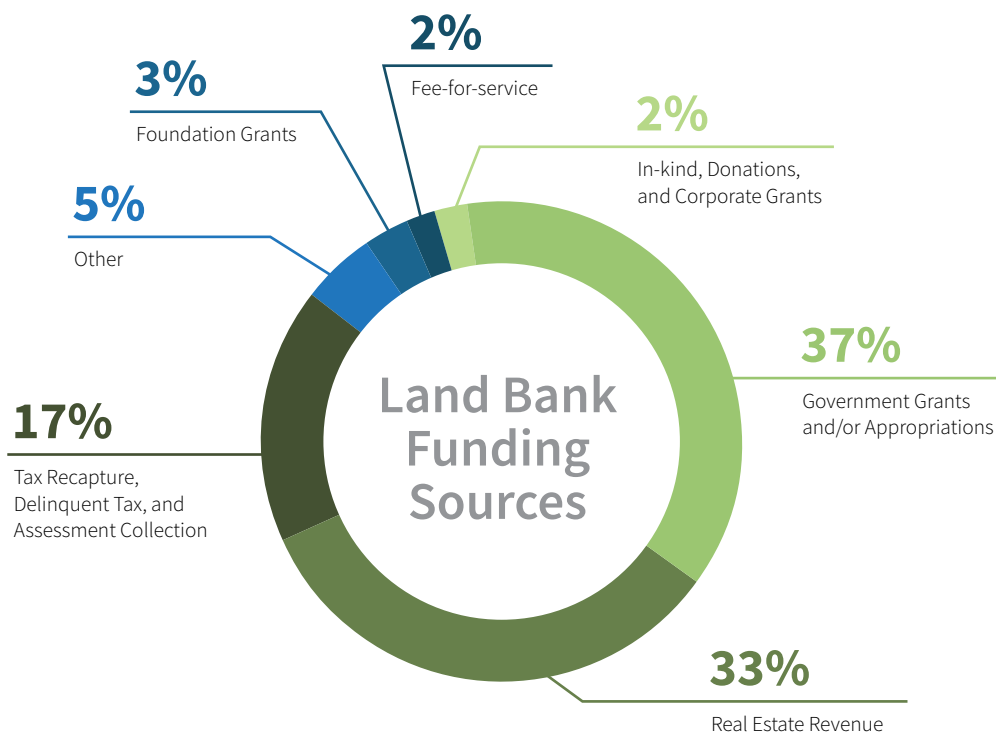
Land banks are funded from a variety of sources. According to a national survey of land banks conducted by the Center for Community Progress, the largest source of funding for land banks is government grants and appropriations (37%) with real estate proceeds (33%) a close second.⁶⁶

Some of the ARPA funds allocated should be used for kickstarting the land bank and its operations. For the first year, staff salary and benefits will be one of the larger operating expenses. Assuming one full-time staff member is hired to serve as the land bank coordinator with a salary range of \$95,000 to \$115,000, the estimated cost is around \$125,000, with benefits.

A draft job description for the position is attached as Appendix E.

Other significant first year expenses include building the infrastructure for acquiring, holding, managing, inventorying, and selling real estate. Some land banks build this system internally and others purchase off-the-shelf systems and software. A template for an initial year land bank budget is attached as Appendix F. The strategic plan will include a first-year budget and recommendations for ongoing operations, taking into account, among other things, the availability of ARPA funds and the deadline for using those funds.

Figure 12: Where Land Banks Get Their Funding



Source: 2023 State of Land Banking Survey, Center for Community Progress

⁶⁶ Ibid.

LAND BANK BUDGET EXAMPLES

ERIE COUNTY LAND BANK

BUDGET

\$1.0

Million

STAFFING



Full Time Staff

FUNDING SOURCES



Gaming Revenue



21 Participating Municipalities, excluding the City of Erie, which operates its own land bank.

City land bank receives some funding from County land bank.

ACQUISITION



Most properties acquired from judicial sale.

TRI-COG LAND BANK

BUDGET

\$1.7

Million

STAFFING



Full Time Staff Equivalent

FUNDING SOURCES



Sales



Philanthropy



Annual Contributions from member municipalities and Allegheny County.

ACQUISITION



Most properties acquired through county tax foreclosure process.

Planned to acquire 50 structures and 20 vacant lots in 2023 with this budget.

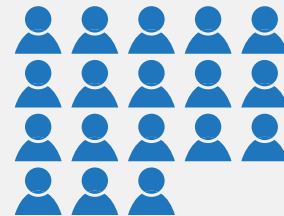
PHILADELPHIA LAND BANK

BUDGET

\$3.1

Million

STAFFING



Staff across sister agencies supporting operations

FUNDING SOURCES



City General Fund Administered under the Philadelphia Housing Development Corporation.

ACQUISITION



Acquisition goal for 2023 was 350 parcels.

5200 properties in the inventory—all but a few hundred are surplus, publicly owned properties.

