

City Life/Vida Urbana

Bank Tenant Association ORGANIZING MANUAL

Building Solidarity To Put People Before Profit



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* New England Workers and Residents Organizing Against Displacement



photo: Brandon German

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INTRODUCTION

City Life/Vida Urbana (CL/VU) is a bilingual, community organization founded in 1973, whose mission is to fight for racial, social and economic justice and gender equality by organizing and empowering poor and working class people of diverse races and nationalities. Our roots are in promoting tenants' rights and preventing housing displacement.

In 2007, after the onset of the foreclosure crisis, we realized that the banks had become the biggest evictors in Housing Court. In response, CL/VU launched a new campaign to help the growing number of foreclosed homeowners and their tenants stay in their homes and reclaim their self-esteem and confidence.

The approach we ultimately designed—which we call the Bank Tenant Association (BTA) Organizing Model—is a product of more than three decades of successful grassroots housing organizing. It incorporates the movement-building strategies we have been developing since our start: getting out in the community to get the message out; holding meetings that build solidarity; providing access to lawyers; organizing bold and creative protests that apply public pressure and attract media attention—and most importantly, cultivating leadership development that puts the bank tenants themselves in charge of demanding and building a more just system.

The success of this campaign has been extraordinary. We've created a powerful Bank Tenant Association with thousands of bank tenants. Together, these bank tenants have stopped evictions, passed new laws, put pressure on the bank to sell back homes at half



photo: Brandon German

or less of the original loan value and radically changed both lender and court culture. Our success in helping families get their homes back is connected to our broad demand for principal reduction; principal reduction was a radical demand when we first raised it over four years ago, but it is now the central issue in the national debate over what to do about the huge number of underwater loans.

Our achievements have earned us national recognition. We've been covered by the New York Times, Bill Moyers Journal and the PBS News Hour. And dozens of groups across the country have asked us to do trainings and presentations. In 2011, a lead grant from the Open Society Foundation's Neighborhood Stabilization Initiative made it possible for us to expand this effort beyond Boston. We are now working closely with groups in four other cities within Massachusetts and Rhode Island to replicate this model. The grant also made it possible for us to develop this manual.

Our timing could not have been better. Whereas at one time the movement building strategies we use might have been viewed as extremist, the growing popularity of the Occupy movement in nearly every city in this

country has revealed that even mainstream America is fed up with corporate greed.

The information we have included is a product of interviews with CL/VU organizers, staff, and members of our leadership team. We also spoke to volunteers and organizers working in some of our replication sites, and several of our legal and non-profit lender partners.

While we have worked hard to make this manual useful to a broad range of groups, we're also aware that our model is influenced by the fact that Massachusetts has one of the strongest tenant laws in the country. Because, for example, the banks cannot evict tenants living in foreclosed properties (although they can evict the homeowners), much of our campaign has a post-foreclosure strategy—an approach that may not work for cities and states with weaker tenant protections.¹ What this means is that while this manual can provide general guidance, you will need to modify the model to fit the needs of your own groups and communities.

It's also important to keep in mind that there is no one right way to implement this campaign. In fact, our own model is evolving every day and we have much to learn from one another. We depend on your input to make this manual vibrant and responsive to the needs of all BTAs across the country.

The important thing to remember is that the model is a simple one, built on the premise that you can in fact win major battles against big financial institutions if enough people are willing to fight—and this model is an effective way to bring people to the fight and to build an organized people's force.

¹ Up until 2010, Massachusetts banks were able to evict people 'without cause' up until CL/VU helped pass new legislation which protects families who were tenants at the time of foreclosure against no-fault eviction.

Here are some recommendations for how to get the most out of this publication:

- **Skim through the entire manual to get a sense of its contents and the topics that will be useful to you.**
- **Use the *Starting Up* section as a roadmap.** It will help you understand the sequence of actions entailed in starting a BTA. Each step is followed with references to the later chapter(s) that contain more detailed information.
- **Take the Self-Test after finishing the manual.** It's a good way to make sure that you have retained the most important points.
- **Review the attached documents and watch the linked videos.** Some information is better conveyed by watching as opposed to reading.

In closing, we humbly offer this manual as a resource to those who are new to the movement as well as those who we know may already have extraordinary organizing experience and an extensive record of accomplishment. While we are proud of this document, we are also aware that it has its limits—particularly if you are starting out. Recognizing this, CL/VU also offers supplementary support in the form of presentations, customized trainings, videos and other technical assistance including opportunities to observe and shadow established groups.

We encourage you to contact us with requests for additional support or suggestions for changes and wish you strength and endurance as you take on this important battle.

In Solidarity,
City Life/Vida Urbana

CHAPTER 1

HOUSING CRISIS 101

How we got into this mess



What you will learn in this chapter:

- *How the housing bubble and unregulated corporate greed caused the foreclosure crisis.*
- *How communities of color have been disproportionately impacted.*
- *How people were duped into getting loans they could not afford.*
- *How the banks collapsed and got federal bailout money, but did not help the victims of their scam.*
- *How City Life/Vida Urbana has responded by developing a structural analysis of the problem and an empowering organizing strategy.*

It all started in the 1990s when investors rushed to the real estate market for profits.

For over a hundred years, housing prices remained steady with the rate of inflation. Then, in 1995, those who had done well on Wall Street started putting their money into real estate as the stock market started to become less profitable.¹

This prompted a sharp increase in housing prices, particularly in major metropolitan areas where prices rose more than 80 percent between 1998 and 2006. The expectation

¹ Why did the stock market become less profitable? As gaps between the poor and rich continue to grow, consumer spending became too low to support productive investment in consumer goods. Consequently, people with wealth turned to speculation, creating artificial bubbles that ultimately burst after a few years.

that prices would continue to go up led homebuyers to pay far more for homes than they would have otherwise—especially since they were receiving the message from everyone that if they didn't buy now, they would never be able to. Speculators made the problem even worse by buying houses simply to resell them at a profit. In 2005, for example, 28% of all housing was purchased for investment and not residential purposes.

Seeking to expand their profits, mortgage companies started aggressively marketing high interest rate sub-prime mortgages.

By 2003, the standard mortgage market was saturated—whoever could qualify for a regular mortgage and wanted to buy a house was in a house. But to meet the growing investor demand for more mortgage securities, mortgage companies started a ruthless campaign of predatory lending (coercive lending with unfair or abusive lending terms such as excessively high interest rates and fees), pushing loans on people who did not have the level of income or creditworthiness of previous borrowers.² ³These were called sub-prime mortgages because they were initially targeted to borrowers with low

²Some conservative commentators have made an inaccurate claim that banks were forced to make risky loans to low- and moderate-income borrowers to meet the requirements of the Community Reinvestment Act (CRA). In fact, it has been estimated that 80 percent of sub-prime loans were made by financial institutions that are not subject to the CRA. Furthermore, while CRA has been in effect for over three decades, the foreclosure crisis is a recent phenomenon. Finally, there is also some evidence that loans made to low- and moderate-income homebuyers as part of CRA obligations have actually performed better than sub-prime loans. See <http://mediamatters.org/research/200809300012> and Interim Report to Congress on the Root Causes of the Foreclosure Crisis, U.S. Department of Housing and Urban Development Office of Policy Development and Research, March 2009. (http://www.huduser.org/Publications/PDF/int_foreclosure_rpt_congress.pdf) for more details.

³Sub-prime mortgages had been around well before 2003, but it was not until 2001-2002 that they were more aggressively marketed.

credit ratings (although ultimately they were marketed to all types of borrowers). Sub-prime mortgages have interest rates that are 2–4 percent higher than standard mortgages, but their high monthly payments are kept artificially low for the first few years of the loan. This teaser rate makes the mortgage deceptively attractive to borrowers who were told they would have no problem refinancing when the higher rates kicked in.

At first, some of the mortgage companies were reluctant to promote these loans, fully aware that they were placing borrowers into loan products they could not afford over the long-term and relying on a Ponzi⁴-like scheme in which they falsely promised borrowers that housing prices would only keep going up. Ultimately, however, once one company started marketing these toxic products, other companies did the same,⁵ fearful that they would lose business to their competitors. And because these lenders typically resold these mortgages to large investors, they faced little direct risk. With little to lose and lots of profit to gain, the mortgage companies began issuing sub-prime mortgages in record numbers—often not even requiring any documentation of income or any down payment.

⇒ **NOTE:** Sub-prime mortgages could only be sold by mortgage companies which had sprung up in the early 1990s as a way to avoid banking regulations which lawmakers did not apply to these companies. By 2004, mortgage companies like Countrywide became the dominant lenders, pushing

⁴A Ponzi scheme is a fraudulent investment scheme which attracts investors because of its unusually high returns but is destined to collapse because it depends on an ever-increasing flow of money from new investors to keep the scheme going.

⁵In September 2011, the Federal Housing Finance Agency announced that they would be suing Bank of America, JPMorgan Chase, UBS, Goldman Sachs and Deutsche Bank, citing that they had misrepresented the riskiness of mortgage securities they assembled and sold at the height of the housing bubble.

regular banks out of the business and setting the standard of predatory loans.

Between 2002 and 2006, the sub-prime share of the market nearly tripled.⁶ These shady schemes were made possible because Wall Street had enormous influence over Congress through record lobbying and campaign donations. Most meaningful consumer protections had been removed, leaving the banks free to do whatever they wanted with no consequences.

Communities of color were the primary targets.

Because of racist banking practices in the past, communities of color were uniquely vulnerable to predatory loans. For decades, for example, as part of an illegal practice called “redlining,” banks had refused to make mortgages in neighborhoods where people of color lived. Properties in these communities began to lose their value because they could not be bought or sold, and owners could not finance home repairs. Recognizing how eager these prospective borrowers would be to take out a loan, mortgage brokers approached people in communities of color all over the country, telling them they could get them a house, even if they had low income or poor credit. And if they had a house, they urged them to refinance so they could use the equity or value in their home to pay for major expenses such as home repairs, medical bills or college education. They falsely assured them that it would be simple to refinance with lower rates after the introductory rates ended.

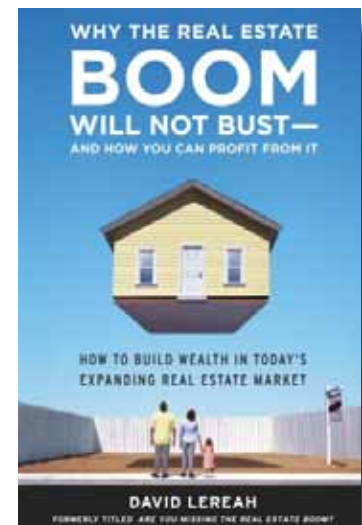
And because women, especially women of color, were the fastest growing segment of people who were buying homes over the last decade, they

were particularly hard hit. According to a 2006 report by the Consumer Federation of America, moderate-to-high-income women of color were most likely to receive subprime loans and African-American women were 4–5 times more likely to receive a subprime loan than a white woman or Latino woman.

The housing market collapsed when massive numbers of people could no longer afford to pay their mortgages and had to default on their loans.

When housing prices stopped going up, borrowers who had relied on being able to refinance their high sub-prime mortgage rates were no longer able to do so and were stuck with mortgages they could not afford to pay.

In late 2006, the foreclosure rate skyrocketed. In Boston, for example, there were 1,092 foreclosure deeds filed in 2005 (Filing a foreclosure deed is the final step in the foreclosure process.) That number nearly tripled in 2006 to 3,086 and shot up to 7,653 foreclosure deeds in 2007—the overwhelming majority in just a handful of communities like Dorchester, Mattapan and Roxbury.⁷ And according to RealtyTrac, an online service that tracks foreclosures filings nationwide, U.S. lenders filed a record 3.8 million foreclosures in 2010,



⁷ Press Release, The Warren Group, Foreclosures in Mass. Rise 150% in 2007; December Sees Largest Increase Since August, According to the Warren Group (Jan. 23, 2008), <http://www.thewarrengroup.com/portal/Solutions/PressReleases/tabid/190/newsid751/104/Default.aspx>.

⁶ www.businesstoday-eg.com/case.../subprime-mortgage-crisis.html

up 2% from 2009 and an increase of 23% from 2008.

As the real estate market got saturated with foreclosed homes, housing prices began to tumble, spurring more foreclosures and setting a vicious cycle in motion.

Once property values started going down, it set off a reverse chain reaction—the opposite of what had been happening during the housing market bubble. As more people defaulted, more houses came on the market. With no buyers, prices sunk further. By September 2010, according to CoreLogic, a leading provider of consumer, financial and property information, one-quarter of all U.S. homes were “underwater,” meaning they were worth less than the mortgage loan.

Because there was such a high concentrations of sub-prime loans in communities of color, these neighborhoods were disproportionately affected. Abandoned housing became commonplace, attracted squatters, vandals and thieves, spurring even more disinvestment and greater losses in housing value.

When the mortgage companies started collapsing, it had a direct impact on the big investment banks which had bought many of these bad loans.

During 2007, at least 100 mortgage companies either shut down, suspended operations or were sold.⁸ And by 2008, this crisis had spread to the major banks who had bought up these toxic loans. Even these banks, which had been considered “too big to fail” were now toppling under the weight of worthless mortgages. (Of course the CEOs of these companies came out

⁸ “Bloomberg.com: Worldwide” (<http://www.bloomberg.com/apps/news?pid=20601087&sid=aTARUhP3w5xE&refer=home>).



photo: Brandon German

unharmless.) The bank collapse triggered the collapse of the entire U.S. economy which is dependent on being able to borrow money to function. This in turn resulted in massive layoffs. As unemployment rose, consumers spent even less and housing prices fell even lower.

Under political pressure from Wall Street, the government chose to bail out the banks—not the homeowners.

In 2008, President Bush created the Troubled Asset Relief Program (TARP) program which gave investment banks like Citigroup, Bank of America, AIG, JP Morgan, Goldman Sachs Wells Fargo and GMAC nearly \$700 billion in federal bailout funds. The victims of their greed—the people who had been put into toxic mortgages—were left to lose their homes. Responding to public outcry, the government rolled out vastly inadequate loan modification assistance to help these homeowners. This aid—which had a small fraction of eligible owners paying slightly reduced monthly

payments on loans that were still far more than their homes were worth—proved to be mostly ineffective. Nearly 40 percent of those assisted homeowners became delinquent again within 8 months.⁹

Most banks have refused to reduce loan principals for owners facing foreclosure.

The vast majority of people who are facing foreclosure or whose homes have already been foreclosed *could afford to pay their mortgage if their mortgage reflected the current value of their home*—and not the artificially inflated price caused by real estate investors.

If banks were willing to reduce the principal owed on mortgages, or sell homes back to homeowners after foreclosure, then homeowners would have a place to live and the bank would continue to get paid. But even though the banks would actually save money by doing this, they have consistently refused to do this. They claim that if they did this, it would encourage other homeowners to default on their loans so they too could reduce their mortgage costs. This claim is both unfair and untrue. Corporations file for bankruptcy as a matter of course, viewing it as a legitimate option that will allow them to continue doing business. Yet they refuse to extend that opportunity to borrowers who rarely default when they have a solid mortgage product with payment terms they can afford.

Banks have also implemented a policy of evicting all occupants of foreclosed homes before marketing them for sale.

Foreclosures have hit renters especially hard, since in some cities like Boston, multi-family properties have been defaulting at twice the rate

⁹ Christie, Les (2008-04-22). “No help for 70% of subprime borrowers”. [CNNMoney.com](#) ([Cable News Network](#)).

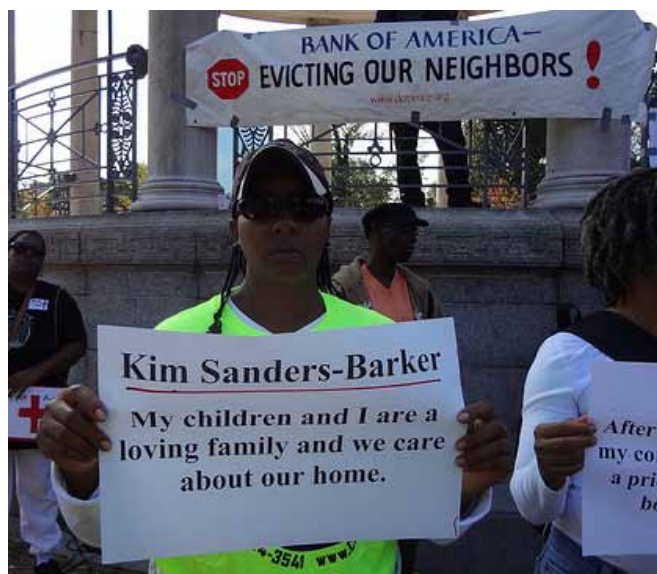


photo: Brandon German

of single family properties¹⁰ and banks have sought to evict almost every occupant. Often absentee landlords owned these properties, so the foreclosure and subsequent evictions affected only the tenants, who had nothing to do with the failed mortgage—and often learned about the foreclosure only days before they had to vacate. To vacate the building quickly, banks offered occupants small sums of money (\$500–1,000) to leave their home within the month. Many tenants signed onto these “Cash for Keys” offers, unknowingly waiving their rights to a full court process and tens of thousands of dollars.

Using an innovative model that empowers bank tenants, City Life/Vida Urbana has been helping both homeowners and tenants stay in their homes even after their homes have been foreclosed.

This manual is designed to help other communities adopt the same methods that we have found to be so successful. Using a combination of legal defense,

¹⁰ Addressing the Foreclosure Crisis: State and Federal Initiatives in Massachusetts, Citizens’ Housing and Planning Association, Janna Tetreault and Ann Verrilli, March 2008

direct action and civil disobedience, our organizing not only prevents homelessness, but stabilizes communities with long-term affordable housing. Most importantly, it helps community members gain the confidence and skills to fight for their homes and take leadership in a bold and effective new movement for social and economic justice.

The following are some points we emphasize when talking about the foreclosure crisis:

- *The financial institutions created the crisis. They should pay for it.* Banks not only put people into bad loans, they also played a major role in deliberately inflating real estate values. People did not “buy more house than they could afford.” People simply purchased whatever housing was available at inflated prices, encouraged to do so by bankers, brokers and realtors, as well as local government, churches and community organizations. This means that foreclosing banks should:



photo: Barry Scott

- Rewrite loans to current, real value
 - Accept rent from occupants, and/or
 - Resell foreclosed buildings to occupants or non-profits at the real value.
- *We can solve the crisis without waiting for government bailouts.* We want the government to act, to provide money and new regulation, but we have a strategy that allows us to win even if the government does not act. And better yet, our strategy is directly affecting how the government is setting policy,¹¹ responding to our demands to reduce the size of the mortgage loan to its real value, rather just adjust the repayment terms.
 - *The communities and people hurt by this crisis are disproportionately people of color, and especially women of color.* Recognizing this raises public awareness about the role of racism and sexism in our economy and society. Rather than stigmatizing and blaming the victim, we make it clear that banks are responsible for the devastating impact of the economic crisis on communities of color.
 - *We have the right to defend our homes and our communities,* regardless of what the court says is the legal status of our claim to our homes.
 - *In our organizing model we see the struggle for justice as a battle and we have to prepare accordingly.* This is hard work and the change we are fighting for won't happen overnight. But by standing together and refusing to give up, we know we will be victorious.

¹¹ The concept of principal reduction—requiring banks to reduce the amount of the loan.

CHAPTER 2

THE BANK TENANT ASSOCIATION ORGANIZING MODEL

A summary

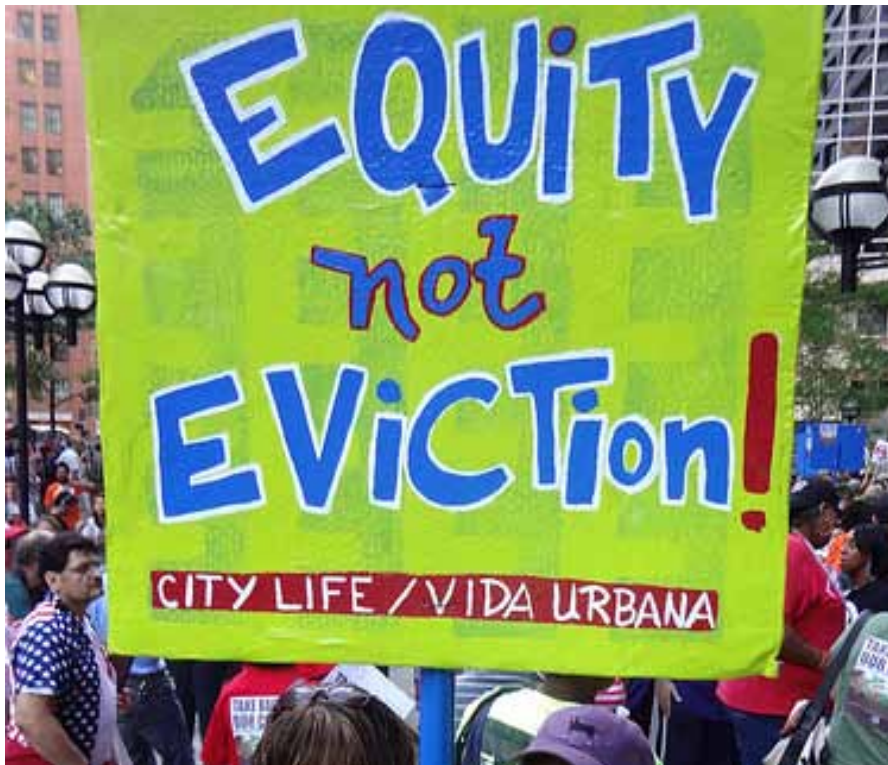


photo: Brandon German

What you will learn in this chapter:

- *Why we developed this model*
- *The Sword, the Shield and the Offer in a nutshell*
- *The Five Masses in a nutshell*

Since 2008, the foreclosure crisis has devastated millions of families and numerous neighborhoods across America, with a large and disproportionate impact on Black, Latino and immigrant families. Up until now, under pressure from the government, lenders have focused on increasing the number of loan modifications to decrease the foreclosure rate. City Life/Vida Urban has found, however, that most modifications that don't reduce the size of the loan (also called 'principal reduction') rarely prevent

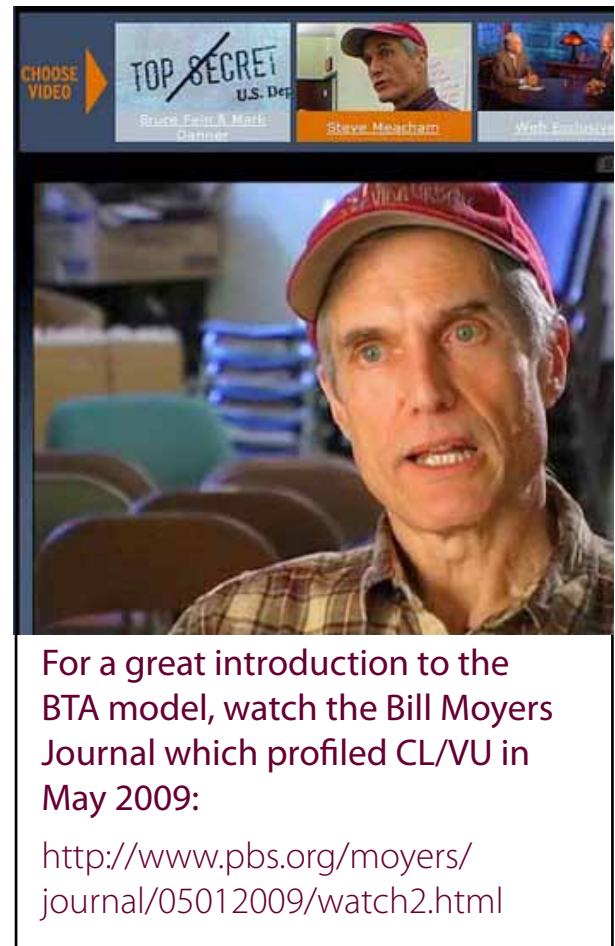
foreclosures.¹ In many instances, they even can place an additional burden on the homeowner and result in a further loss of equity. Our approach focuses instead on fighting evictions and pressuring lenders to reduce the principal so that it reflects the actual rather than the inflated value of the home.

Another problem with the mainstream approach to helping people facing foreclosure is that defaulting on a mortgage is seen as a failure on the part of the homeowner. Our goal is to educate people that they have no reason to be ashamed of being in a situation caused by a predatory lending environment and deliberately inflated real estate values. Buy now, they were told, before prices go up even higher and you are forever excluded from buying a home.

Many people are fearful of going through a foreclosure. CL/VU encourages owners to lose their fear and understand that they have the power to stay in their homes when they stand up and fight. While we don't have a specific platform or political agenda, we do stand for a set of values that reflect our mission: "people before profits." We believe that it is immoral to generate massive profits on a basic human right like housing. We think it's unfair that a small fraction of people can become wealthy on the backs of hardworking people who must spend nearly all of their income—and sometimes more—to keep a roof over their head. We believe in an economy that prioritizes people's needs over profits.

CL/VU developed an organizing model that is designed to fight this injustice, incorporating

¹ Loan modifications that simply alter the terms of the loan are better suited for properties where the value of the property and the amount of the loan are roughly equal. Most CL/VU members come to us with loans that are underwater or significantly higher than the value of their home.



much that we learned over decades of tenant organizing. Central to the model is creation of the Bank Tenant Association (BTA), a multicultural, multiethnic group of foreclosed owners and tenants who meet weekly. The BTA is the backbone of the movement—it's where people find their voice and sense of power by building solidarity with other people going through the same experience. It's where people who have been defrauded by a profit-obsessed system can fight back by refusing to play by rules they never agreed to and that go against their best interests. CL/VU's role is to help bank tenants challenge a lifetime of propaganda designed to make people think they are defenseless against this system and to give them the moral space to challenge these rules and reclaim their power by uniting with others in the same situation.

The model has three main components that we call the Three Legged Stool: **the Shield**, **the Sword** and **the Offer**. It involves a collaborative partnership between organizing, legal services and a financing mechanism.