The Pennsylvania Land Bank Law provides no funding. It does, however, authorize land banks to finance their operations using proceeds from operations, and grants and loans. Another means of financing is tax recapture. Under the law, taxing bodies may allocate to a land bank up to 50 percent of the property tax revenues collected on properties conveyed by the land bank for a period no longer than five years.⁶⁷ This 5-50 tax recapture is neither mandatory nor automatic. Land banks negotiate with the taxing bodies for the arrangement, which is usually incorporated into an intergovernmental cooperation agreement. Once a land bank is operational, the expectation is that it will generate revenues from sales and leases of real property and other land bank activities. The land bank retains the proceeds to finance its operations. To fund startup and to support ongoing operations, land banks often seek grants and loans from public and private sources.



PRELIMINARY RECOMMENDATIONS ON LAND BANK FEASIBILITY AND FORMATION

- Pursue the creation of a land bank to augment existing avenues for acquiring property for affordable and accessible housing.
- Allocate ARPA Housing Opportunities Fund award dollars towards kickstarting the land bank's operations, building essential infrastructure, and encouraging municipal cooperation in advancing affordable and accessible housing initiatives.
- Move ahead with the formulation of a comprehensive strategic plan for the land bank, ensuring its functionality, sustainability, and effectiveness, with a target completion date by the end of 2024.
- Consider adopting an Act 152 ordinance creating a county demolition fund to support land bank activities and municipalities.

— COMMUNITY SPOTLIGHT:

Tri-COG Land Bank Dedicated Funding

The TCLB has an innovative approach to generating revenue. All members pay annual dues to the land bank: 5 percent of the delinquent real estate taxes collected in each community in the previous year. Members of the TCLB include Allegheny County, 29 municipalities and 9 school districts. Member contributions in 2021 totaled close to \$190,000.⁶⁸

⁶⁷ 68 Pa.C.S. § 2110(c).

⁶⁸ Tri-COG Land Bank 2021 Financial Audit.



Whether or not Montgomery County chooses to create a land bank, there are immediate and impactful opportunities to support the creation of affordable housing that include leveraging existing resources to build adequate community infrastructure.

A. Public land transfers to nonprofits and mission driven developers to build a pipeline for affordable housing.

One of the most valuable resources that local government has is access to land. Local governments may not be able to fully fund all aspects of developing affordable housing but they can make publicly owned land available to nonprofit and mission driven developers, solving the difficult question of how to assemble land for affordable housing and lower development costs.

While a land bank may help serve this purpose, there are additional ways that local governments can use existing inventory to address the common constraints facing many communities – land availability and cost. When quality sites are available for development, they often come with a steep price tag that precludes building housing affordable for lower or middle income households.

One of the most effective things that local governments can do is take a closer look at their inventory of publicly owned land. Very often government agencies find that

vacant, underutilized, surplus, and otherwise non-essential properties can be made available for housing development. Consolidating multiple government buildings or relocating municipal uses to less-prime properties can also free up land for housing.

Some communities adopt a policy that requires public agencies to first make surplus or underutilized public land or buildings available to developers who commit to creating affordable or mixed-income housing. Once a designated period has passed with no eligible buyers who have purchased the property for affordable housing, the property can be opened up for sale or lease for other purposes. In some cases, states have already taken this step – in California, for example, the *Surplus Land Act* requires public entities to give first priority to organizations that will create residential developments where at least 25 percent of the units are affordable to low-income households.⁶⁹

— COMMUNITY SPOTLIGHT:

Montgomery County, Maryland

Since the 1980s, Montgomery County, Maryland has actively supported the development of mixed-income housing on county-owned land. Legislation passed in 2013 (Bill 37-12) requires the County to evaluate the feasibility of including a “significant amount” of affordable housing in proposed capital improvement projects, including an assessment of the site’s proximity to public transit and other community services. Projects covered by the legislation as targets for co-location of affordable housing include public facilities such as libraries, recreation centers, and transit stations. In 2016, for example, a new mixed-use, mixed-income development with affordable senior housing opened adjacent to a new County library.



KEY TAKEAWAY:

Montgomery County can be a leader by establishing a proclamation or ordinance to inventory all County-owned land and prioritize the disposition of any underutilized County-owned parcels for the benefit of affordable housing. The County could encourage municipalities to adopt a similar ordinance.

⁶⁹ California Surplus Land Act (Gov. Code, §§ 54220-54234).

B. Build capacity of existing affordable housing nonprofits and/or support the creation of new nonprofits focused on lasting affordability like a Community Land Trust (CLT).

Local governments need to support and collaborate with community partners like nonprofits to address the growing deficit of quality affordable housing. There lies an opportunity in Montgomery County to increase financial and organizational support to both existing and new nonprofits that are focused on the development and preservation of affordable housing. Attention should be given to building this capacity and infrastructure through direct grants or supporting programs that provide training, technical assistance, and capacity building services to local nonprofits.

Particularly given the availability and time constraints of obligating ARPA funds, Montgomery County should consider allocating some of these funds to build local nonprofit capacity and collaboration using a lens of: 1) inclusivity, targeting historically disinvested households and neighborhoods; 2) sustainability, significant one-time investments that will deliver continued results over time; and 3) systems-level change, leveraging additional funders and improved capacity across the affordable housing nonprofit sector.

— COMMUNITY SPOTLIGHT:

Maryland Nonprofits

Maryland Nonprofits, a membership organization serving nonprofits, created a program to provide training, technical assistance, and capacity building services to a group of Baltimore City nonprofits that received federal pandemic recovery funds under ARPA. As part of the program, Maryland Nonprofits will provide consulting services in strategic planning, fundraising, board development, succession planning, marketing, and related topics – with the goal of ensuring these one-time infusions of federal funding have a long-term impact on the growth and sustainability of the recipient nonprofits.



Special Note about Community Land Trusts (CLTs)

Community land trusts are nonprofit organizations, governed by CLT residents, community residents, and nonprofit and public representatives, which provide permanent community control of land and affordable housing. Although many variations on the model exist, CLTs most often focus on providing permanently affordable housing. CLTs are different from other nonprofit, affordable housing developers in a few ways. Most critically, a CLT separates the ownership of the land and structure. The CLT retains ownership of the land

and enters a 99-year renewable ground lease with the homeowner. The homeowner purchases the structure on the land at a subsidized price, pays the mortgage on the structure, and is responsible for the upkeep and maintenance of the entire property (land and structure).

The CLT ground lease ensures that most of the cost savings realized by the original CLT homeowner are passed on to future purchasers and owners by placing limits on the future sales price of the property while also providing an opportunity for owners to build wealth from the home sale based on the increase in value.

This approach, a type of shared-equity homeownership, ensures that the home remains accessible and affordable for low- to moderate-income homebuyers in perpetuity. Typically, the development, rehabilitation, or purchase of CLT homes is subsidized through public or philanthropic funds. **This subsidy stays with the property forever**, underwriting the purchase price repeatedly for **multiple generations of owners**.⁷⁰ This could be a great option for Montgomery County and their use of ARPA funds, to ensure this federal investment continues to benefit local residents for many years to come.



The project team facilitated a virtual training on Community Land Trusts 101: Supporting Housing Affordability hosted by the Bucks Mont Collaborative and the HHS OHCD in January. More than 90 individuals participated. Montgomery County can advance permanently affordable housing by supporting and partnering with community land trusts.

— COMMUNITY SPOTLIGHT:

Tri-COG Land Bank and City of Bridges Community Land Trust Partnership (Allegheny County, PA)

Tri-COG Land Bank (TCLB) in Allegheny County formalized their partnership with the City of Bridges Community Land Trust (CBCLT) through an agreement which lays out shared goals. To date, TCLB has sold three properties in rapidly gentrifying riverfront communities in Allegheny County to CBCLT, which will serve as permanently affordable homes for households earning less than 80 percent of Area Median Income. As a land bank, TCLB’s legal abilities make it easier to acquire vacant and abandoned properties and clear their title of any outstanding liens and debts. As a community land trust, CBCLT creates homes that are permanently affordable, allowing homeowners to build wealth while ensuring that the homes remain affordable in perpetuity. By working together, TCLB and CBCLT are able to tackle shared regional problems of blight and affordable housing in complementary ways.



⁷⁰ [Land Banks and Community Land Trusts, Kim Graziani \(2021\), Distributed by Center for Community Progress.](#)

C. Depository Programs for Land Assemblage

Local governments like Montgomery County can serve as a depository for nonprofits and mission driven developers to assemble land for affordable housing projects. This allows nonprofits and mission driven developers to transfer title to property to Montgomery County which makes the property tax-exempt, and maintenance and insurance can be provided as a pass-through cost to nonprofit or mission driven developers for an agreed upon time period, as enumerated under a Land Banking Agreement.

Many nonprofits and mission driven developers have stated that one of the major obstacles to affordable housing is affordable land assemblage. When local governments and land banks are able to acquire and transfer publicly owned land for these projects, they are able to leverage their tax-exempt status to reduce holding costs and achieve economy of scale by using existing maintenance services of publicly owned land for these parcels being assembled for affordable housing projects.

By mandating that public purpose restrictions be placed on properties transferred in and out of its depository, local government is able to ensure that the stated goals of its program are furthered with each transaction. For example, any property transferred pursuant to a Land Banking Agreement must be subject to covenants and conditions providing that the property will be used for one of the following goals: (a) production or rehabilitation of low-income housing; (b) production or rehabilitation of low- or moderate-income housing; or (c) other public purposes. Each Land Banking Agreement is required to specify the range of permissible uses and the manner in which the restriction will be secured, which could be in the form of contractual obligations, deed covenants, rights of reacquisition, or any combination thereof.