- The **Shield** represents a range of *legal defense* options. Local lawyers and law students are available during BTA meetings to counsel homeowners and tenants on their legal options. Being able to meet with a lawyer is often what brings bank tenants to their first meeting. With the lawyers' help, we can buy time for homeowners, keeping them in their homes and supporting them in court or with bank negotiations. (*Note: Lawyers typically give bank tenants partial, rather than full, representation, thus stretching their often limited resources much further.*) Meanwhile, as bank tenants participate in the meetings and get to know others in similar predicaments, they begin to take up the sword in solidarity with others and in their fight for their own home.
- The **Sword** represents the use of *active interventions* including auction protests, vigils, "block rebellions" and eviction blockades, all of which have been used successfully to change bank and court behavior, reform the law and empower bank tenants. After a new person has shared her story at one of our BTA meetings, we offer her a cardboard replica of a sword and ask her to hold it high. "Are you willing to fight for your home?" we ask. After she says "Yes," the whole group responds, "Then we'll fight with you." The sword is a symbol of the struggle she is about to engage in, but she gets the message loudly and clearly that she is not alone.



photo: Brandon German

- The **Offer** (or *demand*) represents the most recent evolution of our model and is the result of an innovative partnership between CL/VU and Boston Community Capital (BCC), a community development financial institution or CDFI. There are many CDFIs around the country, but this same role could also be played by smaller, more local institutions such as credit unions, community banks, etc. In these transactions, this third-party lender can help a homeowner get back into his or her home by buying the foreclosed property from the bank at a discounted price and then selling the property back to the former owner. With such a transaction, the homeowner has affordable monthly payments—an outcome that has not been matched by most normal loan modification efforts.

Central to the BTA model are five key elements of community organizing that we call the "**Five Masses**":

Mass Outreach. Our volunteers canvass almost every building in Boston that appears on the public list of buildings scheduled for a foreclosure sale auction. We speak at many community gatherings and forums, informing people of their rights and recruiting new

members and volunteers. Using a combination of mainstream, independent and social media, we have gained widespread attention and put a human face on the foreclosure issue.

Mass Meeting. The centerpiece of the Sword and the Shield is the weekly BTA meeting, which now attracts upward of 100 people at our office in Jamaica Plain, with other groups sponsoring such meetings at nine more locations around New England. The meetings provide a vibrant support network filled with testimony, chants and theater. It's a place where people can address their feelings of shame and isolation by acknowledging their situation in a public setting and making a conscious decision to engage in collective action. It's a place where new members can learn about their rights, receive legal counsel, plan future protests and have political discussions.

Mass Casework. Staff organizers provide what we call "collectivized" case management which allows us to look at how an individual case can be used to impact the other cases. This approach encourages people not to view themselves as clients with individual problems, but rather to fight with and for others in their same situation in a way that is ultimately more effective and more personally empowering. One of the first things we ask people to do is to prepare a *Public Letter* through which bank tenants can voice their demands as well as publicize their situation to the community at large.

Mass Actions. We hold high visibility, movement building pickets at bank offices. We provide testimony at court hearings. We hold eviction blockades, occupy vacant buildings and engage in other creative protests (such as visiting a bank-sponsored golf tournament or



photo: Brandon German

crashing a luncheon for the CEO of Freddie Mac). These actions have been running at the pace of 2–3 per week.

Mass Political Discussion. Every weekly meeting and many side meetings are devoted to political discussion and analysis with the goal of helping BTA members understand how their foreclosure is part of a larger political and economic system failure. While fighting foreclosure and its associated ills are what initially bring us together, the BTA is far more than a model to tackle displacement. It's about building a fiercely connected community filled with empowered members, replacing fear and shame with confidence and a sense of self-worth, and upending the status quo in ways we have previously been taught are impossible.

CHAPTER 3

STARTING A BANK TENANT ASSOCIATION

What it will take to get a BTA up and running



photo: Kelly Creedon

What you will learn in this chapter:

- *The steps you will need to take and the minimum requirements you should have in place to start up a Bank Tenant Association (BTA).*
- *How to run a successful BTA on a shoestring budget.*

Introduction

While starting a Bank Tenant Association can seem daunting, the good news is that we have watched our replication sites go from 0 to 60 seemingly overnight. If you're questioning whether it can be done—the answer is yes. If you are wondering if you have what it takes, rest assured that you do. What you will need to do to start a new Bank Tenant Association project will depend on what resources you already have in place:

- Are you part of a community effort that is all volunteers and is not attached to any organization?

- Are you starting a new organization?
- Are you part of a non-profit that is already doing organizing?
- Are you doing organizing but not doing foreclosure work?
- Or are you already doing foreclosure work but not using the CL/VU model?

Starting a new BTA on a shoestring budget

Many Bank Tenant Association (BTA) projects start out as entirely volunteer-run efforts. Some spring from groups that may have gathered to support a political candidate, for example, and are now seeking another mission to organize around. If you are in the earliest stages of putting together this kind of project, it will be important to understand the model thoroughly and we recommend that you read the Manual in its entirety. Be aware, however, that what you will need to learn may not be easily transferred from a manual, a video or even a workshop or training. More likely, you will need ongoing support—especially in the early stages. Contact CL/VU for more information on what resources are available. We encourage you to also observe our meetings, canvassing, case management and more.

IMPORTANT: While you can run a BTA project with no paid staff, you will need to have several very committed, politically savvy volunteers willing to work as if they were paid staff. At a minimum you will need:

- One to three dedicated veteran activists with solid community connections, each willing to put in a minimum of 10–15

hours per week, amounting together to a full time staff person. Ideally these volunteer anchors should either be retired/unemployed or have lots of flexibility in their paid job.

- A group of volunteers who may not have the same time availability as the core volunteers, but are still willing to volunteer their time canvassing, making calls and organizing actions on a regular basis.

NOTE: While a volunteer BTA is feasible for the short-term, it may be difficult for the same few people to shoulder the burden of the operation over an extended period of time. Eventually you may need to hire at least one—and ideally two—paid staff persons.

Working with or within an existing organization

There are typically two ways that a new BTA project will be part of an existing organization:

- **Through a fiscal sponsorship.** As a volunteer group, once you decide you want to hire a paid organizer, you will need to connect with a host organization. The easiest way to do this, if you are going to retain your separate group identity, is to find an organization that is willing to serve as a fiscal agent. Having a paid staff member will trigger this necessity because you will need to have an administrative infrastructure that can pay payroll taxes, cut payroll checks, do general bookkeeping, and deal with all the necessary paperwork that is too complex for an all-volunteer group. The arrangement will offer many other advantages including making your group eligible to apply for grant funding (through the fiscal sponsor's non-profit



status), increased fundraising capacity and possibly a receptionist, other organizers, computer assistance, etc.

- **As a new project of an organization that commits its own staff to doing BTA organizing.** This may be a social justice, community development or affordable housing group.

In either case, the host organization will need to have:

- **A radical political mission.** This means the organization must be committed to confronting and changing social and economic inequities, and be comfortable with challenging the status quo. Because many community organizations receive funding from big banks, this may pose a conflict. They may also have board members that are not comfortable with a radical philosophy.
- **A commitment to develop the leadership skills of its base.** The CL/VU model has at its core the empowerment of the people impacted by the foreclosure crisis. In a sense, everything else is secondary. At a minimum therefore, to adopt the CL/VU model, the host entity must share the same dedication to empowering bank tenants.

If you do choose to work with a fiscal sponsor, you will need to discuss:

- **Expectations regarding future fundraising.** For example, do they have donors that are off limits? Are there funders to whom you might be able to apply jointly?
- **Overhead costs.** When a group agrees to be your fiscal sponsor, you will need to make sure they are compensated for any extra expenses they may incur from the sponsorship. A typical arrangement might be that you pay them a small percentage of your budget, with an agreed upon minimum. If any other unanticipated costs are incurred, you should be prepared to pay them.

If you are with an existing organization that wants to expand its activities to include BTA organizing, make sure you have anticipated the increased demands on space, time, funds and staffing capacity the project will require.

Step-by-Step To Do List

The activities that follow show a series of start-to-finish actions that a new BTA group will need to undertake to launch a successful campaign. While some readers may already have much of their organizational infrastructure in place, we recommend that you read, or at least review, this manual in its entirety as we have included information that you may still find helpful. After each of these bullets we include a reference to the chapter that discusses the topic in greater depth. (Note: While these activities are numbered, this is only a sample sequence of how these activities might occur.)

Identify community partners. If you are starting a new BTA, your success will depend on the connections you make with other groups and institutions in your community. These groups can be a source of bank tenants, volunteers and funders. They may also serve as members of your steering committee or board, as well as future coalition partners. Ideally, your lead organizers will already have strong ties to these groups, enabling you to build on a foundation of mutual trust and respect.

If you are already part of an existing organization, you may not depend as much on the participation of community partners to get you started. But *if you are starting off as an independent effort, the role of a community-based steering committee will be critical.*

Leadership Opportunity

When forming a steering committee, it is important to include members who reflect the people directly affected by foreclosure.

You can start by talking one-on-one to contacts you know in the community, gauging their interest and asking for other contacts. Then invite these people—who ideally represent a range of stakeholders—to a group presentation of the model (or to an actual meeting if they are already being held).

⇒ **NOTE:** If you are forming an actual committee or coalition, you may want to prepare a set of expectations together as a group. Committee members and ally groups will have more of a sense of belonging and investment in the campaign if they are actually involved in the campaign. For example, one steering committee member does all mapping, one does the printing and another provides



photo: Brandon German

paper. One helps run leadership meetings and another does translation. Ideally, steering committee members should also be willing to attend regular steering committee meetings. They should also be encouraged/expected to take part in one or some of the following tasks: canvassing, making phone calls, attending the weekly meeting and playing an active role in protests.

Hire staff. When hiring staff, our experience has been that you want to hire someone with organizing experience as opposed to administrative skills (although obviously it's great to get someone with both skill sets). The goal is to hire someone who knows how to build a movement and who understands the art of empowerment, rather than someone who may be a competent case manager. In addition, good organizers often have good volunteer management skills, and this will be particularly important. Other assets you may be looking for include:

- Bi-lingual in Spanish or other relevant language skills.
- Verbal and written communication skills.
- Ability to use Internet, Microsoft Word and familiarity with using databases.

- Ability to work as part of a team.
- Willingness to work evenings.
- People who have been directly affected by the foreclosure crisis.

To get the word out that you are hiring:

- Plug into all local networks.
- Send out e-mails and ask people and organizations to forward it to all their contacts.
- Post on Facebook.
- Post on low-cost or free websites such as Craigslist and Idealist and other organizations.

See *Sample Job Description*.

Prepare a budget. Make it realistic. If you have minimal funds, you will need to be creative in identifying free or low-cost goods or services. The following is a list of typical expenses and some tips for how to offset these costs:

- *Postage.* While the availability of e-mail means less need for postage, you will need to send things by mail.
- *Copying.* There are always lots of copying costs: agenda, canvassing materials, protest flyers, etc. Often people print documents at home and/or scan them and e-mail them to defray printing costs.
- *Data on foreclosure sales.* You can also get this information by researching the registry of deeds website directly or accessing your paper's public notices online.
- *Legal defense costs.* This would include funds to pay for bail, fines and lawyer costs if they aren't donated. (We have found that members of the National Lawyers Guild are typically willing to help perform civil disobedience defense work.)

- *Space.* You will need space for the BTA meeting and ideally a space for a small office. Meeting space can often be donated by other groups or religious groups.
- *Transportation.* People need to be prepared to use their own cars. There may be situations when you might want to help offset fuel costs for certain volunteers.
- *Food.* At City Life we foot the bill for pizza and use what we collect at the meeting to partially offset the cost. If you are a volunteer-only organization, you can save money by implementing a potluck arrangement for providing food. Not only will the food likely be better than pizza, but it's a great way to build community as people share their cuisines.
- *Phone.* Establish a dedicated phone for the BTA. If you have limited funding, you can set up a free Google phone account and use your computer to receive and make calls. Google phone accounts, which even come with free voice mail, can also be forwarded to other phones, so you can even consider rotating who will receive and respond to incoming calls.
- *Supplies.* You will need materials to make banners, signs, etc.

Develop and implement a fundraising plan. Even if your group has a paid staff person, more than likely you will be working on a shoestring budget.

Recruit volunteers. Volunteers will flow from your canvassing but you will also need to recruit volunteers from local high schools, colleges and community groups. [See *Volunteers chapter for more info.*]

Secure a legal partner. Develop a collaborative relationship with lawyers and

law students willing to provide defense assistance. It's important to have a working relationship set up before the first meeting. Avoid running around looking for ad hoc legal advice and bouncing from one person to another. Make sure that your legal partners share the same philosophy and strategy, and are not apt to lecture about financial literacy and blaming the victim. [See *Legal* chapter for more info.]

Identify a non-profit or community-minded local bank that will help your members buy back their homes. [See *Buyback* chapter for more info.]

Secure Space. Typically start-up BTA groups use space donated by other organizations. One volunteer-only group had a small office donated to them from a larger organization. They had access to a larger meeting space from another organization. It's important to have some place for people to meet, even if it's a small basement space.

Develop and implement a media plan. [See *Media* chapter for more info.]

Develop a canvassing plan, train volunteers and start canvassing. You will also need to develop a database to map and manage your results. Consider first shadowing with a more experienced group. Prioritize getting your canvassing going because so much is built on that. Determine how frequently you need to canvass by how many foreclosures are in your community and your group's capacity. Try doing it at least once every 2–3 weeks. [See *Canvassing* chapter for more info.].

Train case managers. Train volunteers in collective case management. Because the training process is much longer than for canvassing, you should work only with committed volunteers. [See *Case Management* chapter for more info.]

Start holding meetings. You should hold regular bank tenant meetings—at least twice a month, but once a week is better. It's important to plan your meetings carefully. Think about:

- Who will do the presentation and the role play?
⇒ **NOTE:** It's preferable that organizers and members present information at meetings rather than lawyers, even when legal information is being presented.
- When will there be time for small group conversations as well as large group conversations?
- How do you want to make decisions? There is lots of information on the Internet about decision-making options (consensus, majority, plurality, authoritative, etc.). At CL/VUI, BTA members make decisions about their own cases, but staff and key leaders should be prepared to propose what options are available, because it isn't realistic to assume that new people will know what their choices are in the beginning. Decisions about larger issues are usually made by some smaller body like a Steering Committee, staff or



photo: Barry Scott

Leadership Team, which will have to meet outside the main meeting and propose their recommendations. Ideally these recommendations should be the product of a carefully nurtured “feedback loop” in which staff/leaders are in constant communication with the member base, listening, soliciting objections and altering strategy to meet those objections.

- Who will facilitate? And how. There is also lots of information online about facilitation approaches.
- What hand-outs do you want to distribute?

[See Meeting chapter for more info, including sample Orientation Packet.]

Plan actions. Begin planning and carrying out protest actions. Consider attending a protest organized by a more experienced group. *[See Protest chapter for more info.]*

Plan and start holding political education meetings.

Tips from Organizers

- Don't feel like everything needs to happen right away, but be aware that the



photo: Brandon German

model is designed to perpetuate itself.

Once you start canvassing, you will start getting people to the meeting. Once people start coming to the meeting, you will have more volunteers. Once you have more volunteers you can do more canvassing and build your BTA. Once you organize an action, you will get press. Once you get press, you will start to get more bank tenants to your meetings and protests. Once you get lots of people to protests you will start to build political clout.

- **Consider escalating your actions slowly.** For example, organizing a vigil might be a better first action for a foreclosed family than an eviction blockade where someone's home is at stake. When bank tenants start becoming more comfortable with attending vigils and auction protests, they will be better prepared for an eviction blockade.
- **Be careful not to emphasize the presence of lawyers when promoting the meeting.** Be clear from the start that this is not a service model but rather a self-help organizing model. You need to be careful about this because the wrong culture can be engrained early and people will start coming strictly for the legal advice.
- **Don't underestimate the importance of political education.** There may be a tendency to skip over this part of the meeting, but in fact, it is very important to set aside time to do this from the very start. Having this awareness will increase members understanding of how the problem is systemic and not personal, and can only be changed through mass action.
- **Use personal testimonies or storytelling to get people excited about the project and hopeful about their future.** Every meeting should have bank tenants telling

their stories. It's powerful for both the people talking and the people listening. Because

you may not have any stories at the beginning of your organizing, consider showing video clips

of BTA members from other group. Go to the CL/VU website, CL/VU Facebook, or Kelly Creedon's website for sources of moving videos (www.kellycreedon.com).

⇒ **NOTE:** stories can be (1) "what the banks did to me", (2) "I won and you can too", (3) partial victories of all kinds. Don't underestimate importance of #3. People go to court and successfully get a motion heard. People get visited by someone offering cash for keys and refuse. People yell at investors at their auction protest. There are many occasions to celebrate.

- **Don't be afraid to be loud and boisterous at meetings.** Meetings play a significant role in combating depression and negativity. As such, they should be upbeat and not pity parties. Including lots of testimony and chants sets a "can do" tone while building unity and solidarity.
- **Building a support structure is one of the most important things about the campaign.** When the meeting ends people should know that they shouldn't leave their home and that they have the support of their fellow bank members to carry them through. That is why we frequently

Leadership Opportunity

Every meeting should have bank tenants telling their stories. It's powerful for both the people talking and the people listening.

repeat the question, "Are you ready to fight?" And when the person says "Yes" then the whole group replies, "Then we'll fight with you."

- **Consider building a set of ground rules together as a group.** For example:
 - "Step up and step back." Be aware of the space you are taking up.
 - Be aware of the interpreter; don't have side conversations.
 - Be respectful to other members.
 - Turn off cell phones.
- **Recognize that not everyone will have the same political orientation.** The foreclosure crisis has hit people across the political spectrum. Be open to differences of opinion and don't make assumptions about how people vote.
 - ⇒ **NOTE:** While bank tenants may be liberals or conservative, our method requires promoting a radical analysis. (See *Radical Organizing* chapter for more information.)
- **Provide translation as needed.** If you don't provide translation services for all the major language groups in your neighborhood, the BTA may get the early reputation for not being welcoming to all community members. Make every attempt to provide translation in all the languages that you know are spoken in your community. When people learn that translation is available, they will come. Conversely, if it's not provided, they may never show up.
- **If there are people serving as unpaid**

staff, it's important to have an agreement that decisions are made together. All-volunteer organizations don't often have a supervisory or oversight structure in place, setting the stage for one staff member to make decisions with minimal input from others.

- **Establish that the meetings are not places for real estate brokers or attorneys seeking paying customers.** While our meetings are open to the public, we make it clear that it's not a forum to peddle one's services. What we say is that if the service being offered is supported by CL/VU, then you will hear about it at the front of the room. Otherwise, it is not supported. It may not be bad, but it is not supported.
- **Take care of yourself and find ways to remind yourself why you do this work when things get tough.** Doing BTA organizing can be emotionally and physically demanding. It can be easy to burn out. Be good to yourself. Keep around inspiring reminders: thank you notes, great press clips, even phone messages from grateful bank tenants.

ATTACHMENTS

- *Sample Budget*
- *Sample Job Description*



photo: Barry Scott

SAMPLE BUDGET

Projected Budget for Jan 2012 - December 2012 (Prepared December 2011)	
EXPENSES	
Adminstration	
Supplies (for actions, events, workshops, activites, etc..)	1,400
Printing Costs (Includes Toner & Paper)	1,600
Overhead/Bookeeping	4,400
PAYROLL	
Lead Organizer	
Salary (includes FICA & healthcare costs)	41,246
Organizer	
Salary (includes FICA & healthcare costs)	38,726
PROGRAM	
BTA Meetings	
Meeting Space @ \$100 per week	5,200
Plates, Cups, Utensils	100
Food for Meetings (2 x per month @ \$50)	1,200
Canvassing	
Canvassing Materials/Flyers	500
Food (Bagels & Coffee)	650
T-Shirts (100)	820
Leadership Training for Bank Tenants	1,000
Travel	
Regional Alliance Meetings/Trainings	600
Staff Professional Development (Trainings & Conferences)	600
TOTAL EXPENSES (Includes in-kind expenses)	
INCOME	98,042
Weekly "Pass the Hat" at BTA Meetings	3,000
Individual Donors (secured)	7,300
Individual Donors (projected)	3,700
Anonymous Family Foundation (secured)	5,000
Grants	
ABC Foundation (projected -max award)	5,000
DEF Foundation (projected - max award)	4,000
GEH Foundation (projected)	10,000
IJK Fund (projected)	10,000
LMN Foundation (amount requested)	15,000
	35,000
	98,000
TOTAL INCOME	

SAMPLE JOB DESCRIPTION

SPRINGFIELD NO ONE LEAVES/NADIE SE MUDE Community Organizer Job Description

Date: March 2nd, 2012

Reports to: SNOL/NSM Steering Committee & Organizing Staff

Type of position: 30 hr/week independent contractor position as funding allows, some nights and weekends required.

General description:

We are seeking an individual who is self-motivated; has a strong work ethic; and a passion for building power among low- and moderate-income people and working-class communities, and addressing discriminatory barriers and root causes of inequality. We cultivate a team approach in our organizing work, and a shared responsibility in achieving campaign goals. This organizer position is for our Bank Tenant Association campaign to prevent post-foreclosure evictions, and preserve current housing by seeking permanent solutions through rent payment or purchase of foreclosed properties.

Primary responsibilities:

- Door to door outreach to residents and neighbors affected by foreclosure
- Presentation of organizing model at community events and meetings and conferences.
- Plan, facilitate and debrief weekly Bank Tenant Association meetings.
- Plan, facilitate and debrief bi-weekly BTA Leadership meetings/workshops and leadership development activities to train new leaders for the bank tenant movement.
- Organize meetings with residents, including one-on-one and group meetings at the office and at individuals' homes as required. Includes follow up with residents about individual foreclosure cases.
- Support individual cases by being an accessible resource and providing ongoing advice with the support of other staff and/or our legal team.
- Pursue cases through collective action. Organize public actions and protests to defend against displacement and target the root causes of economic oppression.
- Perform intake with new members through phone calls, at meetings, or in person at the office.
- Participate in media work; write press releases, coordinate interviews with members, build relationships with media representatives. Prioritize the voice of bank tenants when representing our campaign to the media.
- Fundraise and prepare grants as required.
- Participate in larger coalition work: attend coalition meetings, follow up on tasks that arise from meetings, and report back to staff.

Supervision & Training:

- Meet with SNOL/NSM Steering Committee twice monthly.
- Participate in weekly Regional Bank Tenant Organizers' meetings in Boston
- Attend and participate in regularly scheduled staff/team meetings.
- Meet regularly with current organizing staff for support, training and planning.
- Attend leadership trainings, political discussion groups, and activities and conferences for leadership and professional development.

Necessary experience, skills and qualities:

- At Least 1-Year experience in community organizing, paid or unpaid
- Bi-lingual Spanish/English capacity strongly preferred
- Strong verbal and written communication skills
- Ability to use the internet, Microsoft Word and Excel, and familiarity using databases. Additional experience with website maintenance and/or social media helpful

People who have been directly affected by the foreclosure crisis are strongly encouraged to apply.

People of color, women, low-income and working-class, LGBTQ, and differently-abled people are strongly encouraged to apply.

**Please mail or e-mail a resume and cover letter by March 30th, 2012 @ 5PM to Malcolm Chu:
29 Oakland St. Springfield, MA 01108 or nooneleavesspringfield@gmail.com**

CHAPTER 4

RADICAL ORGANIZING

The philosophy underlying
the Bank Tenant Association organizing model



photo: Brandon German

What you will learn in this chapter:

- *What Radical Organizing entails and what it does not entail.*
- *How the approach challenges long-held beliefs and allows people to gain new understanding of their circumstances.*
- *How the approach allows people to gradually immerse themselves into the movement.*
- *How to navigate the tricky territory between organizing and service provision/advocacy.*

Definition

If you look up “radical” on the Internet, the FreeDictionary.com will tell you that it means:

- *Arising from or going to a root or source;*
- *Departing markedly from the usual or customary;*
- *Favoring or effecting fundamental or revolutionary changes in current practices, conditions or institutions.*

Together, these three definitions capture the philosophy of Bank Tenant Association organizing model perfectly.

We want to get at the root of the foreclosure crisis—not just address its symptoms. Our approach to challenging the bank even after foreclosure represents a marked departure from the advice most bank tenants have gotten. And, our whole purpose is to effect deep, structural societal change by challenging the morally corrupt housing status quo.

Specifically:

Radical Organizing organizes people who are directly threatened with displacement.

Organized residents faced with displacement have the greatest moral authority to demand justice from the banks who swindled them.

While we welcome allies warmly, this model is centered on transforming the lives of those who are directly impacted by the foreclosure crisis.

Radical Organizing must be about organizing. It is not about providing services or advocacy. No radical challenge can emerge from fostering reliance on professional advocates or service providers. But since we are organizing those directly threatened with displacement, we also recognize that good services (e.g., providing information) and good advocacy (e.g., going to court with folks) are vital parts of a program that emphasizes organizing.

Radical Organizing challenges the right of unfettered profitmaking at the expense of the common good. Bertrand Aristide, a radical priest and former president of Haiti, once said that we live in a society so corrupt that to demand a plate of rice and beans for everyone is to preach revolution. Today we live in a real estate system so corrupt that to demand a balance between real estate profit and human shelter is to make a system-challenging revolutionary demand.

Radical Organizing brings a moral dimension to the drive for profit and exposes the heartless, faulty assumptions of the financial industry. CL/VU raises moral issues in order to create the space for people to fight. It's hard to fight, even when your home is at stake. In particular, it's hard to fight when you are undermined by what's become the cultural norm: that shelter is a profit-making commodity. Imagine if we treated water this way! (Sadly, this is becoming a reality in many parts of the world.) When these assumptions are held up to scrutiny, they begin to collapse. Outrage begins to flow and can be productively harnessed.

Radical Organizing brings *race, class and gender issues* into the open. Large real estate investors say that their activity is the normal functioning of the market and is not about harming people with lesser means. Radical Organizing tries to remove this market fig leaf from the real class oppression it masks. Similarly, the same investors would not want to be described as racists. Yet their normal activity causes disproportionate suffering to African Americans, Latinos and other people of color. The effects of their actions are racist.

Radical Organizing helps people *connect the dots so that they can effectively challenge*



photo: Brandon German

the system. Organizing is not just about fighting an immediate battle. It's also about understanding what made the battle necessary in the first place. City Life makes a priority of creating opportunity for reflective political discussions designed to help people understand how the issues tie into each other. Affordable housing, for instance, is part of the social wage—in the same category as Social Security, Medicare, unemployment, etc. When there is less of all these things, working people are more desperate. We are forced to take jobs at lower wages, and therefore wage rates tend to fall. Explaining affordable housing and fighting for it as part of the social wage links that fight to many other issues.