— COMMUNITY SPOTLIGHT:

Atlanta, Georgia

The Metro Atlanta Land Bank Depository Program was created in 2008 with the following goals in mind: 1) Permit advance acquisition of potential development sites in anticipation of rapidly rising land prices; 2) Facilitate pre-development planning, financing and structuring; 3) Minimize or eliminate violations of housing and building codes and public nuisances on properties to be developed for affordable housing; and 4) Hold parcels of land for future strategic governmental purposes such as affordable housing and open spaces and greenways.⁷¹



⁷¹ [Land Banks and Land Banking, 2nd Edition, Frank Alexander \(2015\), Distributed by Center for Community Progress](#). Sample Template for Land Banking Agreement can be found in Appendix F.

D. Expand Access to Capital for Black and Brown Developers of Affordable Housing

Affordable housing development firms led by individuals of color are significantly underrepresented within the housing industry. Black and brown residential housing developers often face difficulties in accessing capital especially for developing affordable housing. One way to address this inequity, and at the same time increase the supply of affordable housing, is to expand access to capital for Black and brown developers.

— COMMUNITY SPOTLIGHT:
Philadelphia, PA

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



Montgomery County is taking a multi-faceted and innovative approach to accessing land for affordable housing development.





With the proposed “quick start” process, land and properties can be acquired and held tax exempt by the RDA within the time prescribed for allocating and expending ARPA funds. Creating a land bank dedicated to fostering affordable and accessible housing, while actively collaborating with municipal and community partners, has the potential to catalyze transformative systemic change.

Through this work, the County has a real opportunity to build and strengthen relationships with its municipalities by collaborating on housing and blight mitigation. Resident and community engagement in the “quick start” process and the land bank will promote inclusivity and transparency, building trust in the County’s effort to meet housing needs and enhance housing availability for all residents, irrespective of income, location, or background.

Immediate Next Steps if the County Decides to Proceed:

- Support implementation of the proposed “quick start” process
- Guide County leadership in selecting a land bank structure
- Plan the first community briefing on forming a land bank
- Develop a plan for outreach to municipalities and school districts
- Develop a work plan and timeline for the Land Bank Strategic Plan and Land Bank Startup

List of Interviews and Meetings

COUNTY LEADERSHIP, DEPARTMENTS, AND AGENCIES

HHS Office of Housing and Community Development Staff

Dr. Tamra Williams, Director, Department of Health and Human Services

Lee Soltysiak, Chief Operating Officer

Thomas Bonner, Recovery Office Director and Deputy Chief Operating Officer

Scott France, Executive Director, Montgomery County Planning Commission, and Staff

Jason Salus, Montgomery County Treasurer

William Caldwell, Montgomery County First Deputy Treasurer

Joel Johnson, Executive Director, Montgomery County Housing Authority

Jerry Nugent, former Executive Director, Montgomery County Redevelopment Authority

Judy Memberg, Chair, Board of Directors, Montgomery County Redevelopment Authority