Common Questions about Radical Organizing

“Radical Organizing sounds like it encourages the organizer to bring his or her worldview or personal politics into the campaign. Doesn't this violate the principle of 'let the people decide'?”

Many organizers are trained that their job is to help their base identify what it is they want to do and not tell them what they should do. CL/VU thinks that all organizers bring their worldview into their organizing, that it's impossible not to. If you really avoid it, you are simply organizing in line with the dominant worldview.

One of our goals is for organizers to provide bank tenants with the moral space to challenge the dominant teaching of our society. One example we refer to frequently is the common belief that if you signed a bank document, you are contractually obligated not to break it. In fact, most borrowers would never consider fighting a foreclosing bank or trying to stop their eviction. Many carry a

burden of shame about their foreclosure and would never consider that the banks might be at fault. Others would never consider challenging the bank, thinking that it would be useless to do so.

The role of the BTA organizer, therefore, is to help people understand that fighting the foreclosure or the eviction—doing something that may go against the grain of what they have been told or lead to believe—is *both justified and possible*. Our job is to give them the moral space to take on the banks by helping them understand how they were wronged. We then give them the hope and confidence that by banding together, the battle is winnable.

For this reason, political education: helping people develop a more accurate analysis of the political system and how it affects them not just individually but as part of a larger group, is a critical part of our role. Many people facing foreclosure don't talk about what they are experiencing and are unaware of the huge numbers of people in their shoes—often in their own neighborhood. After people start attending meetings and are presented with the evidence that they are part of a much larger systemic crisis, they start to understand their situation with less self-blame. And when they start to hear about other people having success fighting the bank, their whole approach typically changes from passive acceptance to anger-charged action. Using the moral space provided by radical analysis, people can decide to do things they didn't think were possible—like fight to keep their home or take an active role in the struggle.

“Radical Organizing sounds like you advocate militancy.”

If militancy means vigorously taking action

in support of a cause, then, yes, we think it is sometimes appropriate. However, it's important to clarify that: We never advocate violence.

We don't believe in being militant just to be militant. We only use militant tactics when they serve a strategy. For example, we may decide to do an eviction blockade even when we know the eviction will likely be carried out, because we see that it will help us build the movement and advance our campaign. Compare this to a group that came to us saying they were interested in doing civil disobedience in our community strictly to be disobedient and not tied to any particular strategy. That is not Radical Organizing.

"The BTA organizing model does a lot of individual casework. Isn't casework-focused organizing an oxymoron¹?"

Any organizing that is dealing with the problem of people about to lose their home has to involve some service and advocacy because you can't ignore such a pressing need. In the same way, you can't organize around hunger without making some effort to feed people who are starving. If you want people to consider joining a BTA, they have to feel as if they can get useful information that lessens the immediate danger of losing their home. Once they get the information and legal assistance they need to buy them extra time, and they see they are not in immediate danger of homelessness, they can move out of their panic and fear, and decide to join the fight. Providing individual case counseling is also a way to get people in the door. People come initially for the services, but then are drawn into the movement work after experiencing the power of solidarity.

¹ An oxymoron is a figure of speech that contains apparently contradictory terms.



photo: Barry Scott

But while it's important to let people know that you will be offering these services, it's also very important that your BTA does not start looking like a legal clinic or homebuyer's counseling session. While we provide one-on-one and group legal counseling at each meeting, we are careful to separate the two. People meet with lawyers only after they have sat through much of the meeting and had the opportunity to hear testimony, offer to volunteer and build solidarity with others in their situation.

The role of the BTA movement is to convey that the strategy we use is *accessible to regular people*. If people feel that they can succeed *only* with the assistance of a lawyer or case manager, you will be fueling an undercurrent of disempowerment.

Similarly, you need to be careful about how you provide case management. Case management can easily start taking time away from organizing actions and canvassing, undermining the integrity of the model. For this reason it is important to be conscious of how you are budgeting your time.

Equally important, you need to emphasize *collectivized casework*. Even though your work on one case may seem to be helping only one household, *you should always reinforce the ways that this household's situation is linked to the larger system*: It's all about conveying to the bank and other institutions that we have the will, capacity and endurance to fight them over and over and over again. It's about educating the larger public about how this case is just one example of how our economic system has failed 99% of us. And it's also about communicating to your membership that when they are attending the blockades and protests for other bank tenants, they are not just returning a favor, but rather that their collective action is helping everyone by conveying to the bank that all of us have a stake in changing this system. They are not just fighting for their homes. They are part of building a movement for social change.

Taking Small Steps

Not everyone comes to the movement comfortable with taking public action or publicly exposing what was previously private. The radical organizing approach recognizes this by creating opportunities for people to take small steps in their immersion.

The meeting helps people take the first step—when they stand up in front of everyone and make the public declaration that they

are ready to fight. This immersion continues through when they start taking charge of their court case, write their Public Letter and start to take civil action that may even result in their arrest. (*See text box: Radicalization of a Bank Tenant.*)

New bank tenants can also enter into taking public action at their own pace. Attending or hosting a vigil is a good way to start. The stakes are not so high, even if the auction proceeds, the homeowner still has a chance of getting their home back. After attending an auction protest, they are often more comfortable with the idea of participating in an eviction blockade, where the stakes are far higher.

Over time, people involved in a Radical Organizing model will begin to think about how to replace the broken system with a more just and equitable one. Our organizations should build alliances with others seeking systemic change; we should set aside time and space² for our members to develop a vision of where we are trying to go and how we want to get there.

² CL/VU has held many 5-part discussion series. We've also played a leading role in organizing several Radical Organizing Conferences and Radical Organizing Summer Institutes. We have also sent our members to the US Social Forum, Solidarity Economy Conferences, and more.



photo: Barry Scott

RADICALIZATION OF A BANK TENANT

Here's a sample progression of the emotional and spiritual process of how a bank tenant may come to view themselves from a victim to fighter (it may not happen in this exact order):

Standing up in front of meeting and telling the group you are ready to fight.



Being inspired by hearing the testimony of other bank tenants.



Attending several meetings and letting the message sink in.



First interview with staff and formation of a plan.



Preparing a Public Letter and putting into words what the bank did to you and the outcome you are seeking.



Making the connection with the people who have similar cases.



Processing the technical information.



Taking part in an action that makes you feel like you are part of an organized resistance.



Taking action in your own case, from vigil to eviction blockade.



Becoming a volunteer and making phone calls, canvassing, etc.



Taking a leadership role by speaking at meetings in a planned way, take a lead role in a protest, etc.



Political discussion – understanding how the issues are connected by hearing the testimony of an immigrant worker, or youth worker, etc.



Taking an active role with another issue group.

Begin to work with others to develop a vision for how we could replace unjust and inequitable institutions with just and equitable ones.

CHAPTER 5

CANVASSING

Building the base through door-knocking



photo: Aynsley Floyd

What you will learn in this chapter:

- *How to identify foreclosed units.*
- *How to recruit volunteers.*
- *How to engage the people you canvas.*
- *How to train canvassers.*
- *How to deal with potentially difficult or uncomfortable situations.*

Why Canvas?

A critical aspect of successful bank tenant organizing is reaching people before the banks can send representatives to intimidate occupants into moving. Canvassing is singlehandedly the most important way to get information to people in buildings that have been or will be foreclosed. In fact, the canvasser is often the first one to notify the tenant of the impending sale. (Experience has shown that sending letters is not nearly as effective.)

Seasoned organizers will tell you that foreclosure canvassing is among the most productive and satisfying form of base-building because it provides the perfect combination of need and remedy in one place. By definition, everyone in the building is facing the same predicament, so you can get a lot accomplished in a small distance, with a high return. At least 70 percent of the people we talk to will take action following our contact. And we even get a 20–30 percent response rate from people who were not at home when we canvassed, but responded to our information packet. When you reach people at this stage, they know they only have a few weeks left (if that) before they have to leave their home. People are usually feeling petrified and grateful for information that can be used to immediate effect.

Locating Foreclosed Properties

Every state has different laws that govern the foreclosure process. About half the states require judicial review before the lender can foreclose on the homeowners. The other half rely on the “power of sale” clause in the mortgage which allows the bank to sell the property once the owner defaults. States vary in the waiting period between filing the intention to sell and the sale, giving the borrowers more or less time to repay the debt.

Some differences between judicial and non-judicial review foreclosure procedures include:

Judicial sale¹:

- The mortgage lender will file suit with the court system.

¹ Taken from <http://money.howstuffworks.com/personal-finance/debt-management/foreclosure2.htm>.

- You’ll receive a letter from the court demanding payment.
- Typically, you’ll have 30 days to respond with payment to avoid foreclosure.
- At the end of the payment period, a judgment will be entered and the lender can request the sale of the property by auction.
- The auction is carried out by the sheriff’s office, usually several months after the judgment.
- Once the property is sold, you’re served with an eviction notice by the sheriff’s office, and you must vacate your former home immediately.

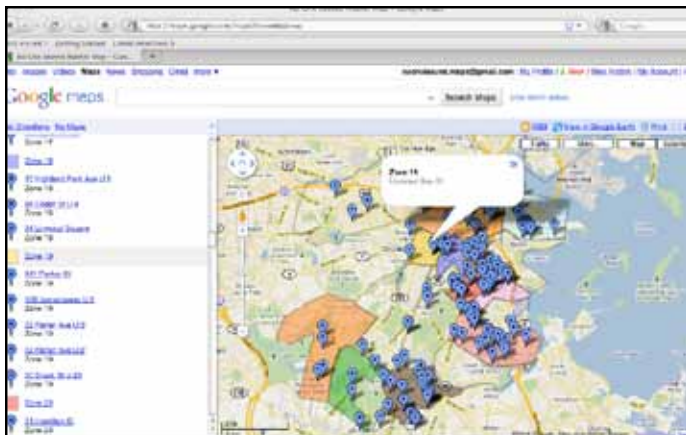
Power of sale:

- The mortgage lender will serve you with papers demanding payment.
- After an established waiting period, a deed of trust is drawn up that temporarily conveys the property to a trustee.
- The trustee will sell the house at public auction for the lender.
- Many times, these foreclosures are subject to **judicial review** to make sure everything was carried out legally.
- There is usually a requirement for the lender to post a public notice of sale for the auction.

In Massachusetts, a non-judicial review state, for example, the law requires that a bank publish a



photo: Aynsley Floyd



public notice in the newspaper for three weeks prior to selling a property. City Life begins to canvass properties once the foreclosure sale has been announced², identifying pending sales by subscribing to a paid record search service. These data services are available throughout the country and cost between \$40–50 per month.

This information is also available for free through the public notice section of both print and online newspapers. If you scroll through the lengthy public notices in the [Boston Globe](#), for example, you will find the owner's name, address and time of the sale.

Mapping Data on Foreclosed Property

There are a variety of databases one can use in

² In Massachusetts, the bank is also required to publish Foreclosure Petitions—the first stage of the foreclosure process, when the bank announces that it will be exercising the power of sale in a mortgage. Currently, CL/VU does not reach out to occupants until the foreclosure sale has been scheduled because a significant percentage of these petitions never progress to foreclosure and we do not have enough staff or volunteers to canvass and case manage so many more families. This is a decision we are constantly re-evaluating, however, and ultimately we may decide to reach out to prospective bank tenants at an earlier stage.

mapping your canvassing work. Start-up BTAs can use Google Maps, a free, user-friendly and versatile system in which you can enter the addresses of the buildings you plan on canvassing onto a master map. Once you get the information back from the canvassers, you can then enter this information as well, using an online Canvassing Results Entry Form powered by Google which automatically updates the Master Map.

Here are some basic instructions on how to set up a map:

Create a map. Go to maps.google.com and type in the name of town or city you will be canvassing. Click Save to Map, create a new map and name your map.



⇒ **NOTE:** If you are working in a metropolitan area you will likely want to create separate area maps for each neighborhood (which we sometimes call Zones). This allows us to make an individual canvass more efficient by concentrating our efforts on one neighborhood at a time, rather than moving throughout the city haphazardly. If you do use several area maps, you may also want to create a Master Map that shows how each of the area maps relate to each other. (You can shade each of the neighborhoods a different color using Google Maps' area shading tool. This will require going to "My Spaces," clicking "Edit" and using the "Draw a Shape" tool.)

Identify properties where a foreclosure sale or auction is scheduled. Enter the property address into the search line of Google Maps. When a pin centers on the map, click on the red pin. When the dialogue box pops up, click the blue “Save to Map” option. Save to your named map. Repeat until all listed properties have been added to your map.

Enter information about each property.

Clicking the “My Places” option at the top, and choose your map. Go through the pins on the map, which should correspond to the addresses that have just been added. When clicking on each pin, you’ll have the chance to enter information into the dialogue box. We find it helpful to enter:

- The Auction Date. This will help property tracking later on.
- The Unit Number, if any. This will help canvassers target only foreclosed units in properties that have been subdivided into condominiums.

Once you know which buildings you are canvassing in the next session, print these out for each canvasser.

Update information as necessary. Delete properties where you will not need to return because you have reached the correct person, the property is vacant, etc.

Recruiting and Managing Canvassers

At every meeting CL/VU asks for volunteers to knock on people’s doors. Here are some tips you might find helpful:

While some people may be daunted by the idea of knocking on people’s doors, **emphasize that canvassing is a vital ingredient to the movement’s success and extraordinarily gratifying.** Explain that canvassing is:

- The primary way to get people to join the campaign and *build out the BTA*.
- One of the main ways for bank tenants to *get the information* they need to stop or slow down an eviction.
- A *source of major personal satisfaction* as people are appreciative of the information. It is particularly gratifying to canvass someone and then have them show up at the meeting.
- A *great way to give back*. It’s often effective to ask the group, “How many people are here because someone came to you?”

Leadership Opportunity

Pairing up new volunteers with more experienced volunteers is a great way to build confidence and a sense of ownership among bank tenants.

Pair people up strategically.

For a variety of safety and support reasons, we always send out people to canvass in pairs. When

pairing up canvassers, you may want to:

- *Send out an experienced person with a less experienced person.* This is very important for beginners who may initially find canvassing intimidating and will need someone else there for support.
- *Find out who speaks other languages and pair people up so there is language diversity.*

Consider the pros and cons of a centralized group approach versus an individual canvassing design. CL/VU distributes

canvassing lists to a group of people who canvass together. At the end of the day, people gather to debrief and turn in materials. This approach provides a level of quality control that allows organizing staff/lead volunteers to monitor the process, ensuring that the properties were actually canvassed. It can also be a more supportive and fun way to canvass.

Another way to do this is to hand out lists to individual volunteers who can choose to canvass in their neighborhood, reach out to people they know, and at times that are convenient to them. The tradeoff here is that it is more difficult to monitor this process. People are sometimes unable to complete their assignment, despite their best intentions, so you're never sure if the property was canvassed.

It is important to identify canvassers who can speak the same language as the people they are canvassing. Language barriers can make it difficult to make that critical initial connection when people open their door.

Bank tenants bring something extra to the canvassing process. Because bank tenants have gone through the process they know what people are going through and can often be especially effective canvassers. By sharing their experience, they inspire other bank tenants to take action.

For more information on recruiting volunteers, refer to the *Volunteers* chapter.

Canvasser Trainings and How To's

CL/VU holds our canvassing trainings right before we go door-knocking, when everything is still fresh in people's memories.

⇒ **NOTE:** Veteran canvassers should definitely come to the training as they will play a key

role in training new volunteers. This can be a very empowering experience.

The training session, which can last anywhere from 30–45 minutes (depending on whether the volunteers are mostly bank tenants or not), should include the following components:

- **Introduction:** Have everyone introduce themselves; state the goals of the meeting and canvassing.
- **Get people to identify Fears and Barriers (for longer meetings):** Using butcher paper or a large pad, create two columns and two rows, label the left column "Fears/Barriers" and the right column "How to Overcome Them." Label the top row "Theirs" and the bottom row "Ours"). This exercise is designed to help canvassers recognize and address common concerns on both sides of the door.

Sample responses might include:

Fears

Canvassers: Fear of bothering people, fear of being told to leave the building, fear of dealing with people who are stressed out, fear of giving out the wrong information, etc.

Occupants: Fear of letting strangers know about your private affairs, fear of scams (there are a lot of scams), fear of losing one's home and that nothing will work.

How to Overcome Them

Canvassers: Let canvassers know they will have support. Reassure them that people will be very grateful to have this information and that it is not the canvasser's job to offer lots of detailed information at this point, but it's just to get people to come to meetings.

Occupants: Refer to your own experience as a bank tenant (if you are one). Tell people, "I

used to be worried just like you and I know a lot of people who were able to get their homes back." Make sure people know from the outset that you are from a non-profit, etc. If you are not a bank tenant, share what you know about bank tenants' experiences.

Discuss Do's and Don'ts. Using butcher paper or a large pad, create two columns. Sample responses might include:

Do's

- ✓ Connect to what people are going through on an emotional level.
- ✓ Let people know from the outset that you are with a non-profit. (Scam artists often target foreclosed properties so people may be justifiably distrustful.)
- ✓ Listen and give people a chance to talk.
- ✓ Try to get out basic message up front really quickly: We're a non profit who can help; don't move out of your house; come to the meeting.

Don'ts

- ✓ Come up the back porch.
- ✓ Don't provoke or argue.
- ✓ Don't run on forever, give people a chance to respond (better to dialogue than to rant).
- ✓ Don't be too technical.
- ✓ Don't feel like you need to have all the answers. You get their contact information and tell them an experienced organizer will get back to them immediately with an answer.

- ***Review and summarize the Tracking/Report Sheet.***

Each canvasser will fill out a form that collects the following information:

- Date and Time

- Name of Canvasser
- Address and unit #
- Building type (single family, triple-decker, apartment building, etc.)
- Contact information: get name and phone number
- Brief notes of what happened
- Whether the canvasser spoke to anyone
- If occupant was a tenant or former owner
- If the unit was vacant or occupied. (If unsure, note that as well. For example, if the lawn is overgrown, that does not necessarily mean the house is not occupied.)
- If re-canvassing is necessary. (In some cases, particularly if there were many units in one building where no one was home, it may be worth coming back.)
 - ⇒ **NOTE:** When you talk to so many people, it's easy to forget or mix up canvassing results. Enter the information *immediately* after speaking to the occupant. Remind canvassers to note everything while the exchange is still fresh in their mind.

- ***Review and summarize the Rap Sheet.***

Introduction. Because bank tenants are frequently the subject of scammers, it's very important to start out by allaying their fears:

"We are not scammers. We don't want your money. We are volunteers with a non-profit that can help you for free.

"We work all over the city with residents of properties that have been foreclosed or where foreclosure is possible. We work with both the former owners and tenants."



photo: Mark Ostow

- *Lay out the problem.* “We’re visiting this building because public records show that there has been a foreclosure sale auction scheduled by a bank. We’re concerned because after foreclosure, the banks usually try to evict everyone, both former owners and tenants—but you don’t have to leave.”
 - *Present the solution.* Reassure tenants that they have rights to fight the coming evictions, and inform them that there is an entire organization of community members and lawyers dedicated solely to helping them with this fight. Emphasize that this is not the end of the battle but the beginning. (“*Our goal is to stop people from being evicted. And we have been very successful. We have also been successful in getting the bank to sell homes back to occupants at the current lower value. We meet every Tuesday at _____. There will be legal assistance available at that time. Everything is free.*”)
 - *Ask for their contact information and a commitment to come to a meeting.* Let them know that you can take their number and someone from the organization can contact them with more information—but they should also definitely come to the meeting where there will be many other people in the same situation and lots of support.
 - *Thank them for their time.*
 - ***Review and summarize the FAQ Sheet.*** (See attached sample FAQ Sheet)
- Remind canvassers that they don’t need to provide any advice to bank tenants except that they do not have to move and should not accept cash to do so without consulting an organizer or attorney and that they should go to a meeting. Be available to answer any questions that may arise regarding the following issues (but if you don’t have the answer, just encourage people to come to the meeting where there will be expert advice). For instance, in Massachusetts:
- The law protects tenants (not homeowners) in foreclosed buildings from getting evicted by the bank—assuming they are current on their rent and have not violated their lease conditions.
 - Even former homeowners have to be evicted through a court process that may take six months to a year, or even longer.
 - The bank is responsible for the same things as the previous landlord (e.g., utilities, maintenance, repairs, etc.).
 - ***Review Canvassing Procedure.***
 - *Mailboxes.* If no one is home, it is technically illegal to place materials in the mailbox.

- *Make every attempt to act in a non-threatening way.* For example, don't go up back porches or try to reach people from their back door. When knocking or ringing someone's doorbell, stand a few feet away from the door so people don't feel threatened. There should be no proverbial foot in the door.
- *Develop a rap for when you have to use an intercom.* When you have to introduce yourself through a buzzer, be aware that you have about five seconds to convince the bank tenant to let you in. It needs to be very simple: "I'm from _____, a local nonprofit and I have really important info about foreclosure." If you don't get in, tell them you will leave literature at the front door so they know to look for it.
- *Develop a rap that can engage both homeowners as well as their tenants right from the start.* When you first knock on the door, you don't know whether you will be reaching a homeowner or their tenant. Start out by mentioning who you are and let them know you have important information for both tenants and homeowners. Be aware that tenants may think the information is not relevant to them, while homeowners may not want canvassers to speak to their tenants.
- *Dealing with Fear and Anger.* It can be understandably disconcerting to have your home besieged with a group of strangers. Many people have reported that they initially thought that City Life/Vida Urbana canvassers were scam artists trying to exploit people going through foreclosure. (This

is a justifiable fear as many scam artists are quick to target soon-to-be foreclosed homeowners. Again, it is very important to emphasize that you are with a non-profit that has helped other people stay in their homes and is not charging anything.

Sometimes you may run into the owner who wants you to leave the premises immediately. In this situation, it is best to note what has occurred on the report sheet, leave packets at each door if you can (because it is important for tenants to know) and leave the building. Do not argue. And don't be surprised—because it's happened more than once—if the owner shows up at the next meeting.



photo: Barry Scott

- *Take time to listen.* Once you have delivered your rap, it's always a good thing to get people to talk about what they are going through, if they are so inclined. Foreclosure is a stressful and frightening process, leaving many people feeling isolated and invisible. People often feel the need to talk, and they appreciate it when people are willing to listen.

- **Conduct Role Playing**

- *Break into pairs*, with one person taking the role of the canvasser while the other plays the role of the tenant or owner. Let people know they will have a turn in each role.
- *Hand out secret information cards*. This card will contain a piece of relevant information that will affect the interaction. This information may not emerge, however, unless you ask the right question or cover all the points. For example: A person has children and cannot attend the meeting unless there is childcare; another is worried their husband may not be able to understand the meeting because his English is poor. So if you don't mention that there will be childcare and translators at the meeting, they may not come.

OTHER EXAMPLES:

Role #1:

You are a tenant who has lived in this home for five years. You are a parent of four, and your children go to school nearby. You like the neighborhood. You got a paper from the mortgage company saying that you had to move and are already thinking about where you should move to. You think that if the mortgage company says you have to move, then you have to move. You are very concerned and don't want to move.

Secret Information: *You are an undocumented immigrant and don't have papers, and you think that you have no rights and that what the canvasser is saying to you does not apply to you. Unless they*

reassure you that you have rights you will think the meeting does not apply to you and you won't commit to go.

Role #2:

You bought the house at the height of the housing bubble, and you got an adjustable rate mortgage. Your partner lost his/her job and when your mortgage went up, you fell behind in the payments. You have been trying for a modification but the bank refuses to negotiate. You like the neighborhood and would like to stay in it.

Secret Information: *You think that the person at the door is with the bank and do not trust them at first. You are embarrassed about what you are going through and you think that it is your fault. You think that the bank has lied to you, and you know many people who were also lied to and have had to move and their lives have turned upside down. You would love the opportunity to fight the banks.*

Role #3:

You are a tenant who has lived in this home for 10 years. You have two children, you work at a health clinic near your home and you like the parks nearby. You have not received anything in the mail. You can afford the rent you are paying but you are afraid you may not be able to pay rent somewhere else.

Secret Information: *You're a union member and have been involved in fights at your workplace for higher wages. You work on Tuesday nights so you cannot attend the meetings but you understand the power of public protest and would be interested in participating in these types of actions.*

- *Create a freeze/rewind skit (for longer trainings/training the trainer meeting only).* A freeze/rewind skit is a role play where the canvasser is given instructions (on a note that only they see) to make a mistake for the purpose of illustrating a point. Right after their error, the facilitator says “Freeze” and then asks the group what the canvasser did wrong and what they should do different next time. After the facilitator takes a few responses the facilitator says “Rewind” and the canvasser starts over again. (Examples: talking too long, failing to mention upfront that they from a non-profit, getting too technical, etc.)

Logistics & Other Tips

Timing. City Life/Vida Urbana tries to schedule canvassing sessions for BTA members at least every other week. (Students volunteers often go more frequently.) We have found that alternating between Saturday and Sunday is the best way to knock on doors. The training session starts at 2 p.m. and we try to get everyone out the door by 2:30 p.m. You need less time to orient bank tenant volunteers since they have personally gone through the process and intuitively understand what people need to hear.

Transportation. Having a car is very useful. We have found that even when the buildings we are canvassing look to be clustered in the same neighborhood, it often takes more time than expected to walk to between buildings. Having a car really saves time and people should be encouraged to bring a car if they have one. Since people meet at the City Life office and carpool, it rarely happens that a volunteer is without transportation.

What to wear: It’s fine to dress informally, but people should be conscious that looking like a slob will leave the wrong impression. Remind people to wear comfortable shoes. If funds allow, you may want to make t-shirts available. Canvassers from Harvard Legal Aid Bureau are encouraged to wear matching *No One Leaves* t-shirts on the theory that these shirts can brand the movement and that occupants will have more trust in the canvassers or take them more seriously.

Safety. City Life/Vida Urbana has never had a problem during canvassing. That being said, it’s important that volunteers trust their instincts. If they don’t feel comfortable going somewhere, they shouldn’t go.

Follow Up

Soon after the canvassers go out, the information they collect should be inserted into your database so that it can generate a list that is used to encourage recently canvassed bank tenants to attend the meeting, as well as identify which buildings may need to be re-canvassed. The goal is to call within a day or two after the canvass and attempt to reach the tenant at least three times before crossing them off the list.