Aliyah Stanger, Executive Director, Montgomery County Redevelopment Authority

MUNICIPAL REPRESENTATIVES

Crandall Jones, Municipal Administrator, Norristown

Jayne Musoyne, Director of Planning and Municipal Development, Norristown

Peggy Lee Clark, Administrator, Pottstown Borough Land Bank

Zachary Nelson, Assistant Borough Manager, Pottstown Borough

NONPROFIT, COMMUNITY, AND DEVELOPER REPRESENTATIVES

Jason Alexander, Capacity for Change

Emma Hertz, Spark Foundation

Tamela Luce, Phoenixville Community Health Foundation

Judy Memberg, Genesis Housing

Kim Krauter, Walters Group

Rick Slagle, Alliance

Francis Vargas, Elon

Dina Schlossberg, Regional Housing Legal Services

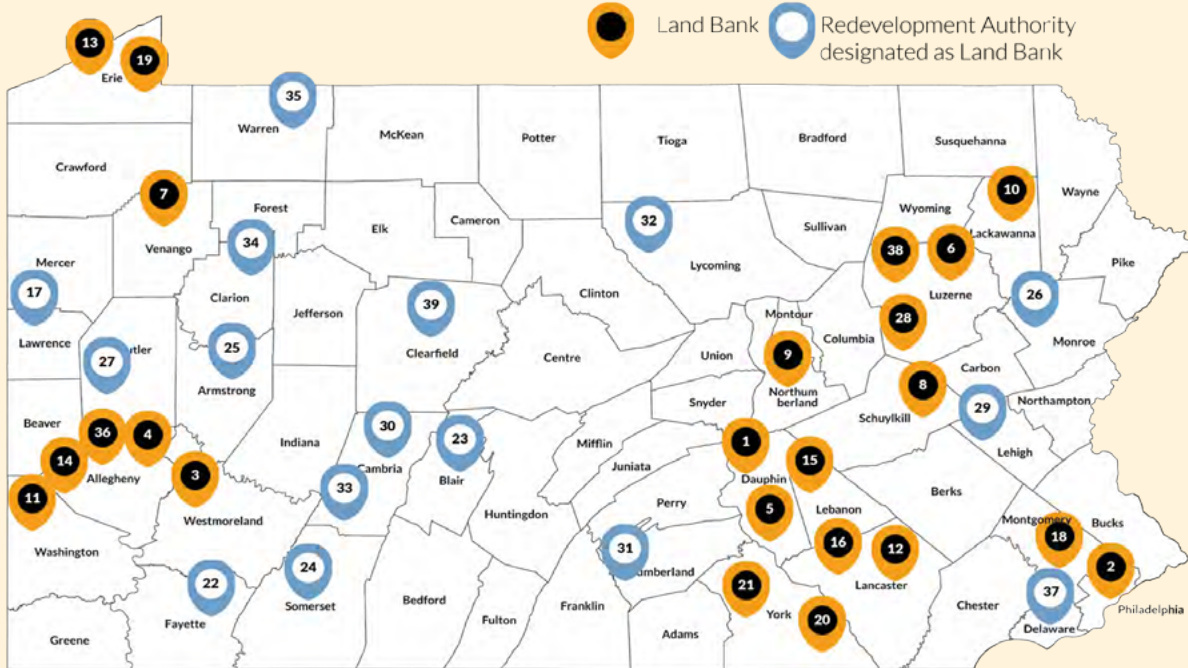
Prudence Brown, Jumpstart Norristown

Ken Weinstein, Jumpstart Germantown and Philly Office Retail



LAND BANKS IN PENNSYLVANIA

in chronological order of ordinance adoption
(as of February 2024)



NO.	LAND BANK NAME	YEAR ESTABLISHED	NO.	LAND BANK NAME	YEAR ESTABLISHED
1	Dauphin County Land Bank Authority	2013	21	York County Land Bank Authority	2018
2	Philadelphia Land Bank	2013	22	Fayette County Redevelopment Authority	2018
3	Westmoreland County Land Bank	2013	23	Altoona Redevelopment Authority	2018
4	Pittsburgh Land Bank	2014	24	Somerset County Redevelopment Authority	2018
5	Harrisburg Land Bank	2014	25	Armstrong County Redevelopment Authority	2018
6	North East Pennsylvania Land Bank Authority	2014	26	Monroe County Redevelopment Authority	2019
7	Venango County Land Bank	2014	27	Butler County Redevelopment Authority	2020
8	Schuylkill County Land Bank	2015	28	Hazleton Land Bank	2020
9	Northumberland County Land Bank	2015	29	Allentown Redevelopment Authority	2021
10	Lackawanna County Land Bank	2016	30	Cambria County Redevelopment Authority	2021
11	Washington County Land Bank	2016	31	Cumberland County Housing & Redevelopment Authorities	2021
12	Lancaster County Land Bank Authority	2016	32	Williamsport Land Bank	2021
13	Erie (City) Land Bank	2016	33	Johnstown Land Bank	2022
14	Tri-COG Land Bank (Allegheny County)	2017	34	Clarion County Housing and Redevelopment Authority	2022
15	City of Lebanon Land Bank	2017	35	Warren County Redevelopment Authority	2022
16	Lancaster City Land Bank Authority	2017	36	Wilkesburg Land Bank	2022
17	Lawrence County Redevelopment Authority	2017	37	Delaware County Redevelopment Authority	2022
18	Pottstown Borough Land Bank	2017	38	Lower South Valley Land Bank	2022
19	Erie County Land Bank	2018	39	Redevelopment Authority of Clearfield County	2024
20	Sharon Land Bank	2018			



Template Land Bank ICA

INTERGOVERNMENTAL COOPERATION AGREEMENT AND MEMORANDUM OF UNDERSTANDING BY AND AMONG THE [LAND BANK/REDEVELOPMENT AUTHORITY], [MUNICIPALITY], AND [SCHOOL DISTRICT]

This Intergovernmental Cooperation Agreement (“Agreement”) is made and entered as of the date stated below by and between the [Land Bank/Redevelopment Authority], [Municipality], hereinafter referred to as “Municipality”, and [School District], hereinafter referred to as “School District.”