(See Case Management section for more info.)

ATTACHMENTS

- *Sample Rap Sheet*
- *Sample FAQ Sheet*
- *Sample Combined FAQ/Rap Sheet*
- *Sample Canvassing Handouts*
- *Bay State Banner article on canvassers Dorrett Martin and Sandra Douglas*



photo: Chariot Mancero of La Semana newspaper

Canvassing Results

Today's Date: 11/15/2010

Time: Morning/Afternoon

Zone: 12

Canvassers: Tenants Students Mixed

Property Address Add EACH UNIT Separately	Building Type <small>One family, triple duplex or other</small>	Contact Names, Numbers and Notes (Try to get a cell phone #. Include as much detail as possible)	Did you Talk to a Person?	Occupant	Vacant?	Should we Re- canvass?
33 Red Sox Lane Unit 1	Triple	David 617 123 4567 Did not know about foreclosure; said Unit 2 is empty	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Tenant <input type="checkbox"/> Former Owner	<input type="checkbox"/> Vacant <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
33 Red Sox Lane Unit 2	Triple	No one there; Unit appears to be empty Labeled in the window - no furniture	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Tenant <input type="checkbox"/> Former Owner	<input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Occupied <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
33 Red Sox Lane Unit 3	Triple	No one answered but someone may live there. We left information	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Tenant <input type="checkbox"/> Former Owner	<input type="checkbox"/> Vacant <input type="checkbox"/> Occupied <input checked="" type="checkbox"/> Unsure	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
64 Boston St.	Single family	Debra 617 111 5555 Has been trying to refinance her mortgage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Tenant <input checked="" type="checkbox"/> Former Owner	<input type="checkbox"/> Vacant <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
47 Patriots Rd. U:1	Double	Luz 857 222 3333 Did not know about foreclosure; only speaks Spanish	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Tenant <input type="checkbox"/> Former Owner	<input type="checkbox"/> Vacant <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
47 Patriots Rd. U:2	Double	No one home. Tenant in Unit 1. Said landlord lived on the second floor. We left information	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Tenant <input checked="" type="checkbox"/> Former Owner	<input type="checkbox"/> Vacant <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unsure	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
58 Revolution Blvd. Unit 3	Triple	Family member opened door. He said his aunt was the tenant and gave us her info Mary 857 353 2222	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Tenant <input type="checkbox"/> Former Owner	<input type="checkbox"/> Vacant <input checked="" type="checkbox"/> Occupied <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7 Brun Blvd	Single	Home seemed abandoned. Mail overflowing, lock on the door, no furniture inside	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Tenant <input type="checkbox"/> Former Owner	<input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Occupied <input type="checkbox"/> Unsure	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Rap Sheet at the Door for most wonderful volunteers

1. *When you go to a door and no one is home, leave a flyer, preferably under the door, but in front of the door if that is impossible.*
2. *When you go to a door and someone yells through the door – “What do you want?”, “Who is it?” etc. Yell back your names and that you are from City Life trying to protect people against losing their homes.*
3. *When you go to a door and someone opens the door to talk, you can follow the script below. While you are introducing yourselves, give them the flyer.*

Hello. Our names are _____. We are volunteers with a group named City Life/Vida Urbana. We work all over the City with residents of properties that have been foreclosed or where foreclosure is possible. We work with both the former owners and tenants.

We’re visiting this building because public records show that it there has been a foreclosure sale auction scheduled by a Bank. We’re concerned because after foreclosure, the Banks usually try to evict everyone, both former owners and tenants.

Our goal is to stop people from being evicted. And we have been very successful. We have also been successful in getting the Bank to sell homes to occupants at real value.

We meet every Tuesday at 284 Amory St. About 100 people come every week to get support. We’re a non-profit. Our services are free.

Questions to ask?

Are you the owner or the tenant?

Has this building been taken over by a Bank? Has it been foreclosed?

Have you received a notice that you should get out, verbally or in writing?

If this person is the owner and the building has not yet been foreclosed, refer them to organizations providing counseling to homeowners trying to avoid foreclosure – see flyer. However, they may want to call City Life or come to meetings right away to look at our method of getting their homes back. Certainly, if prevention of foreclosure is not successful, that isn’t the end. They should come back to us.

If the building has been foreclosed, or is just about to be foreclosed, here are more points to make:

- ❖ Don’t forget. Only a court can evict you. The bank has to take you to court, and you have the right to defend yourself in court. We can help get you a lawyer.
- ❖ Even if you want to move, talk with us. The Bank will offer \$2-3000 or so. But many people who work with us and Legal Services have won more than \$10,000, sometimes much more.
- ❖ City Life has had a lot of success in stopping evictions. We have organized residents in foreclosed buildings into the Bank Tenant Association.

Our next meeting will be **EVERY TUESDAY, 6:15, AT 284 AMORY ST.**
near Stony Brook Stop on Orange Line.

Ultimately you want to get their name, number, and answer as many questions on the form as you can.

BE GRACIOUS. BE UNDERSTANDING AND SYMPATHETIC. TALK WITH PEOPLE A LITTLE IF THEY HAVE THE TIME AND INCLINATION.

IF SOMETHING LOOKS THREATENING IN ANY WAY, DON’T GO THERE!

NO ONE LEAVES

Canvasser's Information Sheet



“What do I actually do?”

YOUR ASSIGNMENT

- ***What is on the assignment?*** You will get a Google map with locations marked off. These are the sites of homes that are being foreclosed on in your zone. There is a second map of the same area that is not covered in dots to help you navigate. The addresses are on the third sheet. You will probably also get map with directions to your first location.
- ***How many properties should we go to?*** As many as you can. It would be great if you could get to each property on your list, but please stop when it gets dark or if you run out of steam. We don't want any unsafe, unhappy canvassers out there.
- ***Do we absolutely need a car?*** Canvassing is pretty much impossible without a car. Hit up your friends if you can and tell them the great use the car will be put to if you can
- ***What else should I know about the maps:***
 - If a unit is specified on the zone sheet, that means that unit is a condo. Only canvass that unit.
 - If no unit is listed, the entire building is being foreclosed. Canvass each unit in the building.
 - Some maps may indicate whether the property has been canvassed before or some other information about the property, keep this information in mind when knocking on the door.
- ***What if a unit is abandoned?*** It happens. It means we are too late and the occupants have moved. Make sure to mark this down clearly on your results sheet.
- ***What if nobody is home?*** First, try to figure out if the property is vacant. Walk around the side, snoop around a bit. If you think somebody might live there, leave a bag stuffed with flyers for each unit. Make sure it is somewhere that can't be missed. Mark this on your stat sheet.
- ***What is my purpose?*** Existential jokes aside, the goal of canvassing is to give occupants as much useful information as possible, to urge them to come to City Life Meetings, and to get their contact information so we can follow up to make sure everything works out.

KNOCK KNOCK: WHAT DO I SAY?

INTRO

- Hi, my name is _____ and I work with a community group called City Life and (your school) to try to let people know about their legal rights.
- We are not selling anything, we are just here to give you information.
- We found out through a public database that this building is being foreclosed. Did you know that? (if necessary explain foreclosure and how we found out, i.e. by looking in a bankers newspaper)
- We are here to tell you that you do not have to leave right away even if the bank tells you to, and that you have a right to go to court before leaving your home.
- The bank may come and offer you a small amount of money to leave in a short amount of time. This offer is not worth it, they are trying to take advantage of you because they think you do not know your rights.
- There are lots of people like you who are now living in foreclosed properties. Many are trying to work together to keep people in the community by buying back homes and asserting legal rights.
- These people meet on Tuesdays at City Life in Jamaica Plain, at what is called a Bank Tenant's Meeting. At the meeting you can talk to a free attorney if you have any questions.
- We are here to give you information and urge you to find out more about your situation.

NO ONE LEAVES SPRINGFIELD

Canvasser's Information Sheet

"What do I actually do?"

Your assignment

- ***What is on the assignment?*** You will get a Google map with locations marked off. These are the sites of homes that are being foreclosed that you will be canvassing today. A second map shows the whole city to help you navigate to the area you will be canvassing in. The addresses are on the third sheet and are highlighted. If you need help figuring out how to get to your area please talk to us.
- ***How many properties should we go to?*** As many as you can. It would be great if you could get to each property on your list, but please stop when it gets dark or if you run out of steam. We don't want any unsafe, unhappy canvassers out there. If you don't get to a property make sure to note that on your results form.
- ***Do we absolutely need a car?*** Canvassing is pretty much impossible without a car. We will try to organize carpools for volunteers, however please ask to borrow your friend's car if you can and tell them the great use the car will be put to.
- ***What else should I know about the maps:***
 - If a unit is specified (i.e 12 Main St, U:20) on the zone sheet that means that unit is a condo. Only canvass that unit.
 - If no unit is listed, the entire building is being foreclosed. Canvass each unit in the building.
 - Some maps may indicate whether the property has been canvassed before or some other information about the property, keep this information in mind when knocking on the door.
- ***What if a unit is abandoned?*** It happens. It means we are too late and the occupants have moved. Make sure to mark this down clearly on your results sheet.
- ***What if nobody is home?*** First, try to figure out if the property is vacant. Walk around the side, snoop around a bit. If you think somebody might live there, leave a packet of flyers for each unit. Make sure it is somewhere that can't be missed—**but not in the mailbox**. Mark this on your results form.
- ***What is my purpose?*** The goal of canvassing is to give occupants as much useful information as possible, to urge them to come to Bank Tenant Association Meetings, and to get their contact information so we can follow up to make sure everything works out.

SOME FAQs

1. ***What if somebody says they are moving out?*** Let them know that they DO NOT HAVE to move out, and tell them that they have rights and should call No One Leaves.
2. ***What if somebody is mean or doesn't want to talk?*** Just do your best to get the message across in a polite manner. Don't feel bad. Just keep going. Many people do, in fact, appreciate the message.
3. ***What if I can't tell if it's vacant?*** Try your best to figure it out. Talk to a neighbor to see if people live there. Peek around a bit. A bank lock does not always mean it's vacant. A realtor sign does NOT mean it's vacant. Both of those things just mean that the bank owns the building which makes sense...because it's been foreclosed on. If there's a car in the driveway, it's not vacant. If there is graffiti on the walls inside, or there is a year of mail with utility shut off notices in the mailbox, it's probably vacant.
4. ***What if I have 5 people in my group? Should we all knock on every door?***--> No. Take turns in groups of 2, 3 tops. You don't want to overwhelm anyone.
5. ***Why do we wear t-shirts?*** It is always good to look united and official. People are less suspicious if you look like you are with an organization.

IF YOU ARE A TENANT IN A BUILDING THAT IS BEING FORECLOSED, YOU HAVE RIGHTS!

❖ Do I have to move out as soon as my building is foreclosed?

NO! Don't panic. You may not have to move out at all. ONLY A COURT CAN TELL YOU TO MOVE OUT. If your landlord loses the building to foreclosure and now there is a new owner (usually a bank), you are still a tenant and still have rights with which you can defend against eviction. If the bank wants to evict you, it must first terminate your tenancy properly and then, after the expiration of at least a full month's notice period, take you to court. **If you have a Section 8 voucher, you have additional rights, and should call the agency that administers your Section 8 right away.**

❖ Should I take a "cash-for-keys" offer to move out quickly?

"Cash for keys" offers are almost never a good deal. You do NOT have to agree to an offer to move for money. Usually, the banks do not offer enough money to move, and if you take it, you may be giving up your legal rights. These offers usually only improve as time goes by, and almost always increase if you have a lawyer helping you. Remember, until your landlord has a court order, you do not have to move out. You may be able to get more time to move, and/or money, in court, and you may not even have to move. It will do you no good to accept an offer if you don't have a new place to move to.

❖ What should I do if I receive an eviction ("summary process") complaint?

You can fight an eviction in court. If you get papers telling you to go to court, **read them carefully – do not ignore them!** You have the right to file an **"answer & counterclaims"** and requests for **"discovery"** (filing discovery postpones the case for 2 weeks automatically and helps you get information to defend yourself). You have the **right to a jury** if you file your request on or before your Monday answer date. If your case is in the district court, you may have the **right to transfer** the case to Housing Court where there are lawyers available to give you advice. Read carefully to see when your papers are due. You can defend yourself, ask the judge to let you stay, and maybe win some money. Even if you lose, in some cases courts give tenants up to six months or a year to leave. Remember, you have rights!

❖ Do I need a lawyer if the new owner tries to evict me in court?

You can represent yourself, but having a lawyer can help a lot. It is a good idea to contact a lawyer as soon as you find out about the foreclosure. You can call the numbers listed at the bottom of this handout to get legal representation or at least advice. In the Boston area, there are **free eviction defense clinics** where you can get help filling out the necessary paperwork in response to an eviction action.

- The Legal Services Center, with the help of the Harvard Legal Aid Bureau, runs a special post-foreclosure eviction defense clinic on most **Fridays at 10 a.m. at 122 Boylston Street in Jamaica Plain** (next to the Stony Brook T station on the Orange line). Call HLAB in advance at 617-495-4408 if you wish to attend.

- Greater Boston Legal Services offers a free eviction defense clinic on **Mondays** at **9:30 a.m.** at **197 Friend Street** in **Boston**, (close to both the North Station & Haymarket T stops on the Orange or Green line). Call 617-603-1807 if you wish to attend.

Even if you do not have a lawyer, you should still go to court on the day that your hearing is scheduled or a default judgment will be entered against you. If your case is in Boston Housing Court, you can ask to see the Lawyer for the Day. Bring all documents related to your apartment to the clinic and to court (for example, **Notice to Quit, Summons and Complaint, your lease, rent receipts, security deposit receipt, inspection reports and any photographs**).

❖ **After foreclosure, is the new owner responsible for repairs and utilities?**

YES. After a foreclosure the new owner is responsible for repairs, maintenance and payment of water along with any other utilities that your previous landlord supplied. The law requires that landlords pay for heat and hot water unless a written agreement makes the tenant responsible for these utilities. If you don't know whom to contact for repairs or questions about the property, contact anyone who gave you papers about the foreclosure; it may be a broker, a real estate agent, or a lawyer for the bank. Demand that repairs be made and utilities kept on. You should also send the new owner or their agent a letter listing all of the problems in the unit. Keep a copy of the letter for your records. Take photographs. It is also a good idea to call your local Board of Health/Inspectional Services Department to request a free inspection. If the new owner does not address any **serious** problems in your apartment or building, or if the utilities are being shut-off, you can go to court and schedule an emergency hearing to ask the court to order the new owner to make repairs and supply utilities.

❖ **Should I pay rent after foreclosure?**

Be careful! If there has been a foreclosure, DO NOT pay rent to the old landlord. Instead, try to find out who the new owner is. If the new owner doesn't accept your rent, set it aside every month in a separate account. Save the rent money and do not spend it. You can offer to pay your rent in a letter to the new owner/bank, or their agent. Be sure to keep **a copy for your records**.

Helpful Resources:

Greater Boston Legal Services: 197 Friend Street, Boston, between North Station and Haymarket on the green and orange lines; tel. 617-371-1234 or 1-800-323-3205

Legal Services Center: 122 Boylston St, Jamaica Plain, tel. 617-522-3003

Harvard Legal Aid Bureau: 23 Everett Street, Cambridge, tel. 617-495-4408

Inspectional Services Department (City of Boston only): Call to get a free inspection of your apartment if there are any problems or bad conditions, tel. 617-635-5322. Outside Boston, contact your Board of Health at your city/town hall.

City Life/Vida Urbana: 284 Amory Street, Jamaica Plain. On Tuesday evenings, City Life hosts special meetings for tenants and others at risk from foreclosure. Call 617-524-3541 ext. 310 to learn more.

Mass. Legal Help website: The following link is to a webpage that outlines tenants' rights in foreclosure actions: <http://www.masslegalhelp.org/housing/tenants-facing-foreclosure>

Attention residents of buildings in foreclosure. **Don't let the Bank push you out!**

Call City Life today:
617-524-3541. If you
get message, mark
x315, x310, x304 (en
español x313)

Call City Life today:
617-524-3541. If you
get message, mark
x310, x315, x304 (en
español x313)



One of many “eviction blockades” to defend families after foreclosure.

Important information

If you are the former owner or a tenant in a foreclosed building, you can fight for your home after foreclosure. If you have received an eviction notice from the Bank, DO NOT MOVE! Do not accept “cash for keys” without consulting with City Life or an attorney. If you are a former tenant, state law now says banks can’t evict no-fault.

To former owners: If your building has *not yet been foreclosed* and you need help trying to avoid foreclosure, call ESAC (617-524-2555), City of Boston Home Ctr (635-4663), NACA (250-6222), Codman Sq. NDC (825-4224), Dorchester Bay EDC (825-4200 x226), Nuestra Comunidad (318-1253). Seek to get the principal owed reduced!

To all residents: If you live in a building that has *already been foreclosed* or where a foreclosure *seems likely*, call City Life/Vida Urbana at 617-524-3541 or come to any meeting of the Bank Tenants Association (BTA) every Tuesday night, 6:15 pm, at 284 Amory St. in JP (near Stonybrook Station on Orange Line). You can fight the eviction.

Don't panic. Don't move. Organize! ***Join the Bank Tenant Assoc.***

Mortgage companies have been unwilling to do meaningful loan modifications for homeowners in trouble. To owners: If you financed your home during the real estate bubble, chances are the value of your home is much less than the value of the mortgage. In that case, a “meaningful loan modification” is one that reduces principal owed.

To owners and tenants: After foreclosure, lenders sought to evict about 4000 households in Boston in 2008-9. About 75% of these households were tenants. All these evictions were “no fault,” because foreclosing lenders refuse to accept rent. Such no-fault evictions of former tenants are now illegal. No-fault evictions of former owners continue.

UNLESS we are organized. The Bank Tenant Assoc. is dedicated to uniting tenants and former owners in foreclosed buildings in order to protect our homes and neighborhoods against giant mortgage companies and banks. Together we have won many victories. **By organizing, we have stopped most of the evictions.** More and more, residents are repurchasing their buildings at real value, on average about 55% of loan value. We are supporting new legislation that would dramatically change how banks negotiate before and after foreclosure. Find out more at our Tuesday meetings. Or call us.

For more information, call City Life/Vida Urbana: 617-524-3541 x315, x310, 304 (en español x313)

¡Atención residentes de edificios embargados! ¡No permitan que los bancos los echen a la calle!

Llame hoy a Vida Urbana: 617-524-3541.
Si oye un mensaje, marque x315, x310, x304 (en español x313)

Llame hoy a Vida Urbana: 617-524-3541.
Si oye un mensaje, marque x315, x310, x304 (en español x313)



Uno de los muchos "bloqueos contra los desalojos" para defender a las familias después del embargo.

Información importante

Si usted era dueño o arrendatario anterior al embargo, puede luchar por su hogar a pesar del embargo. Si usted ha recibido un aviso de desalojo de parte del Banco ¡NO SE MUDE! No acepte "dinero a cambio de las llaves" sin antes consultar a Vida Urbana o a un abogado. Si usted tiene una Sec. 8, la ley federal exige que los bancos acepten el contrato.

A los dueños anteriores: Si su edificio *aún no ha sido embargado*, y necesita ayuda para tratar de evitar el embargo, llame al ESAC (617-524-2555), al City of Boston Home (635-4663), al NACA (250-6222), a Codman Sq. NDC (825-4224), a Dorchester Bay EDC (825-4200 x226), a Nuestra Comunidad (318-1253) ¡Busque el modo de disminuir la cantidad de dinero adeudada!

A todos los residentes: Si usted vive en un edificio que *ya ha sido embargado*, o si es muy probable que ocurra, llame a Vida Urbana 617-524-3541, o venga a cualquier reunión de la Asociación de Inquilinos de Bancos (BTA) todos los Martes a las 6:15 pm, en la calle Amory 284 en JP (cerca de la parada Stonybrook en la Orange Line). Usted puede defenderse contra el desalojo.

No tenga miedo. No se mude. ¡Organízese! Inscríbase en la Asociación de Inquilinos de Bancos

Las compañías hipotecarias se han negado a hacer modificaciones significativas en los préstamos a los dueños de los hogares en problema. A los dueños: Si usted compró su casa durante el período de la burbuja en los bienes raíces, es posible que su casa valga mucho menos que la hipoteca. En ese caso, "una modificación significativa en el préstamo" es lo que **disminuye la cantidad adeudada**.

A los dueños y arrendatarios: Después del embargo, se quiso desalojar alrededor de 2000 propiedades en Boston el 2009. Alrededor del 75% eran arrendatarios de estas propiedades. Todos estos desalojos eran "sin motivo" porque las compañías embargantes rechazaban el pago de las rentas. Después de embargar se hacen cargo de la propiedad inhabitada y nuestros vecindarios decaen.

NO OCURRE si estamos organizados. La Asociación de Inquilinos de Bancos se dedica a reunir a los arrendatarios y dueños anteriores de los edificios embargados para proteger nuestros hogares y vecindarios de las compañías embargantes y de los bancos. Juntos hemos logrado ganar muchas batallas. **A través de la organización hemos suspendido la mayoría de los desalojos.** Más y más residentes están recomprando sus propiedades a su valor real, a menudo mucho más bajo que el valor del préstamo. Nosotros estamos apoyando la nueva legislación que cambiaría inmensamente la manera de negociar de los bancos antes y después del embargo. La legislación Federal aprobada bajo Obama da más protección a los arrendatarios. Infórmese más en nuestras reuniones de los martes. O llámenos.

Para mayor información llame a City Life/Vida Urbana: 617-524-3541 x315, x310, 304 (en español x313)



THE BAY STATE Banner

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HOME

BLOGS

BE HEALTHY

STEP UP

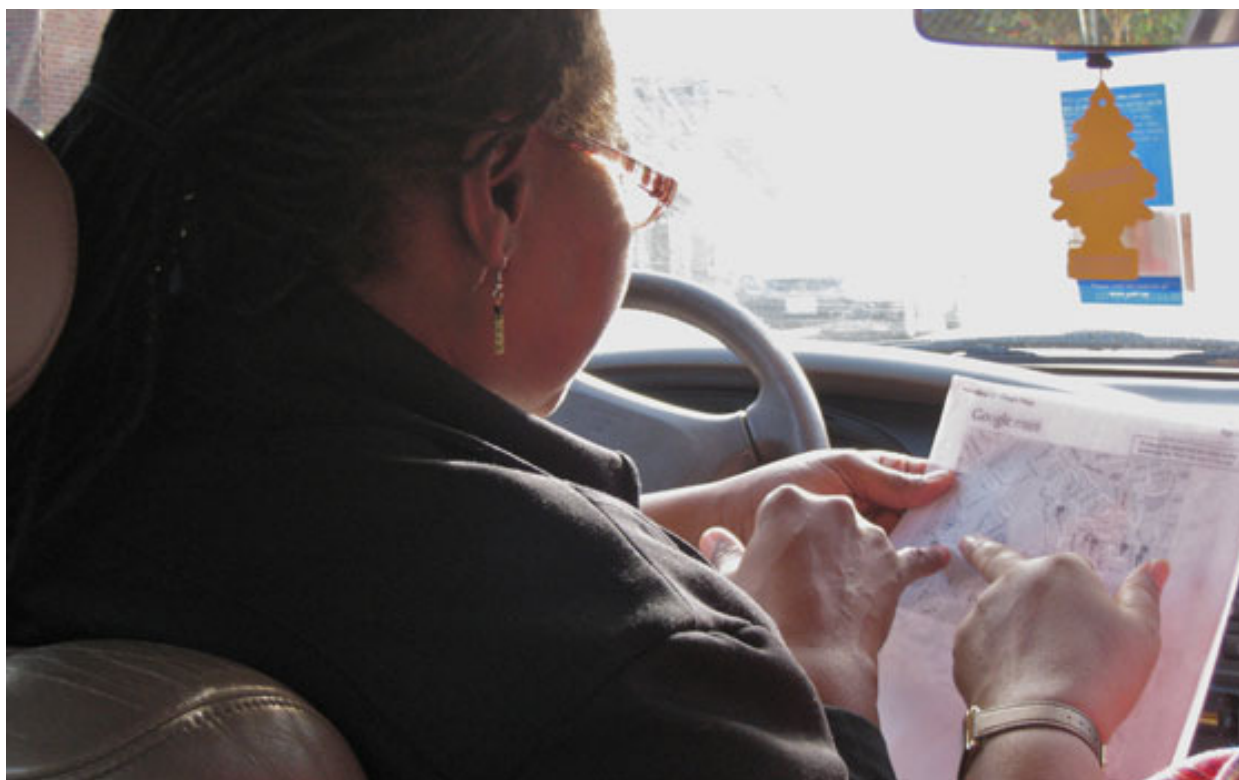
CAREER EVENTS

JOBS

CONTACT US

[[EMAIL](#) | [PRINT](#) | [SHARE](#)]

Volunteers offer hope, help amid foreclosures



Volunteer Dorrett Martin checks a map before heading to the next address on a list of foreclosure petitions and scheduled auctions. (Sandra Larson photo)

Dorrett Martin, a volunteer with the Jamaica Plain housing advocacy group City Life/Vida Urbana, navigated her car along the short curvy streets near Mattapan Square.

Martin knows well this area and many of its residents, having lived on Blue Hill Avenue in Mattapan for the last 25 years. But last Saturday her task was visiting strangers. Riding shotgun with Martin was fellow volunteer Sandra Douglas. Her job was to check the list of addresses of foreclosed properties on her map before they stepped out. Martin rang the doorbell after stopping in front of a small single-family house with light-blue siding.

"We're here from City Life," she began. "We are trying to help people whose homes may be in foreclosure."

The slender, 40-ish woman who answered the door didn't need to hear more. "Come in," owner Sophia Mitte said immediately, with a mixture of relief and pain. "I'm going through massive financial troubles."

Every weekend over the past year, volunteer canvassers from City Life and a network of area law schools and colleges called No One Leaves have fanned out into foreclosure-ridden neighborhoods in Boston. They knock on 40 or 50 doors each week to inform tenants and owners in foreclosed buildings that help is available from advocacy and legal aid organizations.

Foreclosures in Boston topped 1,200 last year and 584 have occurred in the first eight months of this year, according to figures from the Warren Group, which tracks real estate data. In addition, 1,646 foreclosure petitions—the first step in the process—were filed in the first eight months of this year, signaling the trouble is not ending.