WHEREAS, as authorized by Act 33 of 2018, the County adopted Ordinance No. _____ [either creating a land bank or designating the redevelopment authority to act as a land bank] (hereinafter “Land Bank”); and

WHEREAS, the Land Bank, Municipality, and School District all have joined to create stronger communities by dealing with blighted, vacant, abandoned, and tax delinquent properties or otherwise obsolete land uses that impair the quality of life, productive growth, and sustainability of the community; and

WHEREAS, the Municipality and School District wish to obtain the aid of and encourage the Land Bank in obtaining blighted, abandoned, vacant and tax delinquent properties in the Municipality, maintaining them, and attempting to restore them to productive use; and

NOW, THEREFORE, the parties, based upon mutual agreements herein contained, for good and valuable consideration, receipt of which is acknowledged, agree as follows:

1. Recitals. The foregoing Recitals are incorporated into the text of this Agreement.
2. Land Bank Obligations. The Land Bank shall pursue the acquisition of blighted, vacant, abandoned, or tax delinquent real property in the Municipality. The Land Bank shall take affirmative steps and use its best efforts to return any property acquired to productive use consistent with the desires of the Municipality. Because the Land Bank has limited funds, it cannot, and does not, hereby commit to acquiring any property in the Municipality.
3. Obligations of Municipality and School District. The Municipality and School District agree, with regard to any property acquired by the Land Bank, that the Municipality and School District shall forgive, exonerate and release the said property from any real estate tax liens or any other liens, including municipal improvement liens, citation costs, or any other charges on the property arising in favor of the Municipality and School District. The Municipality and School District understand that during the time that any property is in the ownership of the Land Bank, the same shall not be taxable. The Municipality and School District understand that when the Land Bank attempts to return the property to productive use, the use may include a tax-exempt use, such as transfer to the County, Municipality, or School District or to a charitable organization. If the Land Bank returns the property to a taxable use, the Municipality and School District agree that, for a period of five (5) years after said property is conveyed by the Land Bank, one half (1/2) of any real estate taxes collected on the property shall accrue to the benefit of the Land Bank. The Municipality and School District agree to take all action necessary to carry out the allocation of these taxes to the Land Bank. The Municipality agrees to maintain the exterior portion of any property acquired by the Land Bank, including but not limited to, snow or ice clearance, vegetation control, cutting grass and any other agreed upon exterior maintenance during the time the same is owned by the Land Bank. No representation can be or is made as to the time duration which it will take the Land Bank to return any property which it acquires to a productive use.

4. Notice. The Land Bank shall reasonably attempt to supply notice to the representatives designated by the Municipality and School District before any action is taken to acquire, rehabilitate, demolish, convey, or transfer any property owned by the Land Bank during the term hereof and shall reasonably consult with any designated representative of the Municipality in developing a plan for said property.

5. Term and Termination. Any party hereto may terminate this Agreement and withdraw from participation in future acquisitions on sixty (60) days' written notice to the other parties. In the event of withdrawal, all obligations with regard to property already obtained or in process of being obtained by the Land Bank shall continue until the Land Bank conveys the same and the five (5) year allocation of one half (1/2) of the tax revenues collected to the Land Bank shall continue as set forth herein.

6. Independent Contractors. Notwithstanding anything contained herein, each of the parties hereto is and shall remain an independent contractor and the Agreement shall not create any employment, agency, partnership or co-venture relationship and, except as specifically set forth herein, neither party may incur debt or financial obligation in the name of any other party.

7. Compliance with Laws, Ordinances, Rules and Regulations. All activities performed by any party hereunder shall be performed in accordance with all applicable statutes and ordinances.

8. Entire Agreement and Agreement Interpretation. This Agreement constitutes the full and complete understanding and agreement among the parties. No provision of this Agreement shall be construed to create any rights in anyone who is not a party to this Agreement. This Agreement may be amended or revised in writing signed by all of the parties hereto. This Agreement shall be interpreted and construed in accordance with the laws of the Commonwealth of Pennsylvania. The resolution of any conflicts or disputes arising hereunder shall be under the jurisdiction and venue of the [COUNTY] County Court of Common Pleas.

[LAND BANK OR COUNTY REDEVELOPMENT AUTHORITY]

By: _____

Date: _____

[MUNICIPALITY]