The hardest-hit neighborhoods have been Dorchester, Roxbury, East Boston, Mattapan and Hyde Park. Though it contains only one sixth of the city's population, Dorchester accounted for roughly half of all Boston foreclosures in each of the past three years.

City Life volunteers are particularly empathetic messengers, many having experienced the pain of foreclosure themselves. Dorrett Martin was laid off from her job "ages ago," and the multi-family home that she purchased in 1984—and where she reared her four children—was foreclosed on last spring, she said. Sandra Douglas is her tenant—she moved into one of the units 20 years ago. The two have become close friends over the years, and their teen daughters are friends, too.

They are still living in the house, but eviction looms.

"I didn't know if I had any rights at all," said Martin, "but I wanted to help Sandy."

Tenants who know their rights can often gain time before having to move, and some have won financial compensation, especially if an absent landlord allowed the unit to fall into disrepair. In this case, with City Life's help, these two women are exploring the possibility that tenant Douglas, who works as a nursing assistant in a senior home, might be able to buy Martin's house from the bank at its current value—far lower than the inflated-market value it may have commanded in the past few years.

This is a key goal of City Life, said Steve Meacham, the nonprofit organization's Tenant Organizing Coordinator. They believe it is sometimes better to go through foreclosure and try to buy the house back at its real value than to work out a loan modification that doesn't reduce the principal owed. The "real" value, for most foreclosed houses today, is much lower than the amount owed before foreclosure.

Meacham believes this is a moral issue and a practical one. In an interview for a May 2009 segment of the PBS television show *Bill Moyers Journal*, he put it this way: "If Deutsche Bank forecloses on Joe Schmoe, the best they can

do is sell that property at real value. So if Joe Schmoe can afford the property at real value, why not sell it back to him?"

He admits his organization is in a minority in what they advocate in foreclosure cases.

"Our message is counterintuitive," he says. "We are saying foreclosure is not the end of the world. It's not the final step."

Inside the light-blue house, owner Sophia Mitte explained to the volunteers that after her husband was laid off from his job as a driver with a transportation company, the bank agreed to modify their loan, reducing payments by \$600 a month. That was sustainable until she discovered hidden mold behind the kitchen cabinets that was causing severe asthma flare-ups for two of her three sons, even leading to hospitalization for one. She had the cabinetry torn out and disinfected, but their insurance didn't cover the work, she said, and the unexpected expense has caused her to fall behind again.

Canvassers leave a flyer at each house urging both tenants and owners to go to City Life's Tuesday night meetings, where they'll meet others in similar straits and have a chance to talk with a volunteer lawyer.

Meacham said 60 to 80 people attend the weekly meetings, now, up from around 20 in early 2008. They are now monitoring about 500 "open cases," he said—people who have come to meetings at some point and are in the midst of the long sequence of court hearings and negotiations with banks—and seeing 25 to 35 new households each month.

By the time Sophia Mitte was hugging Martin and Douglas goodbye, she was planning to come to the next City Life meeting. She sounded determined and hopes to get an extension from the bank to start the loan modification again.

"I just need breathing space," she said. "As long as I'm alive, I'll pay. I just want to keep my house."

Back in the car, Martin and Douglas continued down their list. At one house, the owner said he didn't need any help. They left information with him anyway. At another, no one was home. A house on River Street was clearly abandoned, surrounded by a thick overgrowth of weeds and a chain link fence that blocked access to the door.

One of their assigned addresses was a tidy home with potted flowers on the porch and a lawn of thriving grass and flowers. The owner happened to be a woman Martin knows from her church. When she understood their reason for their visit, the woman's face became still and her voice dropped to little more than a whisper.

"You can tell me where to get help," she said, "but it's gone through the gates already."

She remained stoic for a few minutes as Martin attempted to engage her in conversation, but then ducked into the kitchen for a tissue to dab her eyes.

The house is in short sale, she said miserably. She did not elaborate, but short sale normally means the sale of a house for less than what the owner still owes on the mortgage. The lender typically forgives the rest of the homeowner's debt.

It's not clear what sort of help this woman might obtain at City Life in her situation—maybe it is too late—but Martin was emphatic about trying.

"You have ways, you're not alone," Martin told her, "It's not the end of the world."

Standing with the City Life flyer tucked under a rigid arm, the woman finally mustered a smile. "Thank you," she said.

CHAPTER 6

MEETINGS

How CL/VU structures its weekly meetings



photo: Brandon German

What you will learn in this chapter:

- *How to run an effective meeting that engages and informs members.*
- *How to incorporate leadership development into every aspect of the meeting agenda.*
- *How meetings vary depending on the size and history of the group.*

Introduction

Although CL/VU meetings contain no mention of God or religion, they have often been described as liturgical, containing the structured agenda and ritual of a church service. They also bring to mind an AA meeting, where people come to gain support, lose their shame, become part of a community and commit to taking action to bring about change.

Many describe the meetings as providing a sense of love, safety and acceptance—a welcome haven for often devastated foreclosure victims and a resource for a great many things like housing and legal help, and even job opportunities: a family.

Our meetings are also great demographic melting pots, a catalyst for positive interactions between all races, ethnicities, ages and walks of life. In addition, former owners—who have been some of the most aggressive and determined tenant leaders against the banks after foreclosure—are often able to bond with their tenants, overcoming a historic split in the housing struggle. For years, housing organizers at CL/VU have sought to unite renters with small landlords. The BTA has proven to be an excellent vehicle to bring these two groups together.

Meetings are also places where we emphasize giving back. People are not just fighting for themselves, they're fighting for the whole community.

There is no automatic formula to follow when deciding how to run a meeting. We keep experimenting and changing things around. The important thing is to create an environment of hope and solidarity—where people can shed their feelings of shame and fear, and where personal power can be restored.

"A lot of what we do when people are coming in is create the moral space for people to feel like they have the right to resist, because they're told by almost everybody that they don't. You know, their first reaction is, 'There's nothing I can do because the bank owns the building now.' And that is part of a disempowerment that goes far beyond that situation.

And part of the reason that people love to come here I think is that not only are we giving them solidarity and support in fighting the bank, but in so doing, it's like a kind of upsetting this whole apple cart of disempowerment that they've been fed for years and years and years."

- Steve Meacham, CL/VU Lead Organizer, Bill Moyers Journal, May 2009

⇒ **NOTE:** We recommend that you watch some videos of actual bank tenant meetings to get a sense of its rousing and inspiring atmosphere, as well as to appreciate how bank tenants play a leadership role in running the event. (If you are a small group starting out, it may be helpful to watch videos of both small and large meetings.)

Know that there is no right or wrong way to run a meeting... The important thing is to create an environment of hope and solidarity: where people can shed their feelings of shame and fear, and where personal power can be restored.

Central Principles

Bank tenant meetings play multiple roles—transfer of information, testimony, inspiration, solidarity building, action planning and sum up, political education, and more. New people sit alongside veterans and embark on a new phase of their life. While the format of a meeting may change over time and may vary from group to group, we think the following principles are central to its continued success:

- **Use every aspect of the meeting to build leadership.** Ideally, the goal is to have bank tenants actively run the show from start to finish.
- **Incorporate member participation in decision-making.**
- **Remember that each person is in control of strategy in their case.** In practice,

this usually means that an experienced organizer presents them with options but they decide.

Meeting Components

The meeting described below is the large meeting held at CL/VU main offices. (See attached chart for how a meeting may change over time as the movement grows.)

Sign In

When people come in, we ask that they sign themselves in and pick up a new member packet if it is their first meeting. The packet contains:

- Welcome to the resistance
- Loan modification and principal reduction
- Shield Quiz
- Questions about principal reduction
- Writing your Public Letter
- Newsletter
- The three-legged stool - A CL/VU view of strategy
- Information on Legal clinics
- We shall not be moved poster
- Meeting agenda

(See attached samples)

New Member Introductions

So many people who are facing foreclosure and eviction are very private about their situation and have not told many people about what they are going through. They live in an atmosphere of self-imposed shame. One of the main goals of the BTA meeting, therefore, is to end the isolation of individual foreclosure and eviction cases by encouraging people to

share their stories even in their first meeting. We urge people to leave their shame at the door and we let them know that what they are going through is not their fault and that they are part of a huge community of other families who will be in this together with them. This involves a lot of testimony: a lot of sharing that can be very emotional. As some leaders say, we cry a lot of tears here. Some of this is pain and stress. Other times, they are tears of joy and relief.

Whereas in small groups, you may be able to have everyone introduce themselves, we only have enough time for new member introductions. We ask each new member to stand up with their family and:

- *Introduce themselves and their families.*
- *Share where they are in the foreclosure process.* We ask them where they are in the foreclosure process and what bank holds their loan. Often other bank tenants will hiss in unison when the bank's name is mentioned. (Some people come to the meeting as a community volunteers or observer, but most people attend because



photo: Brandon German

**What happens when
you fight? You win!**

they are fighting to save their home.)

- *Lift up our big sword high in the air.* We then ask: “Are you ready to fight?” When they say “Yes!”, the entire group responds in unison, “Then we’ll fight with you!”

Presentation of Our Method

Modes

Rather than making a dry presentation of what we do, CL/VU incorporates props, skits, slides and songs to explain how we operate. Bank tenants are actively involved in making these presentations. After we make our presentations we open the floor for questions. Examples might include

- **Theater:** Using bank tenants as actors, we stage a scene that includes a big door, a bad banker and a bank tenant. A typical scene might be one where the banker knocks on the door and tries unsuccessfully to intimidate a bank tenant into leaving.

- **Realistic Role Play**

Organizer: Is there anyone else that’s new here. I don’t recognize you. Are you new?

Bank Tenant Actor: Yes. (Weeping, she stands up). I was just told by the bank that I need to leave my home tonight. I brought my kids here and packed up what I could. (She is

carrying a big trash bag). I really didn’t know what to do and then my neighbor

mentioned this group and that you could help me. I’m so scared.

Organizer: Did you get any eviction notices

from the bank?

Bank Tenant Actor: No.

Organizer: Do you own your home?

Bank Tenant Actor: Yes.

Organizer: Well, we definitely can help you. The bank cannot make you leave without going through an eviction process. We’ll help you stay in your home – and you may even be able to buy your home back with a mortgage you can afford. Everyone here will be standing by your side.

Organizer: (to the audience) To those of you that are new here, I want to let you know that we just staged this. But a few months ago, this was reality, not a skit. Caroline (the bank tenant playing the role of someone who has lost her home) came to us in a very similar situation. And right now she is about to buy her home back. And the same can be true for you. So what do you do when the bank attacks?

Audience: (chanting loudly) “Stand Up! Fight back!”

Organizer: What do you do when the bank attacks?

Audience: (chanting loudly) “Stand Up! Fight back!”

- **Music.** One of our members, Antonio Enniss wrote a rap song that we play during the meeting. The full lyrics to *The Bank Attack* are contained in this chapter.

Key Presentation Talking Points

- **Description of “The Shield and The Sword” strategy.** We describe how we use legal defense (The Shield) as a way to hold the bank off while The Sword (public pressure and protest) takes effect.
- **You don’t have to move just because the bank says so.** Become part of this movement and you will not only be able to

Leadership Opportunity

Ask for bank tenant volunteers to participate as actors in presenting the mechanics of the BTA model.

save your own home, but you will become part of a system-wide solution.

- **Brief description of various outcomes.**
Example: how a nonprofit bank may be able to buy back foreclosed properties and resell to bank tenants; how nonprofit developers can buy back properties and create cooperatively owned rental housing, etc.
- **The importance of giving back through volunteering.** Every meeting has a component on how people can volunteer (canvassing, calling, leadership committees, etc.).

We don't charge anything. This is a critical distinction to make since so many people facing foreclosure are frequent targets of scammers.

- **If you fight back, you always win.** Even when a foreclosure sale goes through or a family gets evicted, it's not a loss. It's all about a process that has already resulted in hundreds of wins and is growing stronger each day, as more people get involved. We say things like: "If you stay in your home one day after you were told you have to leave, that's a victory." Or "How do you eat an elephant? One bite at a time. And that's how we take the banks down. One bank at a time." If you fight, you win.

⇒ **NOTE:** It's important to acknowledge that, in the beginning, people coming into the movement will not feel this way. It's people who have participated and felt the power of losing shame and the power of fighting back who stay involved in our movement even when they lose, because they didn't see it as losing.

Evaluation of Prior Actions and Protests

After we lay out our methods, we ask how many people went to the last action and find out how many first-timers attended. Sometimes we show photos or video of the event. Then we ask people to evaluate the action using what we call the "Plus/Delta" process. The Plus/Delta process is a brainstorm-type format during which we identify things that worked well and then things that could be improved.

At first people may not be very outspoken, but it doesn't take long for people to start sharing their opinions. (We often start some chanting here: "What happens when you fight? You win!")

Planning for Future Protests and Actions: Getting Volunteers

During this part of the meeting we make an announcement of actions that are coming up. We also ask who has a foreclosure coming up, and get the dates, times and banks. We call for volunteers (and write their names on butcher paper), asking people to take on specific roles including someone to transport the puppet down to the site, chant leader, making phone calls, etc. ("You make the movement work!")

Leadership Opportunity

While it makes sense to have staff and key leaders present the array of protest options available, make certain to gradually democratize the decision-making process so that new members can feel like they are truly part of the process. (For example, open the discussion to get people's opinions and suggestions.)

Successes or Victories

We always want to emphasize how the campaign is succeeding—and there are many different ways to define success. An obvious victory is when someone is able to buy back their own home. But it is also worth celebrating when people are able to stay in their home months—and sometimes years—after they were ordered out by the bank. One way to demonstrate our impact is to ask people to raise their hand if they have been in their home one month past foreclosure...Two months? Three months? Six months? One year? Two years? (This is similar to an AA meeting where people share how long they have been sober and everyone celebrates these achievements together.) Other successes include bank tenants who have been able to represent themselves successfully in court by winning a motion. Getting good media coverage is another triumph, as are successful protests, letters to the editor that get published, etc.

It's important to note that often even our failures feel like partial successes to the people involved. Bank tenants have frequently told us that if they had to lose their home, it felt far better to lose it through an eviction blockade, than if they had to just close the door and passively leave their home without protest.

Legal Orientation

Initially we used to have a separate breakout orientation on legal rights for first-time

Gonna beat back the bank attack, gonna
beat beat back that bank attack
We gonna beat back the bank attack, we
gonna beat beat back that bank attack

- *The Bank Attack, M. Antonio Ennis*

members during which we used our Shield Quiz to emphasize the importance of not leaving your home. Now as more people are coming to us before the actual foreclosure sale and getting legal advice on the spot, we're finding it less necessary to have a separate group for this purpose and we integrate the legal information into our main meeting. We recommend that you experiment with the meeting format. It is important that people take the Shield Quiz at some point so that they see they have a number of options and that there is no need to panic.

Lawyer Meetings

At the beginning of the meeting, we hand out numbers to those who need to meet with an attorney. Law students and lawyers from Harvard Legal Aid Bureau and Greater Boston Legal Services attend each of our meetings. At the mid-point of the meeting, we start calling out numbers, and people who have urgent legal questions will leave the main meeting for a short time to get more specific information about what they need to do



photo: Dominic Desiata

next. The important thing is not to begin the sessions with the lawyers too early in the meeting. Make sure people get to experience a significant portion of the meeting—especially the solidarity-building aspects. (See *Lawyer* section for more information.)

Political Discussion

Usually during the second half of the meeting, we have more in-depth discussion of the week's news and current events. Outside speakers are invited for a regular feature known as Making Connections during which we discuss topics designed to help members understand how the foreclosure crisis is closely tied to other political crises. Sometimes we include speakers from other movements. These political discussions are in addition to the Summer Institute and radical organizing conference activities. (See *Political Education* Section for more information and examples of discussion topics.)

Donations

We pass a basket around and ask for donations to cover the cost of the pizza we are serving that night, our legal defense fund and all the other costs that keep us up and running. We ask the group to help us “keep City Life/ Vida Urbana healthy.”

Announcements

Use this time to create a sense of community where people can make announcements about other things happening locally. On occasion, we've used this time to provide information on work opportunities. We've had several people, particularly those with repair and construction skills, who were able to get work from other bank tenants.

Close Out

The goal here is to leave people energized and transported. We do this by asking all who can to rise. Everyone then starts clapping slowly, in rhythm and in unison. We say things like: “Think of the Perez family, which we are going to defend.” “Think of how we are going to fight the bank and win!” Increase the pace gradually until the clapping is more fervent and constant. Thank everyone for coming.

Meeting Logistics

- **Childcare.** Because meetings are held after work and many people have to bring their children, we provide childcare. Volunteers will play with children in a room in the back; sometimes we show videos. We also have a collection of toys for kids of different ages.
- **Food.** We order several pizzas. A volunteer wearing rubber gloves hands out the pizza to members at the beginning of the meeting. We also provide drinks.
- **Props.** It's worth making or buying:
 - A shield
 - A large sword (both can be bought at a toy store)
 - A door (can be made out of cardboard)
- **Translation.** All meetings are conducted in English and Spanish, sometimes using other languages as well. CL/ VU uses a headset system which allows

Now we could fight back or we could lay down.
Or beat back the bank attack and stay proud.
They got bailed out, we gettin' thrown out
Some livin' underwater in their own house.
They hear the word “Foreclosure”
They get scared and think it's all over.
But nah the fight just begun!

- The Bank Attack, M. Antonio Ennis

simultaneous interpretation. It's nice to have this equipment but not necessary. As mentioned in the *Start Up* section, it's important to provide translation in as many languages as are needed. Otherwise the meeting will gain the reputation for being accessible to only certain groups.

- **Open Door Policy.** As mentioned in Chapter 3: Start Up, our meetings are open to the public, but they are not an appropriate forum for brokers, investors or attorneys to peddle their services. What we say is that if the service being offered is supported by CL/VU, then you will hear about it at the front of the room. Otherwise, it is not supported. It may not be bad, but it is not supported.



For a great intro to the BTA model, watch the Bill Moyers Journal which profiled CL/VU in May 2009:

<http://www.pbs.org/moyers/journal/05012009/watch2.html>



photo: Brandon German

ATTACHMENTS

- *The Evolution of Meetings*
- *New Tenants Packet*
 - Welcome to the resistance
 - Shield quiz (English and Spanish)
NOTE: Applies to Massachusetts only.
 - Loan modification and principal reduction
 - Questions about principal reduction
 - Writing your Public Letter
 - The three-legged stool - A CL/VU view of strategy
 - Meeting agenda (sample)

The Evolution of Meetings: How they change over time

While our manual identifies many features of bank tenant organizing and meetings, how these play out changes as the size of the meetings grow and as the movement matures. What follows is an attempt to show three phases of bank tenant meeting growth, what to expect in each, and how to best handle them.

Phase 1: “Collectivizing” Cases (bringing individual cases together so that they can be viewed and responded to as a whole) (15–30 attendees)

When you first start canvassing and organizing meetings of people facing foreclosure, your meetings are composed of people mostly brand new to the struggle, even to the idea of struggle against the banks. Some have waged long and often lonely battles trying to get loan modifications. A few have tried innovative legal schemes to fight their foreclosures.

Early meetings will thus be primarily occupied with addressing the problems that each individual brings. Individual casework will be played out in front of the group. The goal of the organizer/facilitator will be:

- To encourage stories, without getting caught up in any one drama.
- To bring common lessons out of each story. This could be legal rights, examples of courage, common macro issues like principal reduction or the right to pay rent.
- To develop a collective understanding that “it’s not our fault.”
- To build a sense of solidarity.
- To find some case that offers the possibility of a public action against the bank. This may take a few meetings to develop.

There are also problems to be avoided:

- The meeting can’t get taken over by any one case.
- The meeting can’t get into the minutiae of foreclosure law and responses.
- The meeting shouldn’t feel like a legal clinic or be run by attorneys.
- Despite the central initial role of experienced organizers, the group should consciously avoid a culture of reliance on one or two individuals.

How do we do the good things? The organizer should be an active facilitator. Where necessary, pause the stories to allow for political lessons, or comments or questions. Whenever possible, point out how these stories share a common thread. Also, stop the stories even for a supportive chant, or to point out someone’s courage in the battle. As someone is telling their stories, write key issues about the story on newsprint up front.

How do we avoid the bad? Recognize the need for people to tell their stories but be clear that everyone must have a chance. Interrupt the stories or overly legalistic discussion, if necessary, to pose a question about what to do together. Proclaim solidarity through the “we’ll fight with you” chant. Or suggest that some public action be held. Wherever possible, point out the knowledge and commitment that each person has and has demonstrated.

Phase 2: Shifting the Agenda – (35–60 attendees)

With so many people, it's impossible to have presentations about each person's case. Once our meeting got to this size, CL/VU began to have everyone introduce themselves. Veterans returning would simply note any new developments in their case. Lessons would be drawn from those new developments. New people would talk about their cases at somewhat greater length.

This method begins to turn the meeting away from being dominated by discussion of individual cases. By this time, the group should have held some public actions, and the pace of those actions should be picking up (in fact, you probably won't reach this level of attendance unless you are doing that). Therefore, plan to set aside more time at the meeting to discuss proposed actions or summing up past ones.

At this point in the development of the movement, leading figures should have emerged. It's probably a good idea to form a Leadership Team that meets separately from the main body. This will allow more detailed discussion about tactics and strategy, including training for members to take leadership roles in protests and events. Also, it will provide an opportunity for more developed political education and discussion.

The Leadership Team's purpose is to help the staff organize the movement: draft agendas, facilitate, make presentations, organize protests, involve new people, etc. The Team also provides opportunities for training and political education—about the crisis and what's causing it, about legal rights, about organizing theory and methods, etc.

Phase 3: Mass Meetings (70 to 100+ attendees)

When that many people are involved over a long period (as is the case with CL/VU), you will have a growing number of leaders and therefore an increased capacity for organizing actions. City Life's main Bank Tenant Association either sponsors or participates in 2–3 actions per week.

One difficulty that emerges at this level is how to address the needs of new people and the needs of veterans. New people are coming primarily for their cases. Veterans also periodically need intense discussion of their case but they also want to participate in planning events, summing them up, discussing other political issues, etc. Each meeting has to be, in some way, a unique event. Some techniques City Life has used to manage and sustain this level of participation include:

- Only introduce new people, but pay attention to each new person; split off new people into a separate orientation (this has good and bad aspects).
- Show videos and hear reports of actions and events during the week.
- Invite other groups to present about other issues.
- Set aside time for political discussion, both on foreclosure and other issues.
- Use theater and skits to put forward the basic message of the movement.
- Welcome the press into the meetings so that the meeting itself becomes a kind of protest or demonstration.

Note: You can do these activities in small group meetings as well, although typically in smaller groups there tends to be a greater focus on casework and scarcer resources makes it difficult to do things like show videos, etc. Also, it certainly helps to be able to fundraise for more than one staff person when you are getting to this size group, but if funds are not available, consider using volunteers to help run the meeting.

City Life/Vida Urbana

PO Box 300107, Jamaica Plain, MA 02130 Phone: (617) 524-3541 Fax (617) 524-3555

BANK TENANTS ASSOCIATION

WELCOME TO THE RESISTANCE!

Dear friend,

We're so glad you have found City Life/Vida Urbana. We say "welcome to the resistance." We're fighting back against some of the biggest corporations in the world: the Wall St. Banks. And we're winning!

We use a strategy we call The Sword and the Shield. The sword is ongoing public protest against the banks. The shield is legal defense.

We're winning because we're building a movement. We're winning because we are supporting each other. City Life staff can't win your case *for you*. We can win it *with you*.

We understand our problems are not individual ones. The wave of foreclosures and bank evictions we are facing is caused by massive corporate greed. We all make decisions we regret. But our actions are tiny compared to Bank of America, or JP Morgan Chase.

We urge you to leave any shame you have at the door. Join us to fight the banks. Together, we will all accomplish more.

In this packet you will find:

- ❖ Loan modification and Principal Reduction: Helpful hints on the loan modification process.
- ❖ Eviction defense and principal reduction: What is the connection?
- ❖ Questions about principal reduction: Why do we have the right to demand this?
- ❖ The Shield Quiz. This quiz explains your rights, especially around eviction.
- ❖ Our basic flyer: "Don't let the Banks Push You Out."
- ❖ Harvard Legal Aid Bureau flyer on eviction rights.
- ❖ City Life newsletter reviewing our protests from January to April, 2011.

If you have questions, ask them at the meeting. Or feel free to call us.

In Solidarity,
The City Life Organizing Staff

City Life Bank Tenant Association welcomes you to the resistance!

SHIELD QUIZ

City Life urges a Shield and Sword strategy. The shield is knowing your legal rights and defending yourself legally. Take this quiz to find out if you know your rights. These rights should be used together with the sword. The sword is public protest and public pressure on the banks.

Pre-foreclosure questions

1. Can you be evicted for not paying your mortgage? Yes ____ No ____
 2. The final step in the foreclosure process is
(a) the auction sale ____ (b) the eviction ____ (c) cash for keys
 3. You should pay *anything* necessary to avoid foreclosure. True ____ False ____
-

Eviction procedure questions

4. I got offered cash for keys in the amount of \$2000? Is that enough? Yes ____ No ____
5. I got a notice to quit. Will the bank send the truck to evict me after it expires? Yes ____ No ____
6. I got a summons to go to court? Why is the bank evicting me? No reason is given.
(a) I'm a bad person ____ (b) the mortgage wasn't paid ____ (c) it's a "no fault" eviction ____
7. On the court date, what should I do?
(a) Ignore it ____ (b) Just go to the hearing ____ (c) File answer & discovery and go to hearing ____
8. My court date is in district court. It's close by. Should I leave it there? Yes ____ No ____
9. Can I get legal help and advice? I'm confused! Yes ____ No, you don't deserve it ____
10. If I am a former tenant, can I really ask for a jury trial? Yes ____ No ____

11. In court should I “settle” my case with an “agreement to judgment”?

Yes ____ No ____ Probably not ____

Post-judgment questions

12. I lost my case in court (or I signed an agreement to judgment that has run out). They threatened me with an “execution”! Is my time up? There’s nothing else I can do? True ____ False ____

13. I got a 48-hour notice that the constable is coming? What should I do?

(a) Offer the constable coffee and things will be ok ____

(b) Have a panic attack ____

(c) Stay calm and get legal advice right away

(d) Try to find *someone* who will sit in your doorway and block the eviction _

SHIELD QUIZ ANSWERS

1. **NO!** This is very important. The penalty for defaulting on your mortgage is that the bank takes the title to your house. Foreclosure does not mean that the owner (or tenants in the building) have to move right away. A bank still must go through a legal process to evict you. Foreclosure is the beginning of Phase 2 of your struggle. Phase 2 (the eviction fight) is often much more successful than Phase 1 (trying to prevent foreclosure).
2. **The auction sale.** After an owner is 3 months behind, they will get a notice called a *service members letter* asking if you are a member of the armed forces. Some months later you will get a notice that an “auction” has been scheduled. If nothing is done to postpone the auction, that usually results in the bank taking over ownership. It can result in another party buying, but so far in this crisis, that has been rare.
3. **False.** 20% of mortgages nationally are underwater. That means that the value of the building is less, sometimes much less, than the value of the loan. In Boston’s neighborhoods, where owners got a loan 2–4 years ago, it is much higher than 20%. In this situation, you can pay and pay for years and still have no equity. The banks are (so far) reluctant to do any meaningful loan modification where they would reduce the principle owed to the real value of the building. In these situations, foreclosure, and fighting the eviction after foreclosure, is sometimes the best option.
4. **NO.** City Life recommends that you reject the cash for keys offer. It gives up all your rights *and* your most important advantage: that you occupy the home. These offers range from \$500 to, in rare cases, \$4000. Former tenants who are involved with City Life and Legal Services can get far more than

this (\$20,000+) *if* they choose to move. Former tenants who want to stay in their homes can do so almost indefinitely. Former owners have fewer rights, but by fighting the eviction they have a chance to buy back the building from the bank. After foreclosure, the bank refuses to take rent. Everyone fighting a bank eviction should put aside as much of this rent money as they can. This is important.

5. **NO!** Whether it is a 30-day notice to quit (for tenants) or a 72-hour notice to quit (for former owners), the only thing that happens at the end is that the bank can take you to court. *Only* a judge can evict you. The bank cannot change the locks, turn off utilities or harass you.
6. **It's a no fault eviction.** After foreclosure, you are a tenant of the bank. You offer to pay rent. The bank will refuse to accept your rent. Therefore, if they seek an eviction it is *no fault*. That means you haven't done anything wrong. It also increases your ability to fight the eviction. This is true of former owners and tenants.
7. **File answer and discovery and go to the hearing.** The court hearing is always on Thursday. The previous Monday (or before), you should file an answer & discovery with the court *and* with the bank's lawyer. The answer is your response to the eviction. It includes your request for a jury trial, your claims for bad conditions, and more. The discovery is your request for information from the bank. They must respond. The discovery *automatically* postpones the case 2 weeks.
8. **No.** Move it to Housing Court. Housing court judges know housing law better. Also, this postpones the case again.
9. **Yes.** You can come to City Life bank tenant meetings every Tuesday at 6:15, 284 Amory St. You can call City Life at 617-524-3541. To get help with Answer and Discovery, you can attend Legal Services clinics. These are Friday morning at Wilmer Hale, 122 Boylston St., JP near Stonybrook (522-3003, Or Monday morning at Greater Boston Legal Services at 197 Friend St. near North Station (371-1234). Call Harvard Legal Aid at 495-4408.
10. **Yes!** We recommend that everyone ask for a jury trial. For a former tenant, it must be granted. An actual trial is rare; banks usually settle. A recent jury trial denied the eviction and awarded the tenant \$54,000 (it could be doubled)!
11. **Probably not.** An agreement to judgment gives up all your legal rights. You should get legal advice before signing one. (Remember: A court mediator is *not on your side*). However, even if you sign one without legal advice, you should call City Life to get help on your next steps. Many families have won even after signing these agreements.
12. **False.** An execution is the document the bank gets after winning in court. That allows them to hire a constable to evict you. However, even then, you can try to get a stay of execution or restraining order to get more time.
13. **Stay calm and consider a blockade.** Get legal advice right away. In certain cases, City Life and the Bank Tenant Association are willing to create an eviction blockade. Even at this point, you can win. Keep us informed about your case.

JUEGO DE CONOCIMIENTOS GENERALES
DERECHOS COMO INQUILINO O DUEÑO DE PROPIEDAD
Vida Urbana, Asociación de Inquilinos de los bancos

Preguntas acerca de pre-embargos

- ¿Puede ser desalojado de su propiedad si no paga su hipoteca?
a) Si b) No
- ¿Cuál es el último paso en el proceso de *foreclosure*?
a) La venta durante subasta b) El desalojo c) Dinero por las llaves
- ¿Debe de pagar lo necesario para evitar el *embargo*?
a) Verdadero b) Falso

Preguntas acerca del procedimiento de desalojo

4. Se me ofreció la opción de “Dinero por llaves” por la cantidad de \$2000. ¿Es esta cantidad suficiente?
a) Si b) No
5. Recibí una notificación de salida (“Notice to quit”). ¿Esto significa que el banco mandará un camión para desalojarme cuando la fecha venza?
a) Si b) No
6. Recibí una citación judicial para presentarme en la corte. ¿Por qué el banco me esta desalojando? Ninguna razón se me otorgó.
a) Porque soy una mala persona b) Porque la hipoteca no fue pagada
c) Es un desalojo “sin culpa”
7. ¿Qué debo hacer con la fecha de la corte?
a) Ignorarla b) Simplemente ir a la audiencia
c) Presentar contestación y proposición de pruebas e ir a la audiencia
8. ¿Me preguntarán en la corte acerca de mi status migratorio en los Estados Unidos?
a) Si b) No
9. ¿Puedo obtener ayuda y consejo legal? ¿Estoy confundido(a)!
a) Si b) No

a) Si b) No

a) Si b) No c) Probablemente no

12. Yo perdí mi caso en corte (O yo firmé un acuerdo de sentencia que ya se venció) ;Me amenazaron con una "ejecución"! ¿Se terminó ya mi tiempo? ¿Ya no puedo hacer nada?

13. Recibí una notificación de 48 horas que dice que un oficial de policía vendrá a mi propiedad. ¿Qué debo de hacer?

d) Trate de encontrar a alguien para que se siente en la puerta y bloquee el desalojo.

1. **No.** Esto es muy importante. La penalidad por no cumplir con los pagos de su hipoteca es que el banco toma el título de la propiedad de su casa. El foreclosure no significa que el dueño (o los inquilinos en el edificio) tienen que mudarse inmediatamente. El banco aun tiene que ir a través de un proceso legal para desalojarlo. El foreclosure es el comienzo de la etapa 2 de su lucha. La etapa 2 (la lucha de desalojo) es en muchas ocasiones mucho mas exitosa que la etapa 1 (cuando se trata de prevenir el foreclosure).

2. La venta durante la subasta. Después de que usted como dueño de una propiedad esta atrasado con tres meses de pago, es que usted recibirá una notificación llamada carta de “service members” preguntándole que si es miembro de las fuerzas armadas. Algunos meses después usted recibirá una notificación de que una “subasta” ha sido programada. Si no se hace nada para posponer la subasta es que usualmente el banco toma la posesión de la propiedad. Esto puede dar como resultado que otra persona compre, lo cual hasta el momento durante esta crisis, ha sido muy raro.

3. **Falso.** El 20% de las hipotecas nacionales están “bajo el agua”. Esto significa que el valor de las propiedades es menor y en ocasiones mucho menor del valor del préstamo. En los vecindarios de Boston, en donde los dueños de propiedades obtuvieron un préstamo hace 2 – 4 años, esto es mucho más del 20%. En esta situación, usted puede pagar y pagar por años y aun así no tener liquidez/equidad en su propiedad. Los bancos están (hasta el momento) muy renuentes a hacer cualquier modificación de préstamo significativa en donde ellos tendrían que reducir la suma principal debida relacionada con el valor real de la propiedad. En estas situaciones, el *foreclosure* así como la lucha en contra del desalojo después del *foreclosure*, es en ocasiones la mejor opción.

4. **NO**. Chelsea Collaborative recomienda que usted rechace la opción de oferta “dinero por sus llaves”. Esto cancela todos sus derechos Y además su ventaja mas importante – la de seguir ocupando su propiedad. Estas ofertas varían desde los \$500 hasta, en casos raros, los \$4,000. Inquilinos anteriores que están involucrados

con Chelsea Collaborative y Servicios Legales pueden obtener mucho más que esta cantidad (\$20,000+) si ellos deciden mudarse de la propiedad. Inquilinos anteriores quienes quieren quedarse en sus casas lo pueden hacer de manera casi indefinida. Dueños anteriores tienen muchos menos derechos, pero al pelear el desalojo ellos tienen la oportunidad de comprar de nuevo la propiedad del banco. Después del foreclosure, el banco rechazará recibir su renta. Todos aquellos que estén luchando en contra de un desalojo de banco deben de guardar tanto dinero como les sea posible de la renta ya que esto es muy importante.

5. ¡No! Ya sea una notificación de 30 días para salir (para inquilinos) o una notificación de 72 horas para salir (para dueños anteriores), la única cosa que pasa es que al final el banco puede llevarte a la corte. SOLAMENTE un juez puede desalojarte legalmente de una propiedad. El banco no puede cambiar cerraduras, apagar servicios básicos o molestarte.

6. Es un desalojo sin culpa. Después del foreclosure, usted es un inquilino del banco. Usted ofrecerá el pago de la renta y el banco rechazará el mismo. Por lo que si ellos buscan desalojarlo de la propiedad es que la misma será sin culpa. Esto quiere decir que usted no ha hecho nada malo en cuanto a su relación con la propiedad. Esto incrementa su habilidad de pelear el proceso de desalojo. Esto aplica para dueños anteriores e inquilinos.

7. Etapas de contestación y pruebas y vaya a la audiencia. La audiencia de la corte es siempre en jueves. El lunes anterior (o antes) usted debe de presentar respuesta y pruebas con la corte Y con el abogado del banco. La contestación es su respuesta al desalojo la cual incluirá su petición para un juicio con jurado, sus demandas de condiciones malas y mas. El "discovery" es su petición al banco de mas información sobre el caso la cual ellos deben de responder. La proposición de pruebas "discovery" automáticamente pospone el caso por 2 semanas más.

8. No. Tus derechos como inquilino o propietario son independientes de tu status migratorio en este país.

9. Si. Para obtener ayuda para las etapas de contestación y petición de pruebas con la corte usted puede asistir a las clínicas de servicios legales, las cuales se llevan a cabo los viernes por la mañana en Suffolk University Legal Services en 350 de la Broadway, Chelsea (617-884-7568) o lunes por la mañana en Greater Boston Legal Services en 197 Friend St., Boston cerca de Haymarket (371-1234)

10. ¡Si! Nosotros recomendamos que todos pidan un juicio con jurado. Para un ex-inquilino, esto debe de ser otorgado. Que un juicio se lleve a cabo es de hecho muy raro ya que los bancos comúnmente tratan de resolver el caso sin llegar a juicio. Un juicio con jurado reciente negó el desalojo y compensó al inquilino con \$54,000 (lo cual puede ser el doble)

11. Probablemente no. Un acuerdo para obtener una sentencia concede y otorga todos sus derechos jurídicos. Usted debe de tener consejo legal antes de firmar esto. (Recuerde que un mediador de la corte no esta de su lado). Sin embargo, aun y cuando usted firme uno sin consejo legal, usted debe de llamar a Chelsea Collaborative para buscar ayuda para los siguientes pasos a seguir. Muchas familias han ganado aun y después de la firma de estos acuerdos.

12. Falso. Una "ejecución" es el documento que el banco obtiene después de ganar en corte. Esto les permite contratar a un agente de policía para desalojarlo a usted. Sin embargo, aun y en este momento usted puede obtener una suspensión provisional o una orden de restricción para obtener más tiempo.

13. Manténganse calmado y considere un bloqueo. ¡Obtenga ayuda legal inmediatamente! En ciertos casos, Chelsea Collaborative y la Asociación de Inquilinos de Chelsea están dispuestos a un bloqueo de desalojo. Aun en este momento usted puede ganar. ¡Manténganos informados acerca de su caso!

Principal Reduction And Stopping Evictions

City Life/Vida Urbana, updated 11-12-10

City Life and the Bank Tenant Association have been fighting for principal reduction as a key goal for about 3 years. With the very limited success of the HAMP program, announcements by the Obama administration encouraging servicers to do principal reduction, and national coverage of our method, there is new interest in this goal. Even some more conservative financial analysts don't think it's possible to emerge from the foreclosure crisis without some form of mass principal reduction.

City Life, working with Legal Services and Boston Community Capital, has achieved principal reduction primarily *after foreclosure*. Through legal eviction defense, a torrid pace of protest (almost once per week in 2010!), and BCC's offer to buy, homes are returned to former owners or to tenant occupants at current real value. We may be increasingly able to achieve this pre-foreclosure, especially through the federal HAFA program, but right now the only real pressure on the servicers to engage in HAFA is the threat of protest.

Because of the success of this method and the prospect of renewed financial crisis from the fallout of robo-signing, the potential for new bank insolvencies, etc., there is new national attention to principal reduction as a component of some resolution. We will continue to fight for it as a central demand.

Eviction Defense

A recent New York Times report on a City Life action (article 3-22-10) described the post-foreclosure approach as "counter-intuitive." At times, occupants of buildings facing foreclosure have more leverage after foreclosure than before. This is true only if residents are actively fighting their evictions after foreclosure.

Again, working with Legal Services, City Life has had dramatic success stopping evictions after foreclosure. This is especially true for former tenants, but it's also true for former resident owners. This successful eviction defense has created the leverage to get homes back.

All the evictions after foreclosure by lending institutions are "no-fault". Once the foreclosure sale takes place, the lending institution becomes the new landlord. The occupants of the building are their tenants. Since the lending institutions refuse payment of rent, they are evicting no-fault. It's unconscionable that the very financial companies that created the Great Recession are evicting and planning to evict hundreds of thousands of families "no-fault". They should accept payment of rent and sell buildings occupied.

A broad coalition has organized around "just cause" eviction after foreclosure while lenders control the properties. Such a law passed the legislature in July, 2010, 37-0 in the Senate and 153-0 in the House and signed into law by Governor Patrick in Brockton. Many groups backed just cause eviction protection for former owners, and several cities passed home rule petitions advocating for such protection, but this was not included in the state legislation.

This method, combining eviction defense, public protest, and new mortgage offers, has attracted significant national attention. Given the success of the method, there is reason to expand the model. There are already sister organizations doing post-foreclosure and Bank Tenant Association organizing, and City Life has received initial funding to help more groups in other nearby cities to step up this work.

Questions about principal reduction

City Life/Vida Urbana – May, 2011

Millions of American homeowners who can't afford their mortgage at the values of the housing bubble could afford their mortgage at current real value with a 30-year fixed rate mortgage. This would mean including principal reduction in loan modification.

That's what our movement has been demanding for 4 years. We have won this demand after foreclosure, but forcing the sale of the property back to the former owner or to the tenant occupants. But why isn't this happening during loan modification? Banks could actually save money by avoiding foreclosure. They could even get a share of equity appreciation.

Here are questions posed about our demand for principal reduction.

Why do we have the right to demand principal reduction?

Wall St. Banks caused the financial crisis. The key element of this crisis was the creation of a housing bubble. Real estate prices escalated way past incomes. These same banks created incentives up and down the mortgage chain to lure/push buyers into predatory loans and to buy at inflated prices.

It's now clear (from Congressional hearings) that these banks knew the bubble would burst. This has left millions of homeowners with "underwater" loans (real value less than loan value). The banks should restore health to those borrowers, to their communities, and to the financial system by reducing principal and redoing loans at the real current value, which is also the historic trend value had the bubble not occurred.

Aren't we rewarding bad behavior? Isn't there a moral hazard issue here?

It's ridiculous to hear Bank of America or JP Morgan Chase discussing someone else's moral problems. While individual borrowers may have made bad decisions, the impact of any individual borrower's decision is very tiny compared to the huge impact of the Wall St. created bubble.

Most borrowers did not get into trouble by "buying more home than they could afford", as banks allege. They got into trouble being told by everyone (bankers, mortgage brokers, realtors, government leaders, even pastors) that they should be regardless of the price because the price would only go up. Promises were made to refinance and never kept.

Why not just do loan modification by changing interest rates? Why principal reduction?

It is widely acknowledged that the loan modification program has largely been a failure. The statistics to show this failure are usually that a small percentage of borrowers facing foreclosure have received permanent loan modification. A large reason for this failure is that banks allege an owner does not have sufficient income for the modification. However, that assessment is made on the loan value, not the real value. If banks included principal reduction in loan modification, a much larger percentage would be approved.

It would also cut down on defaults after loan modification. Successful loan modifications without principal reduction are often very bad, putting large balloon payments at the end of the mortgage. A homeowner will pay for 25 years and never gain equity. These modifications lead back into default and foreclosure.

Why should the banks agree to lose more money?

Banks have already lost the money. The value of their holdings has declined dramatically after the housing bubble burst. Their books reflect values that are not real. Even the Federal Reserve Bank of Atlanta acknowledged that a bank saves money by doing principal reduction rather than letting a borrower go into foreclosure.

Why don't banks do more principal reduction if they would save money

The Banks are convinced that they can keep many homeowners dipping into their savings, working 2 jobs, etc. to pay mortgages on the inflated bubble values. One way they hope to do this is by punishing owners wherever possible

After foreclosure, when they have to sell foreclosed REO property at real value, they refuse to sell that property back to the former owner or their family even if they can afford it. When non-profits make offers to buy occupied foreclosed buildings, Wall St. banks will often insist on eviction first. They want to make the pain of foreclosure as unbearable as possible.

For this to be done by Wall St. banks that have been bailed out with trillions of dollars by taxpayers is unconscionable.

Principal reduction is not how it works in the hard nosed business world

Actually, it's exactly how it works. Bankers yell about the potential for homeowners to do "strategic defaults", to stop paying mortgages because they are underwater.

Of course, this is exactly what businesses do. In fact, Jon Stewart's Daily Show did a hilarious piece on the Mortgage Bankers Association. It started with clips of the MBA president attacking the immorality of strategic defaults. Then it uncovered that the MBA itself had strategically defaulted on its mortgage on the building it owned.

Bankruptcy judges can routinely alter the principal owed on second homes or yachts, but not on your first home, the primary form of wealth that average people have. This is a rather gross class inequity that further points out the injustice of not doing principal reductions for ordinary people.

Why hold rallies and demonstrations? Why not change the laws?

The rallies are designed to change the laws, and Bank Tenant groups work actively through coalitions like MAAPL (Mass. Alliance Against Predatory Lending) to do that.

However, when the US Senate in May of 2009 considered a bill to allow bankruptcy judges to reduce principal on first homes, this measure was defeated, despite overwhelming Democratic Party control. Sen. Dick Durbin from Illinois commented that "The Banks own the place [the Senate]".

Writing your “Public Letter” to the Bank

Use the sword (public pressure) alongside the shield (legal defense)

Working with City Life and legal services, you are defending yourself against eviction and/or seeking to get back your home at real value. Why do a “Public Letter”? The purpose is to have an offense (the sword), not just a defense (the shield). It’s a “public” letter because it is cc’d to many different political and community leaders.

What do you really want in your building? Do you want to buy it back from the bank at the real value (if you are a former owner), or buy it for the first time at the real value (if you are a former tenant)? The real value is often half the loan value or less! Do you want a non-profit to buy it and run it as affordable rental or homeownership housing, or as a cooperative.

In the Public Letter to the bank, you explain what you want the bank to do. You also tell your story. What does your home and your community mean to you? Are you involved in your crime watch or PTA? Did you have a predatory loan? Are you a tenant in a condo conversion scam? We urge everyone to consider sending a Public Letter to the bank at some point. Tenant Associations working with City Life have long sent such letters to real estate companies and they have been very effective.

Below is a brief model for how to do a Public Letter. WE’LL HELP! Try writing one and share it with us. We’ll help you get to a final draft. If you really feel uncomfortable writing such a letter, talk to us on the phone and we’ll help write it.

Dear _____ (usually the lawyer representing the bank, the one trying to evict you)

My name is _____. I live in the building that Greedy Bank owns after foreclosure. I’ve lived there _____ years.

I used to own it but... *(describe what happened – predatory loan, inflated real estate value).*

Or I have been a tenant in the building and have paid rent for many years. There is no reason to evict me. I am willing to continue to pay rent.

I am a part of the community. *(Describe what you feel about the community, how you are involved in the community.) (If before foreclosure)* I would like a loan modification that reduces principal to current real value.

I am offering to pay rent to the bank. In addition, I *(or a family member)* would like to buy this property at the current real value. I *(or the family member)* have been pre-approved for a mortgage by _____. *(Or)* There is a non-profit that could assist in selling the property back to me at real value.

Or I would like the bank to sell this property to a local non-profit as rental housing. They are willing to purchase the property.

I am part of the Bank Tenant Association, affiliated with City Life/Vida Urbana. We are opposed to the mass evictions being carried out by the banks after foreclosure. They are causing untold suffering to thousands of people and dragging down our communities.

We will do what we have to do to fight against these evictions, but we would rather work out a settlement with you. Please consider our offer.

The shield, the sword, and the offer – the 3-legged stool

A City Life view of strategy in the foreclosure crisis

City Life has long used a strategy we describe as the shield and the sword to fight forced displacement in Boston. The shield is a whole range of legal defense options. The sword is community organizing, public protest and public pressure. The organizing allows attorneys to get results for a far greater number of clients, often without litigation. The legal defense of the shield provides a secure context for organizing.

City Life has used this strategy in collaboration with various Legal Services organizations and some private attorneys in tenant organizing campaigns. When buildings received notice of large rent increases or the threat of an end to a HUD contract, we negotiated “collective bargaining agreements” that set rents for 3–5 years. Such contracts have covered as many as 1000 units in Boston.

After the onset of the foreclosure crisis, we realized that the banks were the biggest evicters in Housing Ct. We again began to use the sword and the shield in response. Organizers, community members, students and volunteers reached out to residents of hundreds of foreclosed buildings (or where foreclosure was imminent). We organized mass meetings to explain legal rights and to strategize around public protests, including eviction blockades. Through our meetings and in Housing Ct., lawyers advised hundreds of residents on how to respond to Bank evictions and often took their cases more formally. Through all this aggressive work, City Life and Legal Services were able to stop or delay for very long periods almost all post-foreclosure evictions among those residents who reached our meetings.

We realized that stopping evictions was only a first step. There had to be some long-term solution. Our general demand has been that foreclosing lenders accept rent from occupants and cease all no-fault evictions. Our protests in front of bank offices demanded the right *to give them money*- the rent! After years of protest, there is movement on this front. Some national banks, like Fannie and Freddie, have stated they will discontinue post-foreclosure evictions, although their policy is implemented in a very uneven way. In Boston, Fannie and Wells Fargo and Bank of America have begun to negotiate to sell occupied property (ie. without evictions) to the City.

The “offer”

In many cases, faced with drawn out legal defense and protests, Banks were willing to sell property to occupants, even to former owners. Of course, a major stumbling block was the inability of former owners to get financing to repurchase their homes, even when their income was clearly adequate to buy at current real value.

The solution arrived in the form of a unique collaboration between a non-profit loan fund in Boston, Boston Community Capital, and City Life organizing. BCC evaluated our members based on income and credit history, but not based on their credit score. Many of our members qualified for BCC mortgages at current value.

Once our members qualified for a mortgage, BCC began negotiations to buy the occupied property from the foreclosing bank and resell to our members. Since mid-2009, about 60 such properties of have been purchased and resold to occupants at far less than original loan value. **Former (now new) owners agree to share profit from future appreciation with the BCC loan fund.**

BCC has also collaborated with City Life in buying concentrations of foreclosed property as rental units, with the possibility of ultimate resale to a cooperative. On Cobden and Cardington Sts. in Roxbury, for example, City Life organized local residents to hold a series of rallies in August and September of 2009 to demand that lenders sell the many foreclosed properties to occupants or a non-profit. BCC has been able to purchase, or is negotiating to purchase, most of the original 16 foreclosed units identified.

Together, the shield (legal defense), the sword (organizing and public protest), and the offer (BCC’s underwriting and intermediary purchases) have created a unique and very effective collaboration that is a model for how to respond to the foreclosure crisis.

Bank Tenant Association and Tenant Leaders – AGENDA — July 12, 2011

1. **Welcome to the meeting** Mary and Jim (5)
Welcome to the resistance! What we hope you get here.
Welcome CBS News and Melvyn Colon Santiago (*Shelterforce* Magazine)
2. **Our basic method: the Sword and the Shield!** Melonie (15)
What do you get at City Life? – The support of a movement. Legal and strategy advice (the best lawyers)
More protests per week than almost anywhere! Connection to new benefits and new legislation
The connection between protests, public pressure and the BCC buyback process
Some case examples - Maxi, Drusilla, Barzola, Mitte, Spencer, Higginbottom and others
3. **What do we do when the banks attack?** All
4. **July 20 action, Prince Hall in Grove Hall** (Washington & Blue Hill) Maria C. & Jim (15)
Town Hall meeting with Congressional Progressive Caucus Budget postponed
Instead: Community Forum - Take back our neighborhoods! Ending institutional violence to stop street violence. Then march to Drusilla Francis's house to protest US Bank's outrageous eviction plans.
5. **Introductions: Tenant leaders and New members** Mary and Reggie (10)
If this is your first meeting, tell us your name. And grab the sword. We'll fight with you!
6. **Auction protests coming up. We need volunteers** Theresa/Frances (5)
Thursday, July 14, noon, 17 Oldfield Rd., Dorchester (be there at 11:30 am)
Friday, July 15, 11 am, 4344 Washington St., Roslindale (be there at 10:30 am)
7. **Keep City Life healthy** Domingo/Ken (5)
Why do we do this? Take an envelope to become a member or if you are giving \$10 or more.
Pass the basket. Contribute only if you can. If you need change, we'll make change after the meeting.
8. **Give out numbers to see attorneys** Melonie (5)
9. **Announcements** Melonie, HLAB (10)
Jorge Diaz is back to finish puppet, and more! Who is interested in helping?
EHLPP – deadline July 22 for applications
10. **What's coming up in the Summer Institute for Radical Organizing?** Maria C. (5)
July 19 – economics and wages
August 2 – institutional racism – two moments in history
August 9 – United for Fair Economy presents on the so-called budget crisis
August 23 – If we live in a democracy, why do we have to organize?
11. **Media literacy: some articles to look at** Steve (5)
“Many may lose homes in Bank of America deal” Boston Globe, July 12, 2011
“The Housing Crisis: How to Reach Escape Velocity” Huffington Post
12. **YOU make the movement work – volunteers needed** Jim (5)
Calls this Thursday, Friday, Monday
Student Canvass on Wednesdays
13. **Next Meetings & Evaluation** Jim (5)
JP meetings 7/19 and 7/26; E. Boston meetings (28 Paris St.) 7/13 and 7/20

CHAPTER 7

CASE MANAGEMENT

How and why the model manages cases with a collectivized rather than an individualized focus



photo: Brandon German

What you will learn in this chapter:

- *What information you will need to collect from prospective members.*
- *What stages people will be at when they come to you and how to respond.*
- *How to help people publicize their plight.*
- *How to help people write a "Public Letter."*
- *How to manage cases to maximize impact.*

Introduction

Most people associate case management with one-on-one meetings, where the same case manager works exclusively with an assigned client in a private room on an individual case. This is not the model we use as part of our BTA campaign. Instead, we manage cases collectively as a group.