By: _____

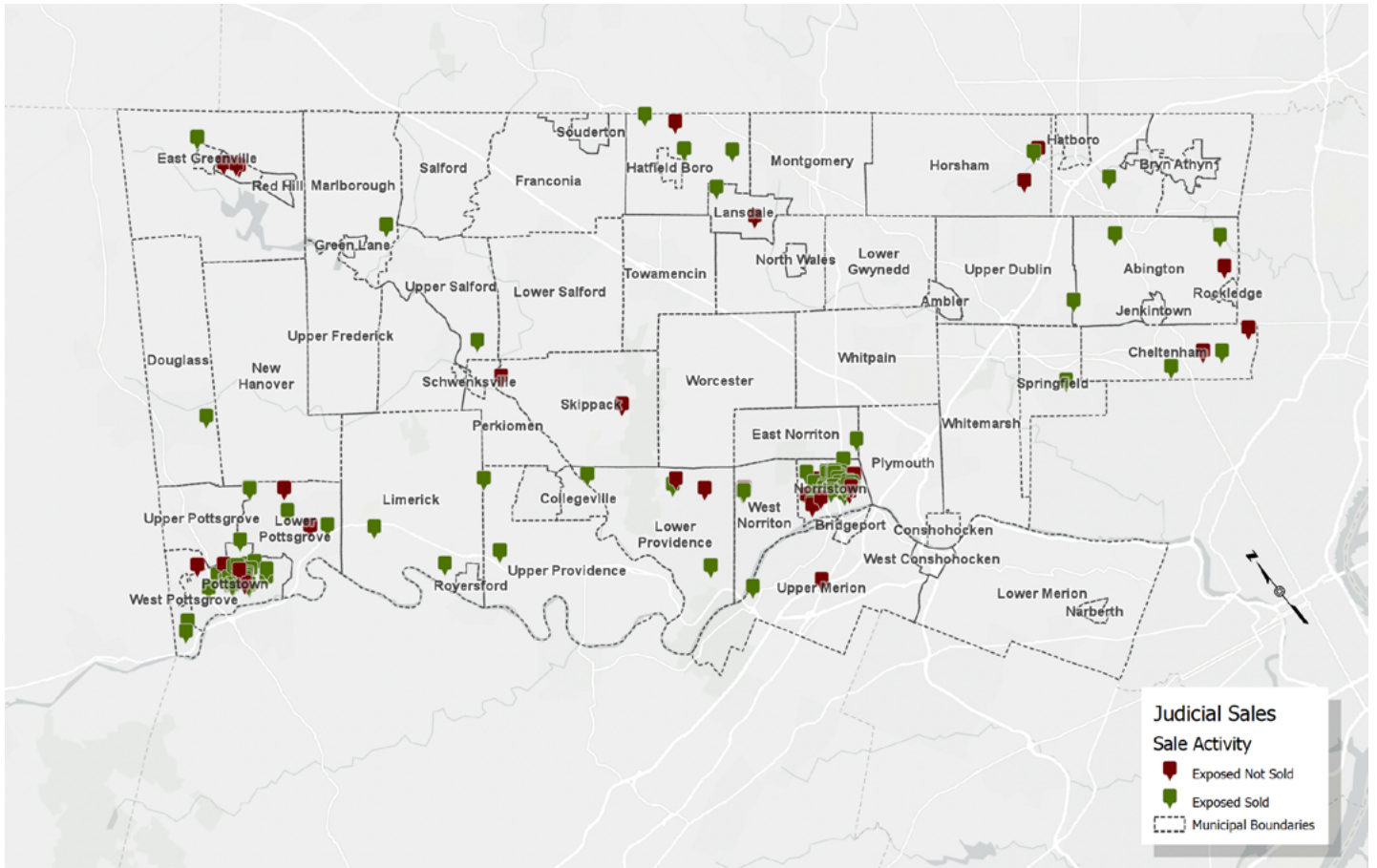
Date: _____

[SCHOOL DISTRICT]

By: _____

Date: _____

Montgomery County Judicial Sales 2018-2023



MONTGOMERY COUNTY, PENNSYLVANIA
on behalf of
Department of Health and Human Services (HHS) and Commerce Department POSITION: Montgomery
County Land Bank Coordinator

POSITION SUMMARY

This position is for a Montgomery County Land Bank (MCLB) Coordinator. This position reports to both the Administrator of the Office of Housing and Community Development in the Department of Health and Human Services (DHHS) and the Executive Director of the Redevelopment Authority in the Commerce Department.

This is an exciting opportunity for an entrepreneurial and collaborative individual to help launch a county-wide land bank in Montgomery County. MCLB will be a program of the Montgomery County Redevelopment Authority (RDA) and jointly administered through DHHS' Office of Housing and Community Development. The primary objectives for the land bank are to establish a program that will facilitate the redevelopment of acquired properties through strategic partnerships with developers, community organizations, lenders, and local governments to provide much needed quality affordable housing, improve quality of life, stabilize the tax base, and enhance economic activities that promote sustainable, healthy, and stable communities in a manner consistent with local government plans and priorities.

Montgomery County has allocated \$6 million in ARPA funding to the Office of Housing and Community Development towards this initiative and hopes to utilize this initial investment to not only launch the land bank but also support longer term systemic changes to policies and practices. As a program of the RDA, MCLB will help coordinate and align the various housing and economic development initiatives of Montgomery County and engage mission-driven and community stakeholders to help implement this exciting new tool. This is a full-time position, working across departments focused on acquiring, managing, and transferring properties for a range of quality affordable housing and local community goals. MCLB will initially be governed through the existing board of the RDA and be guided by the plan ("Land Bank Plan") being drafted by Branton Strategies LLC.

ESSENTIAL DUTIES AND RESPONSIBILITIES

This position is responsible for implementing findings and recommendations from the Land Bank Plan, which includes support for the:

- Organizational formation and governance of MCLB through creation of bylaws, policies, and procedures, staffing and budget plans, appointment of board members and advisory committees, and initial programming and outreach. This will require strong organizational development skills and navigation of various governmental processes.
- Strategic acquisition of properties for the primary purpose of quality affordable housing through the judicial tax sale, existing inventory of publicly owned properties, direct market purchase, donation, and other means. This will require knowledge of real estate inventory and transactions, as well as strong communication and collaboration among the various governmental entities and municipalities within the County, mission-driven and nonprofit developers, and residents most impacted by disinvestment and lack of quality affordable housing.

- Maintenance and stewardship of MCLB properties through the oversight of public employees and private contractors (if needed) for day-to-day property maintenance, monitoring inventory and managing security, stabilizing of deteriorated properties, and performance of conditions evaluations. This will require strong procurement and project management skills across governmental agencies and private contractors.
- Transparent disposition of properties to qualified buyers that supports the primary purpose of quality affordable housing as well as other community goals. This will require the development, intake, and review of applications, coordination and communications with the board and the community stakeholders, and a commitment to transparency with every decision.
- Education and outreach on MCLB, its goals and how it makes decisions, ways to engage with the organization, what opportunities exist to acquire properties, and routine sharing of activities through both in-person convenings and virtual platforms. This will require a strong commitment to engage and earn trust with community stakeholders that have been negatively impacted by disinvestment and lack of quality affordable housing.

BACKGROUND

The Montgomery County Land Bank will join thirty-nine other land banks across Pennsylvania and benefit from a wealth of information from these partners through the Pennsylvania Land Bank Network. For more information on land banking, please visit

<https://housingalliancepa.org/pennsylvania-land-bank-network/> and <https://communityprogress.org/resources/land-banks/>.

QUALIFICATIONS

- Preferred experience working in affordable housing and/or real estate development in a variety of housing markets
- Strong commitment to making Montgomery County a place where everyone can afford a safe and quality home for their family
- Passion for building bridges across governmental agencies and trust between government and residents
- Entrepreneurial drive to help create a new mission-driven organization to support the local community and development of quality affordable housing
- Creative problem-solver with positive, honest, and energetic attitude
- Excellent communicator across multiple platforms and to diverse audiences
- Ability to work independently and complete tasks within expected time frames

SALARY

Range from \$95,000 - \$115,000

Montgomery County is an equal opportunity affirmative action employer. All qualified applicants will receive consideration without regard to race, religion, color, gender, age, national origin, ancestry, disability, sexual orientation, gender identity, gender expression, political, and/or union affiliation.

LAND BANK Initial Year Operating Budget

[Number] Purchases

[REVENUE SOURCE]	[REVENUE SOURCE]	[REVENUE SOURCE]	[REVENUE SOURCE]	IN-KIND SERVICES	PROPERTY SALES	TOTAL
Administrative						
Salary and Fringes						
Office Supplies/Postage						
Website development						
Marketing						
Computer Purchase						
Software License						
Notary						
Travel/Training						
Insurances						
D&O						
Workman's comp						
Liability						
Audit						
Professional Services						
Legal						
Reserves						
Total Administrative						
Program						
Acquisition of Real Estate						
Acquisition related costs						
Legal						
Demolition						
Rehabilitation/Stabilization						
Environmental						
Property Insurance						
Maintenance						
Total Program						
Total Administrative/Program						



Branton Strategies helps communities reclaim and transform vacant and blighted properties. Branton Strategies has assisted numerous communities across Pennsylvania with evaluating and forming land banks, including Montgomery County, Delaware County, and Pottstown.

Winnie Branton is the President of Branton Strategies, established in 2014 to provide consulting services to local governments, non-profit organizations, and stakeholders interested in a strategic approach to returning blighted properties to productive use, especially for quality housing. Winnie wrote *The Pennsylvania Land Bank Resource Guide*, a how-to manual for forming and operating a land bank. She helped create and is the Senior Advisor to the PA Land Bank Network, an initiative of the Housing Alliance of Pennsylvania. Winnie is considered one of the leading experts on Pennsylvania land banks. She is also an attorney with a solo practice focused on municipal law and real estate law. Winnie received a juris doctor degree from Temple University School of Law and a master's degree in public administration from the Fels Institute at the University of Pennsylvania.

For this project, Branton Strategies is collaborating with **Indigo Collaborative**, a national consulting firm. **Kim Graziani** is the President of Indigo Collaborative. Kim has extensive experience in land banks at the national level and how land banks can be used to support the development of affordable housing. Much of Kim's consulting portfolio is through the Center for Community Progress, a national nonprofit organization that works primarily with local governments, nonprofit organizations, and resident leaders to transform vacant and abandoned properties into community assets such as quality affordable housing. She helped create the National Land Bank Network, an initiative of the Center for Community Progress, and is considered one of the leading national experts on land banks. Kim is a certified Housing Development Finance Professional through the National Development Council and received her master's degrees in public administration and social work from the University of Pittsburgh.