Why do we do this? In the early stages of starting a Bank Tenant Association, it was possible to follow each case in a detailed way, but our experience is that this soon becomes impossible. So part of the reason is that we



photo: Brandon German

don't have enough staff to be able to provide such labor intensive assistance. Another reason is because the BTA model is about people taking charge of their own case—without developing a dependence on one particular advocate.

But perhaps the most important reason we manage cases collectively rather than individually is that it allows us to be more strategic in how we decide to handle each case.

Rather than just analyze each case on its own merits, we look at how that case can be used to impact the other cases and how it fits into the big picture. This approach encourages people not to view themselves as clients with individual problems. Rather, they come to realize that what they are going through is part of a system-wide crisis, fueled by greed and deception. They quickly learn that only by joining their case to others and taking an active role in the outcome, will they be able to regain power and create a unified front against the banks.

A critical aspect of collective case management is determining which cases are *hot cases* around which a vigil or blockade can be organized to raise the visibility of the crisis and to shift bank

behavior. For example, a hot case would be one where the former owner is being evicted despite repeated offers to pay rent or buy back the property at its current market value.

In some situations, we join cases together. This happens when we have a group of cases with the same lender or ones that are clustered together geographically. Holding a vigil or protest in this situation underscores that these are not isolated cases with limited impact—but rather that scores of families are suffering, and significant sections of our community now face abandonment and further disinvestment. (For more information, see the *Protest* section.)

Initial Contact & Maintaining Contact

The prospective member typically comes to City Life in one of three ways:

- (1) Via the weekly meeting.
- (2) As a walk-in.
- (3) Through a phone call.

Every attempt should be made to do an initial intake and bring the person into the BTA system as soon as they contact the organization, whether it is by phone or in person. If the person has come to the organization through the weekly meeting, try to do an initial intake before they leave.

By getting people into the system, by getting them information they need, by helping them realize they are

Every attempt should be made to ... bring the person into the BTA system as soon as the person contacts the organization.

not alone, you are increasing the chance that they will stay involved and can save their home. Setting up an appointment for a later date or time only increases the likelihood that the person may not return. Even if you can't do a complete intake, it is important to start the process rolling by getting contact information and giving the person a solid next step to take.

Because people may not be used to a collectivized approach, it is important to describe the concept to the member right at the start. Explain that:

- *Cases are managed by the entire organizing team (staff and lead volunteers).* Make sure the member understands that they may not meet with the same person each time, but that each staff person has access to their records and will be helping on the case as part of a team. The person in charge of the case is not the caseworker, but the bank tenant.
- *It is important to keep staff/lead volunteers aware of any developments as soon as they occur.* Encourage the member to call with any new information they have and to bring in any papers they get from the court, the bank or any other person involved in the foreclosure process.

⇒ **NOTE:** While CL/VU does not do individual case management, it is very important to stay in touch with all bank tenant members. Volunteers should aim to regularly call every member who has a case to remind them of meetings and protests and to get an update on their situation. At CL/VU where we have over 1,000 cases, we tend to do this every two to three weeks.

Privacy Issues

The BTA model is designed to discourage the notion that people should shroud their case in secrecy—since being so private about their foreclosure is how so many people end up losing their homes.

Openly sharing information about one's case with the rest of the BTA is encouraged for several reasons: It lets other people in the same situation know that they are not alone and that they should not be embarrassed. It also helps get the word out that by joining with others they can fight the eviction.

The BTA model is designed to discourage the notion that people should shroud their case in secrecy—since being so private about their foreclosure is how so many people ended up losing their homes.

For this reason, the BTA model provides several mechanisms for bank tenants to be able to tell their story and to make certain aspects of their lives public in a way that feels comfortable. This includes:

- Introducing themselves and describing their circumstances at the weekly meeting.
 - Writing a Public Letter and circulating it to the community.
 - Being the subject of a protest action which often entails intense media attention. _
- ⇒ **NOTE:** CL/VU is not about forcing people to go public about the private details of their foreclosure. We never presume that we know how public they want to be. We

do ask them to share their situation in the safe and accepting environment of the weekly meeting. After that first meeting, the rest is up to them.

File Management

CL/VU is currently using Quick Base software for our file management. Feel free to contact us for more information on this system.

General Talking Points

Whereas the options for tenants and owners may vary, and the legal options will be different in every state, there are several points that need to be made to all people who occupy a building that is currently or soon to be owned by the bank.

There is no shame in foreclosure. One of the problems of current workout counseling is that foreclosure is seen as complete failure. This puts ordinary people at a decided disadvantage of feeling demoralized and disempowered.

Foreclosure is not the end of the struggle; it is the beginning of Phase Two. While we don't discourage anyone from trying to avoid foreclosure, we encourage owners to lose their fear of foreclosure and embrace a willingness to fight hard for a long-term solution. The mortgage lender may say pay or move. We don't accept those choices. We distinguish between foreclosure and eviction and say that you can walk away from your mortgage and still fight for your home.

Do not leave the unit; do not accept a cash settlement in exchange for handing over the keys and leaving. In Massachusetts it is actually illegal to evict tenants in good standing

living in foreclosed apartments. (These strong protections were the result of new legislation passed by our growing movement and allies.) But even in states without such strong protections, it is important for bank tenants to attend meetings and to get legal advice about their options before leaving.

Make your intention to stay known by hanging signs. By hanging lots of signs on their property that say "We Shall Not Be Moved," bank tenants make their intention clear to the bank, investors and realtors. We have had bank tenants put up as many as 100 signs on their property blasting a strong message that they are an unmovable foe. In fact, often when we negotiate a settlement with a mortgage lender, one of their demands is that we pull down our signs—clearly demonstrating that our signs serve as real thorns in their side.

Write and send the Public Letter. *See below for more details.*

Pay or set aside "rent" every month. For tenants, one of our fundamental demands is that no one should be evicted by the bank if they are not at fault. That requires the bank tenant to offer payment to the mortgage lender to establish a tenancy. And while there is little likelihood that the bank will accept any rent from the former owner, we *do* recommend that they set aside what they would consider to be the fair value rent each month for a down payment in the event they will try to buy back their home (see *Buyback* chapter) or to have "use and occupancy" funds available that are often required by the court if one appeals one's case.

Explore buyback options. While this option is typically restricted to former owners, if a

tenant is living in a building where the former owner is not interested in buying back the property, he or she should also explore this option. Also, in a growing number of cases, community development organizations and other nonprofit group are purchasing foreclosed buildings and operating them as affordable housing, allowing current tenants and even former owners to remain in the building. (CL/VU is working to increase these non-profit purchases. City and state officials are supporting this effort, but they are not yet common.)

(See *Buyback* section for more information.)

The Public Letter

Why Write the Letter?

Many homeowners who have tried to get a loan modification are familiar with having to write a hardship letter for the bank. In these letters, the borrower is required to present him or herself as a victim, making a case for why they deserve the bank's pity. The BTA Public Letter does the opposite: Members describe how the bank did *them* wrong (i.e., how they were pressured into a predatory loan product, how they lost their job and could not afford their mortgage due to the recession caused by the bank, etc.).

Everyone should be encouraged to write this letter, whether they are an owner or tenant, whether the foreclosure has occurred or is still in the future. The Public Letter serves several purposes:

- *It raises awareness/visibility of bank's unwillingness to help underwater homeowners.* In this way it serves as another "sword," allowing the bank tenant to spread the word in the community about what the bank is doing—i.e., predatory loan practices, unwillingness to negotiate, quickness to evict, etc. Copies can be sent to political and community leaders (city councilors, the mayor, state representatives and senators), realtors, newspapers, etc. The letter also gives a human face to the horrors of the foreclosure crisis as people talk about the long, disappointing process of negotiations, the broken promises, the way it has led to health problems, etc. Sons and daughters are serving in Iraq or Afghanistan as their families are being evicted at home. Make sure the letter contains a "cc list" at the bottom detailing where it is being sent, so the bank is aware of who else is reading it.
- *It gives the bank tenant the opportunity to demand publicly that the bank let them stay in their home and/or buy back their home at its real, rather than inflated, value.* This is an important step in helping people take charge of their case and express their outrage. In addition, it forces the bank to respond to a request instead of the more typical situation in which the homeowner has to passively wait for information from the foreclosing bank.
- *It provides an opportunity for the bank tenant to humanize him or herself to the lender.* In the letter, the bank tenant typically describes their relationship to both their home and the community—i.e., why they love their house, how they are rooted in the community and are a contributing member, how their children are tied to the school and their friends and would have a hard time leaving, etc.
- *It puts the banks on notice that they face serious resistance.* It lets the bank know that that the bank tenant is prepared to fight and will not give up easily.

- ***It empowers Bank Tenants to tell their story through a new frame and build solidarity with other members.*** Sometimes members read their Public Letters at the weekly meeting. These are moving moments. These letters also create a rich archive of personal statements, tying individual stories to the public policy and city issues.

Writing Assistance.

Many people are not comfortable writing, but should still be encouraged to put their voice in writing. Let people know it doesn't have to be perfect. Provide copies of samples so people have something to work from. If appropriate, you can offer to:

- Brainstorm with them what it might include.
- Do a final proofreading.
- Write the letter while the person dictates it in person or on the phone.

Letter Template.

Below is a brief model of a Public Letter. Other samples are also attached as well as a one-page version of this template that can be copied and distributed.)

Dear _____ (usually the lawyer representing the bank, the one trying to evict you)

My name is _____. I live in the building that Greedy Bank owns after foreclosure. I've lived there ____ years.

I used to own it but ... (*describe what happened – predatory loan, inflated real estate value*).

Or : I have been a tenant in the building and have paid rent for many years. There is no reason to evict me. I am willing to continue to pay rent.

I am a part of the community. (*Describe what you feel about the community, how you are involved in the community.*)

(*If before foreclosure*) I would like a loan modification that reduces principal to current real value.

I am offering to pay rent to the bank. In addition, I (*or a family member*) would like to buy this property at the current real value. I (*or the family member*) have been pre-approved for a mortgage by _____. Or: There is a nonprofit that could assist in selling the property back to me at real value.

Or I would like the bank to sell this property to a local nonprofit as rental housing. They are willing to purchase the property.

I am part of the Bank Tenant Association, affiliated with City Life/Vida Urbana. We are opposed to the mass evictions being carried out by the banks after foreclosure. They are causing untold suffering to thousands of people and dragging down our communities.

We will do what we have to do to fight against these evictions, but we would rather work out a settlement with you. Please consider our offer.

Sincerely,
Your name

cc: Mayor, City Office dealing with Housing, City Council members, state representatives, etc.

(*See attached sample Public Letters*)

Dealing with Stress

Going through a foreclosure process is arguably one of life's most stressful situations and can take a severe toll on a household's mental health. Existing mental health issues can also get magnified. Talk about this with the member so that s/he knows that what they are going through is what others are also experiencing. Encourage people to talk to others at the meeting as a way of relieving some stress. People feel a lot better when they know they are not alone.

Ultimately, however, for more serious mental

health situations like depression, strained family dynamics, thoughts of suicide and other serious conditions, CL/VU provides the member with a list of local community health resources and emphasizes that there is no shame in seeking help. We are also in the process of setting up a system in which a *leader buddy* will call new members to ask how they are doing.

Casework Follow-up

There are many different ways that you can review your cases, much of which will depend on how many cases you have and how many people you have to review them. CL/VU meets as a staff to discuss new and ongoing cases on average of 2–3 times per week. A typical agenda might include:

- *Identification of which cases are hot cases* that may require additional action such as a vigil, protest, etc. Discussion of whether cases should be clustered. (See *Protest* section for more on these questions.)
- *Determining who on staff will be going to what, discussing eviction blockade tactics, etc.*
- *Creating a list of needed follow-up calls.* We identify who needs follow-up calls. This would include calls to key cases which presented at the meeting as well as new attendees and those who announced court cases or other legal actions at the meeting.

In addition, we:

- Make sure that existing cases get reminder calls from us once every week (at a minimum once every 2–3 weeks).
- Call new bank tenants right after they have attended a meeting.

- Notify bank tenants for whom we have an e-mail address about upcoming protest actions. You can also send text alerts to members for whom you have a cell phone number.
 - Contact bank tenants if we need additional information for their case.
 - Update cases when folks sit down with organizers after the meeting or as a result of follow-up calls in the days after a meeting. Increasingly, we hope the lawyers and student attorneys will be able to enter data into our database, which will make the updating much easier.
- ⇒ **NOTE:** While we will help people who just call us on the phone and don't come to meetings, in practice, we provide more intensive assistance to families that come to our meetings and urge callers to attend.

ATTACHMENTS

- *Identifying and Exploring Next Options Grid (How CL/VU handles cases)*
- *Sample intake form*
- *Sample Public Letter*



photo: Brandon German

Identifying and Explaining Next Step Options

NOTE: The options and actions described in this grid are specific to CL/VU case management alone and are provided to give you a sense of how a bank tenant might move through the process. Because Massachusetts has stronger tenant protections than other states, the contents below may not be applicable to you.

Foreclosure process in Massachusetts	What person brings in	Our response What to look out for
Behind in payments	Calls, letters	This represents a long process of foreclosure activity.
Calls and letters from Servicer	Calls, letters	<p><u>Intake</u></p> <ul style="list-style-type: none"> Do intake. Much of intake is for funder reporting (age, race, etc.), but... Some of intake is basic – owner or tenant, # units in building, all occupied? <p>ESPECIALLY if they are an owner, we need:</p> <p>(a) What they owe. Total amount, not the arrearage.</p> <p>(b) Pre-tax household income. Include everyone in the house.</p> <p>(c) Value of building. (We can check the City assessment or Zillow (www.zillow.com), although these are usually high). We check the value of the house because prices were so inflated when people purchased, they often have no idea what the property is really worth. Using Zillow at least gives them a rough estimate. This estimate is useful when negotiating solutions that reduce principal, or to even see if a purchase at the real value is an option.</p> <p>(d) Purchase amount and date.</p> <p>(e) Amount owed and last payment paid.</p> <p>(f) Whether what they owe is due to refinance or original purchase.</p> <p>(g) Bank Information: Who is the Trustee? Who is the servicer?</p> <p>(i) Foreclosure Status: Has the auction happened or been scheduled?</p>
90-day Right to Cure letter	Letter	
150 days if lender does not engage in mediation	Service members Relief Act letter (if on active duty)	
Foreclosure Petition in Land Court (Can only object if someone on active duty)		

Foreclosure process in Massachusetts	What person brings in	Our response What to look out for
		<ul style="list-style-type: none"> Any loan modifications attempted? Eviction status: no notice, notice to quit (by when?), summons to court (when?), agreement to judgment (when do they have to leave?), Constable order to go or truck comes (requires 48 hour notice). Help the member realize that the foreclosure sale is not to be feared. Educate the owner about what will happen at each stage and how they can fight to keep their home. Emphasize that they should not leave their home, even if they are offered money to do so and that you and others will work with them as well as the other tenants in the building to create an atmosphere that will discourage investors from wanting to buy the property. Assess whether a buyback is possible. Usually means the value must be much less than loan, or the interest rate must be much higher than buyback rate. The Bank Tenant must also have enough income to re-purchase the property. (An offer can be made before or after foreclosure.) Give the Buyback application. Note supporting documents necessary. Send to BCC. If the Buyback option doesn't look good, refer to loan modification counselors. This can be done even if Buyback option might work, but make sure people ask for principal reduction without predatory rates and with no balloon payment. (i.e., an oversized payment that comes due at the end of the mortgage). It's worth setting low expectations for this option (explain why loan modifications are rarely helpful and to date, have never included reduction of the principal. Typical loan modifications will extend the mortgage by 10 years, include a balloon payment and will result in the borrower owing even more to the bank. They rarely will help the borrower if their home is underwater (i.e., worth less than their mortgage). Suggest various options for getting control of building

Foreclosure process in Massachusetts	What person brings in	Our response What to look out for
		<p>without re-buying directly – including seeing if the building can be bought by a nonprofit and converted into affordable coops, mutual housing associations or rentals. Sometimes, however, we have to recognize that there are no other options, at least in short-term.</p> <p><u>Other</u></p> <ul style="list-style-type: none"> • We usually discourage a short sale unless it is part of the buyback process or to family. (A short sale is when the owner sells the house to avoid a foreclosure but will still have an unpaid balance they owe on the mortgage. Some people do this to reduce fees and costs of a foreclosure. • Encourage them to do a Public Letter. This helps them tell their story and begins to make their case public. We try to get this done BEFORE giving the BCC application. (See Public Letter section below.) • Make sure they know eviction rights (i.e., that they don't have to move at foreclosure). This strengthens pre-foreclosure bargaining position. • Stress the importance of attending meetings. Social support, build the movement, access to lawyers, ongoing counseling. And they are fun! • Look for indications of leadership. Anger at banks, readiness to fight, making connections to other issues,tc.
<p>Foreclosure notice in newspaper for 3 weeks – date and time of auction. This is not necessary if auction is postponed.</p> <p>Certified letter giving at least 14 days notice of foreclosure sale</p>	<p>Newspaper or Warren Group (subscription service)– HLAB students</p> <p>Letter</p>	<p>This is the very end of the foreclosure process. The listing for foreclosure sale auction triggers our canvass of the property.</p> <p>Most important, all occupants should understand that after a foreclosure sale, the bank is the owner, which means the bank is the landlord. It is responsible for all repair and maintenance, including water and sewer.</p> <p><u>If person coming in at this point</u></p> <ul style="list-style-type: none"> • If intake is not done, do intake, getting information above. Emphasize that foreclosure is NOT the end of the fight. Basic understanding of eviction rights could be especially important here.

Foreclosure process in Massachusetts	What person brings in	Our response What to look out for
Behind in payments	Calls, letters	<p><u>If person has already been with us</u></p> <ul style="list-style-type: none"> • Make sure building is decorated. • Consider vigil if BCC has made an offer and Bank won't negotiate. • Consider auction protest at moment of auction, primarily to discourage investor. At an auction protest, try to listen to find out who purchased and at what amount. <p><u>If the person is a tenant</u></p> <ul style="list-style-type: none"> • Make sure they understand the new statewide law. The bank cannot evict no-fault. • Although that law should be enough, banks sometimes ignore it, especially by offering cash for keys with implied threat of eviction. In fact, any cash for keys offer that does not also include an offer of lease should be referred to MLRI (Mass. Law Reform Inst.). • Despite law, we should involve tenants in considering what they really want. Can they buy the building? Do they want a nonprofit purchase? Do they want a cash settlement? • Get ready to report bad conditions to the new owner, the bank, right away. • If they are in a building with the former owner, can they work together? What guarantees would the tenant need to help the former owner? Get them both to the meeting. • If they are in a building where the former owner was absentee, can they organize with other tenants to demand a common goal?
Calls and letters from Servicer	Calls, letters	
90-day Right to Cure letter	Letter	
150 days if lender does not engage in mediation	Service members Relief Act letter (if on active duty)	
Foreclosure Petition in Land Court (Can only object if someone on active duty)		
<i>Foreclosure Deed</i>	<i>Deed at registry</i>	The foreclosure deed is the record of the forced sale from the previous owner to the bank or some successful investor. It is often filed much later than auction protest, so looking for it is not a good method of finding out if the building has been foreclosed.

Foreclosure process in Massachusetts	What person brings in	Our response What to look out for
Visit from the new owner	In person, phone, or in writing	<p>After the foreclosure auction, there is often a lull, sometimes a long lull, before the bank decides what to do. At other times, the eviction process starts quickly. The first step is usually a visit or notice from the new owner. It may be simply seeking information. Many banks now send an offer of tenancy <i>if</i> you are a previous tenant. They will often make an offer of “cash for keys” if you are a previous owner. General policy:</p> <ul style="list-style-type: none"> • Don’t give any information you don’t think they have. But it’s good to let them know you are there. One way is to use the prepared Harvard Legal Aid Bureau letter offering rent and listing conditions. • Allow access for inspection as required by law (but access with notice and at resident’s convenience).
Cash for keys	Cash for keys	<p>After an initial visit, the owner (bank or investor) may make an offer of cash for keys. Any such offer that threatens eviction of a former tenant is illegal. An offer to a former owner is legal but we recommend rejecting such offers in almost all cases. Someone who clearly wants to move for their own reasons, may want to accept the offer. In that case, make sure the money is in hand before the keys are turned over. A jointly controlled escrow account or cash for keys agreement is usually best. Once you leave the premises, you have no leverage to get your money!</p>
Notice to quit (vacate)	Letter that says “notice to quit,” delivered by constable	<p>This is the beginning of the formal eviction process.</p> <p><u>90-day Notice to Quit (N to Q) and the 2010 State Tenant Protection law</u></p> <ul style="list-style-type: none"> • A 90-day N to Q is required under federal law for former tenants. • However, under the new Mass. law, any notice to quit without cause to former tenants by a foreclosing bank or investor buying at auction sale is prohibited. • Evictions for cause are allowed under state law at all times. (Failure to pay rent, lease violations, etc.) • No fault evictions by investors purchasing after the auction are allowed in the case of former owners and tenants who are not on the lease. No fault evictions of non-bona fide tenants are allowed (that’s why tenants don’t want to give too much information.).

Foreclosure process in Massachusetts	What person brings in	Our response What to look out for
		<p><u>72-hour Notice to Quit</u></p> <p>This is the notice given to former owners. It sounds a lot like the 48-hour Eviction Notice” which is the end of the eviction process, but it is very different. This is a Notice to Quit and should include an acknowledgement of the need to go to court if you refuse to move.</p> <ul style="list-style-type: none"> • Emphasize that this is the beginning. Explain what comes next. • Design a strategy for getting control of the building while we are fighting the eviction. What is the end game? In some cases, we may not have one. • Urge the person to do a Public Letter. Make their case public. • Note who signed the Notice to Quit.
Summary process (eviction) complaint in court	Summary process (eviction) complaint in court	<p><i>This is the beginning of the formal court eviction process. Most of CL/VU staff are familiar with this process, but a basic outline follows. Members who attend City Life meetings can get regular access to attorneys to plan their defense. Also, our lawyers are on hand at Housing Court, often along with City Life staff.</i></p> <ul style="list-style-type: none"> • Evictions are on Thursdays, with rare exceptions in suburban locations. The Answer date (when Discovery questions need to be answered) is the previous Monday. • Send people to Harvard Legal Aid, Legal Services, Legal Services Center or Greater Boston Legal Services clinics on Friday or Monday morning to do an answer and discovery. These must be in by the answer date. Filing the discovery postpones the eviction for at least 2 weeks. • The answer should include a request for jury trial. The discovery should include what you want to know about the bank or investor. • If the case is in Boston but not filed in the Housing Court, transfer to Housing Court. This is another delay of approximately two weeks. In the last year, however, fewer cases have started in District Court. • If the other side does not produce discovery, file a motion to compel discovery at the court hearing.

Foreclosure process in Massachusetts	What person brings in	Our response What to look out for
		<ul style="list-style-type: none"> • When hearing comes up, seek a jury trial. If granted, the case will be postponed to find a date. Someone facing jury trial needs an attorney's advice. There are a lot of pre-trial motions. • If the other side files a "summary judgment" motion to deny a jury trial or to deny counterclaims, this will often be granted by the judge. This creates the grounds for an appeal. • An appeal can create a lot more time for public pressure and a negotiated settlement, but it requires a waiver of appeal bond. This may be difficult if our member's income is at all decent. There are many people who don't make enough to qualify for BCC but make too much to waive appeal bond, for instance. • At various points through the legal process, we want to strengthen "the sword." We may want to do a vigil in front of the person's home. We may want to do an action in court, especially if there are a lot of cases concentrated in one day. Such actions are designed to defend the individual family AND to make some significant political point about evictions or principal reduction.
<i>Post judgment proceedings and actions</i>	<i>Notice of judgment.</i> <i>48-hour eviction notice from constable</i>	<p>As noted above, we immediately want to see if it is possible to appeal. This must be done within 10 days of the judgment. Other legal actions include:</p> <ul style="list-style-type: none"> • Stay of execution to prevent court from issuing the execution (enforcement of a legal decision). This usually seeks more time, for instance, to find a new place or to allow time for the BCC process to work. • TRO (temporary restraining order). This is usually used after the execution has been granted and you are trying to stop the constable from serving the 48-hour notice or trying to stop the constable from using the 48-hour notice. <p>At this point, we are examining the family for a possible eviction blockade. If a family is approved for a blockade, the 48-hour notice is the time period during which we must organize that blockade. Eviction blockades are not automatic. Whether we do them depends on capacity and our evaluation of the movement building potential of the case. Note that 48 hours (including weekdays, not weekends) is the minimum time, not the maximum.</p>

Foreclosure process in Massachusetts	What person brings in	Our response What to look out for
Evictions by investors		<p>An investor buying at auction sale is apparently covered by the new state law prohibiting no-fault evictions of tenants. However, even if they buy after the auction sale and are not covered by the law, there are many strategies we can use to defend families.</p> <p>A key thing to remember is that a tenant's old rent is the contract rent. Don't pay more than the old rent (before foreclosure). If you pay more than the old rent one time, that becomes the new contract rent and you are obligated to pay that amount.</p> <p>If you pay the old rent and refuse to pay an increase, any investor's attempt to evict you becomes a no-fault case again. City Life has extensive experience defending against such evictions.</p> <p>If a tenant is confronted with a new owner and the house has major bad conditions, it still might be worthwhile to pay the old rent one month and only then start withholding due to conditions.</p>

City Life/Vida Urbana – Bank Tenants IntakeDate of Intake _____Name _____ Phone _____Address _____ Zip Code _____Is the person “calling” (or visiting) a **male or female**? Female ____ Male ____What are **ages** of those living in the household, including the caller (put number of people by each age)?

0-5 ____ 6-17 ____ 18-64 ____ Over 65 ____

Is the “caller” an **owner** (or former owner) or a **tenant**? Owner ____ Tenant ____**How many apartments** are in the building? _____ Is this a **condo**? Yes ____ No ____**State of foreclosure**

What is the name of the bank(s)? Trustee _____ Servicer _____

Has a foreclosure sale auction happened or is one scheduled? Yes ____ No ____ Date? _____

*If the auction has not happened or been scheduled, review the options. We can refer to non-profits who can help with loan modifications (see our bank flyer). If the value of the building is significantly below the value of the loan, our process with the BCC probably works better. Therefore we need info below.***Financial information**

1. What is annual household income roughly (including all those with income) _____

0-24,000 ____ 24-41,000 ____ 41-66,000 ____ 66,000+ ____

2. What is the total amount owed on all mortgages (1st, 2nd, home equity) _____

3. Can the “caller” estimate the current value of the building? _____

Eviction information

____ No eviction notice yet of any kind

____ Notice to quit. What date told to get out? _____

____ Summons to court. What date in court? _____

(if the court date is coming soon, refer to legal clinics, Friday at HLAB, Monday at GBLS)

____ Agreement to judgment. What date does the agreement say they must leave? _____

____ Constable order to go or the truck comes (48 hr notice). What date told to leave? _____

Racial/ethnic origin

Black/African American ____ Latino/a ____ Afro-Caribbean (incl Haitian) ____

Native American ____ Asian ____ White ____ Other ____

Invite them to the next meeting!!!

Person who did intake _____

Writing your “public letter” to the Bank

Use the sword (public pressure) alongside the shield (legal defense)

Working with City Life and legal services, you are defending yourself against eviction and/or seeking to get back your home at real value. Why do a “public letter”? The purpose is to have an offense (the sword), not just a defense (the shield). It’s a “public” letter because it is cc’d to many different political and community leaders.

What do you really want in your building? Do you want to buy it back from the bank at the real value (if you are a former owner), or buy it for the first time at the real value (if you are a former tenant)? The real value is often half the loan value or less! Do you want a non-profit to buy it and run it as affordable rental or homeownership housing, or as a cooperative.

In the public letter to the bank, you explain what you want the bank to do. You also tell your story. What does your home and your community mean to you? Are you involved in your crime watch or PTA? Did you have a predatory loan? Are you a tenant in a condo conversion scam? We urge everyone to consider sending a public letter to the bank at some point. Tenant Associations working with City Life have long sent such letters to real estate companies and they have been very effective.

Below is a brief model for how to do a public letter. WE’LL HELP! Try writing one and share it with us. We’ll help you get to a final draft. If you really feel uncomfortable writing such a letter, talk to us on the phone and we’ll help write it.

Dear _____ (usually the lawyer representing the bank, the one trying to evict you)

My name is _____. I live in the building that Greedy Bank owns after foreclosure. I’ve lived there _____ years.

I used to own it but... *(describe what happened – predatory loan, inflated real estate value).*

Or I have been a tenant in the building and have paid rent for many years. There is no reason to evict me. I am willing to continue to pay rent.

I am a part of the community. *(Describe what you feel about the community, how you are involved in the community.)*

(If before foreclosure) I would like a loan modification that reduces principal to current real value.

I am offering to pay rent to the bank. In addition, I *(or a family member)* would like to buy this property at the current real value. I *(or the family member)* have been pre-approved for a mortgage by _____. *(Or)* There is a non-profit that could assist in selling the property back to me at real value.

Or I would like the bank to sell this property to a local non-profit as rental housing. They are willing to purchase the property.

I am part of the Bank Tenant Association, affiliated with City Life/Vida Urbana. We are opposed to the mass evictions being carried out by the banks after foreclosure. They are causing untold suffering to thousands of people and dragging down our communities.

We will do what we have to do to fight against these evictions, but we would rather work out a settlement with you. Please consider our offer.

Sincerely,

Your name

In Boston

Cc Mayor Tom Menino, Department of Neighborhood Development, Boston City Council, State Representative, State Senator

In other cities, change appropriately

City Life/Vida Urbana

PO Box 300107, Jamaica Plain, MA 02130 Phone: (617) 524-3541 Fax (617) 524-3555

BANK TENANTS ASSOCIATION

March 2, 2010

Name

Address of Bank Tenant member

Law office for the bank

Law office address

Dear ____:

My name is. My husband and I and our family live in the home that the Federal National Mortgage Association (Fannie Mae) owns after foreclosure. We've lived there for over 30 years

I used to own it but we refinanced and were given an inflated real estate value loan. Without working two jobs and without a much anticipated raise for both my husband and I, it was unrealistic to think we could make the mortgage payments.

We quickly fell behind on everything but our Mortgage until we missed one payment in July of 2008. We just couldn't make that month's payment, but I called and spoke to a loss prevention officer named Jose and he assured us that as long as we made a payment in August and added additional monies to the following month's mortgage payment we would be ok.

We had to file for bankruptcy but continued to pay our mortgage and in November, when our bankruptcy was discharged, GMAC stopped cashing our checks. We called to find out what was going and they told us to contact their lawyers, _____. When we contacted ____ we were told they would not speak with us; we needed to get an attorney. Our bankruptcy attorney _____ wrote them a letter explaining that we would be representing ourselves. They still wouldn't listen.

This was at a time when GMAC received money from the President to work with folks to modify loans. They refused to modify our loan after several attempts to contact them in December, January, and February of 2009.

We stopped sending checks and started to put the money aside, but at that same time in August of 2008, both my husband and I underwent major surgery and two weeks after my surgery, at the age of 49, my sister, _____, was diagnosed with terminal cancer and her insurance did not cover the medications and chemotherapy, because she was end stage cancer and anything was considered experimental and would not save her life, merely sustain it, and that wasn't an option.

My sister was going to lose her home if we all didn't step in. We helped pay for her medications and whatever else she needed. She was told by the Social Security board that she had to have the cancer for 6 months and live through the month of February to even start collecting \$1300.00 dollars a month, not even half her mortgage. We all helped; she has two children. _____ lost her life the day after she turned 50 years old, one year and one day after she was diagnosed, but we managed to give her that one year of life. We helped pay for her funeral arrangements.

On top of all of that my father-in-law in December of 2008 had a stroke and needed to go to a Nursing facility for rehab. That was the end for him; due to negligence of the Nursing home he fell

and broke his hip, and he was left all night in excruciating pain. He was operated on the next day and sent to another facility, but after a few short months once again understaffing and negligence left him with another broken hip. We bought all his food, clothing and medical necessities and paid for his care. In January of 2010 he lost his life due to dehydration and starvation. My husband and I had to endure the cost of his burial at \$12,000.00.

I have been an active pillar of the community for many years. I taught CCD at St. Mary's, I coached softball for over 7 years with Little League and I volunteer at a local school for mentally and physically challenged children. We raised three children in our home. ____ is 25 and until this past month was living on her own, working full-time and attending college full time. ____, 24, was out on medical leave and recently went back to work. Our youngest ____, my baby, is a LCPL in the US Marines and has been deployed to Afghanistan to fight for this great country. His first child is due at the end of March. War is hard enough but he needs to know that his family home is still here for him to come home to. My worst fear is that if anything happens to my baby they won't know where to find me because 4 McDonnell Drive is what is on all the paperwork for us to be notified.

You have now begun eviction proceedings against us. There is no reason to evict us. I am offering to pay rent to the bank. In addition, my husband and I would like to buy this property back from the bank at the real value, which is much less than the loan value was. If the bank is worried that we will make profit off a future increase in value, we would be willing to accept a deed restriction to limit such profit.

I am part of the Bank Tenant Association, affiliated with City Life/Vida Urbana. We are opposed to the mass evictions being carried out by the banks after foreclosure. They are causing untold suffering to thousands of people and dragging down our communities.

We will do what we have to do to fight against these evictions, but we would rather work out a settlement with you. Please consider our offer.

Sincerely,

Proud Mom of a US Marine

cc: The Honorable President Barack Obama
Senator John Kerry
Senator Scott Brown
Senator Brian Joyce
Governor Deval Patrick
Representative Stephen Lynch
Representative Walter Timilty
Kathleen Marvelli, Massachusetts Real Estate Services

CHAPTER 8

VOLUNTEERS

The critical role of volunteers in the BTA model



photo: Brandon German

What you will learn in this chapter:

- *How to run an effective meeting that engages and informs members. How and where to recruit and attract volunteers.*
- *How to incorporate leadership development into every aspect of the meeting agenda.*
- *How to use and retain volunteers.*
- *Addressing potential challenges.*

Introduction

Having a core of dedicated and regular volunteers is critical to the success of the bank tenant movement on several levels. Volunteers are so important that City Life/Vida Urbana has come to see that each of our staff needs to be skilled volunteer coordinators and recruiters. Not only do volunteers expand the reach and capacity of the BTA, but a volunteer-driven organization is one of the main ways of restoring power to the people who have been directly impacted by the foreclosure crisis.

Types of Volunteers

There are generally four categories of volunteers who get involved in bank tenant work:

- **Bank Tenants.** People who have gotten involved as a result of their own foreclosure experience, who came to the weekly meeting and responded to the request to volunteer.
- **Concerned Community Members.** Typically these include members of other organizations, religious groups and other individuals who are concerned about the health of their neighborhood.
- **Law Students.** One of our main groups of volunteers are law students who are part of the school's clinical law program and view the opportunity to work with us as a valuable aspect of their professional development. In addition to canvassing, many of these students come to our weekly meetings and our protests—activities that often supplement their bank tenant legal defense work. By stepping outside of their classes and the traditional legal services clinic setting, these students gain a life-changing awareness that, to be effective and long-lasting, the fight for justice must extend beyond the courtroom. They see firsthand that true change must incorporate the

By stepping outside of their classes and the traditional legal services clinic setting, these [law] students gain a life-changing awareness that to be effective and long-lasting, the fight for justice must extend beyond the courtroom.

participation of the people who are directly impacted by the injustice they are fighting. They come to respect and value the wisdom of organizers who offer alternative effective strategies for transforming the status quo.

- **People who are volunteering because of their political commitment.** Many of our volunteers are people who want a way to put their political beliefs into action in ways that go beyond just service and advocacy. For example, as the Occupy Movement moves forward in its evolution, chapters across the country are recognizing that the foreclosure organizing we do provides an excellent outlet for the outrage and frustration of the 99 percenters.

⇒ **NOTE:** While CL/VU appreciates having all types of volunteers, recruiting bank tenants is critical to the success of the movement as well as to building the movement. Bank tenants not only make the most convincing canvassers, for instance, but getting people to volunteer is the best way to get people engaged in the movement and to build leadership at the same time. No movement can be built primarily on staff. Most of our organizers will have to be unpaid if the movement is really to grow. Plus our leaders, and all of us really, find gratification in reaching out and changing people's lives.

Recruitment

Recruit from your base. One of the main ways to recruit volunteers is to do so during the weekly meeting. Let members know that instead of asking for money for services, you are asking them to give back by volunteering. Remind members that the reason they are

Recruiting from the community. In addition to recruiting from the base, you will also have to do a fair amount of community outreach. This could include:

- Offering to speak before religious, social groups, and labor unions.
- Offering to be interviewed by local radio and community access stations or requesting that they record a Public Service Announcement.
- Sending notices to local newspapers requesting volunteers. Many papers will run these requests for free on a weekly basis.
- Hanging flyers in high visibility locations like laundromats, community centers and grocery bulletin boards. Make sure these flyers stand out in a crowded bulletin board.

⇒ **NOTE:** Once you have gotten a response to your call for community volunteers, be prepared to spend some time meeting with each recruit, explaining the program and the issues, and learning about their background. While you can prepare background fact sheets for people to read before meeting with them or ask them to go to your website to learn more about the program, recognize that many people will want to *hear* the rap from you and may do little reading before your meeting.

Recruiting students. Perhaps the best way to recruit students is by developing relationships with progressive professors and high school teachers who might be willing to have you talk in front of their class or help organize student volunteer programs. Where interest is high, we have found it is helpful to work with student

even at the meeting is because someone volunteered to make that call or knock on their door.

Recruiting from the community. In addition to recruiting from the base, you will also have to do a fair amount of community outreach. This could include:

Leadership Opportunity

Whenever possible, bank tenants should play a central role in every outreach presentation. Not only is this an excellent growth opportunity, but presentations made by people who have actually gone through a foreclosure are often far more compelling to the audience.

- Offering to speak before religious, social groups, and labor unions.
 - Offering to be interviewed by local radio and community access stations or requesting that they record a Public Service Announcement.
 - Sending notices to local newspapers requesting volunteers. Many papers will run these requests for free on a weekly basis.
 - Hanging flyers in high visibility locations like laundromats, community centers and grocery bulletin boards. Make sure these flyers stand out in a crowded bulletin board.
- ⇒ **NOTE:** Once you have gotten a response to your call for community volunteers, be prepared to spend some time meeting with each recruit, explaining the program and the issues, and learning about their background. While you can prepare background fact sheets for people to read before meeting with them or ask them to go to your website to learn more about the program, recognize that many people will want to *hear* the rap from you and may do little reading before your meeting.

Recruiting students. Perhaps the best way to recruit students is by developing relationships with progressive professors and high school teachers who might be willing to have you talk in front of their class or help organize student volunteer programs. Where interest is high, we have found it is helpful to work with student leaders willing to independently organize a group of volunteers within their school, who will take direct responsibility for specific areas that they coordinate with us, ideally working with bank tenants members. *Project No One Leaves*, for instance, has been based mainly in Boston area law schools. The project has been organized and coordinated by volunteer students on different campuses. They research auction sales, map them into zones, and help canvass.

See the list of 2010 Outreach Activities for more examples of how to reach volunteers.

Volunteer Activities

Volunteers typically undertake the following activities:

- ***Make reminder calls each week to people in the database urging them to come to meetings and/or attend a public action.***
We try to reach about 50% of our base



photo: Susan Noyes Platt, artandpoliticsnow.com

every week and have found that these calls are the most reliable way to get people to participate. (Calls are typically made several days before the weekly meeting or action.) While there are some people who come reliably to every meeting, with or without a call, we also found that many first-timers are hesitant to come in the beginning. Getting a phone call from us really helps. We briefly considered making automated robo-calls but have found that receiving a personal call makes people feel like they are really wanted at the meeting or action. And having volunteers make these calls, particularly bank tenants, is also an important way for volunteers to feel like they are personally bringing new people into the movement. It solidifies their commitment to the campaign and builds leadership.

- ***Canvass.*** Door knocking is the primary way we get new people to our weekly meetings. Once they get to the meeting and see lots of people in their situation, once they are exposed to the strategy and power of the movement, they will have taken a big step to being involved. (See *Canvassing Section* for more details.)
- ***Triage Support.*** Volunteers can interview new bank tenant members to determine what stage they are at in the foreclosure crisis. Often, when people first come to CL/VU they are panicked about their situation, but calm down once they realize that nothing bad will happen immediately. Volunteers can provide these members with the basic information they will need at the outset, referring them to more experienced staff once the case evolves or an urgent matter surfaces.

Internships and Long-term Volunteers

While some volunteers stay involved for only short periods of time, others are willing to work regularly on an ongoing basis. These volunteers blur the line between paid staff and volunteers. It's important that they feel that the work they do is valuable and enjoyable. They can and should be integrated into activities such as case management, helping organize events and volunteer coordination. As with regular employees, it is important that volunteers receive proper training, make a commitment to work regularly and are included in weekly strategy meetings.

Some schools provide credits for student internships. Typically they will require there to be an intern supervisor who is willing to sign off on the intern's work on a weekly basis and provide ongoing guidance. While interns can do the same duties as volunteers (see above), it often makes sense to create a concrete project for them that would normally not get done otherwise. There may be projects that you already have in mind and/or you can meet with the prospective intern to determine how their talents might best fit in with your needs.

Sample intern projects include:

- **Help with administration:** i.e., creating forms, putting protocols into writing, developing and populating databases, etc.
- **Website development/maintenance:** This could also include training regular staff so that they will be able to update the website after the internship is over.
- **Art/Documentation:** Filming events, creating mini-documentaries, photographing people

and documenting their stories.

- **Presswork & Publicity:** Helping with press releases, updating press database.
- **Fundraising:** Doing funder and prospect research; creating proposal templates; creating fundraising brochures and other materials.
- **Research:** This could entail researching the pattern of foreclosures in a city, identifying block clusters that could be ripe for a block rebellion.
- **Organizing assistance:** Taking the lead, for example, with organizing tenants in a single building with many units, or helping expand organizing in outlying areas. Some neighborhood efforts in Boston that have shown the most resistance to foreclosures and evictions were started by volunteer teams.

Retaining and Appreciating Volunteers

Volunteers we've surveyed say they volunteer for several main reasons: (1) To give back. Many bank tenants especially feel it is important to be able to give back for services and help they've received. (2) Spiritual reasons. Many people say they are healthier, sleep better, or that their life has new meaning when they are involved in the struggle and (3) Personal growth. Volunteers who are not bank tenants often emphasize wanting to learn new things or expose themselves to new people or situations. (4) Change the system. Volunteers who come as political activists or who grow into this role want to be able to take concrete steps to change the system; over 200 people came to the March 2012 Radical Organizing Conference for this reason.

Many City Life volunteers have shared with us that it feels like such a privilege to earn people's trust, to be able to listen to people's pain and fears, and then to be able to do something useful in response. What we've learned from working with volunteers is that the best form of volunteer appreciation is to really integrate them into every aspect of the campaign. Involve them in strategy meetings, get them to take leadership positions and seek their opinion. In other words, build a truly grass roots, democratic movement.

Other forms of appreciation could include certificates of appreciation, volunteer lunches and award ceremonies.

Orientation Training for Volunteers

See section on training canvassers in the *Canvassing* section.

Confidentiality and Privacy

While the BTA model is designed to get members to share the details of their case, it is still important to remind volunteers to respect the importance of member confidentiality. Volunteers might be working on cases

involving people they know and they may be privy to private financial information. Volunteer intake forms that request contact information should contain a clause in which people agree not to share any details outside of the organization. ("All files are confidential and no information should be discussed outside the organization.")

Challenging Situations

- **Stress.** Doing anti-foreclosure work can be very emotionally intense. Make sure to connect with your volunteers regularly. Ask them to share their experiences. It can be particularly hard to deal with people who are under a lot of stress and are worried about being homeless. Emphasize that if they encounter a difficult situation, they can always pull in someone more experienced to help them. For this reason, it is important to make sure that whenever you send volunteers out, you should always include experienced people in every group.
- **Retention.** A common problem with working with volunteers, especially volunteers not directly affected by foreclosure, is that many people will leave after one or two times canvassing or making phone calls. Ask people to make a commitment in advance for a set period of time. Recognize and anticipate, however, particularly when working with college students, that they may not follow through. Creating a sense of accountability through regular meetings or check-ins may alleviate the problem. And don't forget to convey the importance of what is being accomplished. Sometimes people stop volunteering when they feel as if their work is not making a difference or no one notices they are even there.



photo: CityLife/VidaUrbana

- **Fostering shared values.** When you are dealing with community volunteers who may not have a firsthand understanding of foreclosure, it is critically important that you discuss with them the role of the banks in creating the crisis. Some volunteers may be well-intentioned in terms of wanting to help out, but their lack of direct experience may translate into judgment. It may be useful to hand out copies of *Foreclosure*

Some volunteers may be well-intentioned in terms of wanting to help out, but their lack of direct experience may translate into judging others. It may be useful to talk upfront about the common myths.

101: How We Got into this Mess as background information and to talk upfront about the common myths associated with people who have lost their home to the bank. (See *Media* section for how to counter common myths.)

ATTACHMENTS

- *2010 Outreach Activities (from Evaluation).*

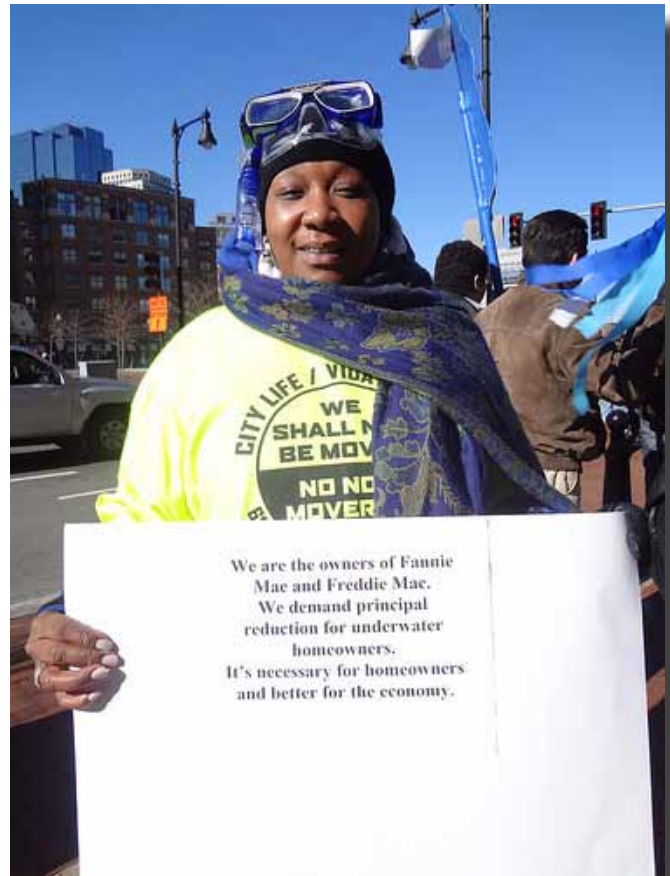


photo: Brandon German

The following are the outreach City Life/Vida Urbana activities for 2010:

Date	Event	Purpose	Place	# there
1-4	To Ward 19 Dem Cmte	Re CLVU org	Curtis Hall	20
1-24	Canvass	Prep	CLVU	8
1-28	NNN	Velasquez case	BU	--
2-1	Grossman class	Talk on CLVU foreclosure work	Harvard Law	20
2-6	Canvass	Prep	CLVU	10
2-8	Grossman class	Debate R.E.	Harvard Law	20
2-11	Brookline High social justice fair	Speak on CLVU work	B'line high	25
2-13	HLAB student orientation	Orient students on CLVU work	CLVU	40
2-13	Canvass	Prep/training	CLVU	10
2-21	Guy LeBrun radio show	Discuss CLVU work	Dorch studio	--
3-1	REACH Coalition	Discuss CLVU work as health issue	Codman Sq.	50
3-3	D.S.A. MG speaks with Chang-Diaz	CLVU work	Encuentro 5	40
3-4	Dane Shumway show	Discuss CLVU work	Brookline studio	--
3-7	Housing Justice Network Conf in DC	Discuss CLVU/LS collaboration at plenary	DC Hotel	120
3-7	HJN Conf in DC	Workshop on CLVU/LS collaboration	DC Hotel	30
3-20	Coop training	Discuss coops	CLVU	30
3-24	Lynn United for Change meeting	Talk about CLVU work and handle cases	Local 201 hall	30
3-25	Jobs w Justice annual	CLVU award	Racetrack	10 of us
3-31	Burbank TA and Fenway CDC	Speak on CLVU experience in organizing EU	Fenway CDC	15
4-10	Canvass	Prep	CLVU	10
4-11	Canvass	Prep	CLVU	10
4-12	Meet with Bank reps at Federal Reserve	Discuss reforms bank behavior	Fed	60
4-14	Lynn United for	Talk about CLVU work	Local 201	30

4-20	Interview on WBUR	CLVU work	CLVU office	--
4-23	Discussion with Brockton CDC	Help organize BTA type work	CLVU office	6
4-23	JOI meeting	Present on radical organizing	Somerville apt.	15
4-25	Canvass	Prep	CLVU	10
4-27	Meet with Chang Diaz	Cover labor/comm. issues	At Monk/Eckstein	10
4-29	Phillips Brooks Hse	Present on CLVU work and rad organizing	PB House	25
4-30	Fair Housing dinner	CLVU award	Hotel	100
5-2	Lynn training	Talk about CLVU work and handle cases	Local 201	30
5-15	Canvass	Prep	CLVU	10
5-16	Canvass	Prep	CLVU	8
5-16	Speak to MVP mass meeting	Accountability with bank reps	Church in Lawrence	170
5-19	Speak with Speaker DeLeo (RF)	Re legislation	Statehouse	--
5-20	King Saul show	RE CLVU work	BNN studio	6 CLVU
5-23	Rothman show – CCTV	CLVU/ESAC work	CCTV studio	--
5-24	NECN on Cobden St.	Previously taped		
6-1	Orientation Wilmer Hale students	Orientation	CLVU	30
6-8	Resident Advisory Bd. (BHA) committee	Speak on CLVU Sec. 8 organizing	BHA	7
6-10	NNN (MG & Ursula)	On blockade	BU studio	--
6-13	Boston Ethical Society	Present on CLVU work and radical org.	Cambridge Center Adult Educ.	25
6-14	Interview with Left Turn Mag	CLVU work historically	CLVU	3
6-15	Meet Rep. Murphy (ways and Means – RF)	Pass legislation	Statehouse	--
6-15	Interview with German Nat'l TV	With Andres Cabral re Deutsche	8-10 Rosa st.	
6-19	Canvas	Prep-training	CLVU	6
6-22	NCLC	Foreclosure	Winthrop St.	8
6-24	Workshop on foreclosure org	Explain CLVU method	Detroit USSF	40
6-24	CLVU presentation	Explain CLVU org work	Detroit USSF	100

6-27	Canvass	Prep-training	CLVU	6
7-8	CLVU presentation	Foreclosure	Codman Sq.	30
7-10	Canvass	Prep-training	CLVU	6
7-13	ROC SI	CLVU presentations	At 1199	130
7-14	Short present to bank workers	Link foreclosure & bank workers	SEIU 615	40
7-18	ROC SI course	Rad Org Methods	CLVU	9
7-22	ROC SI course	Faith and Justice	CLVU	20
7-24	Canvass	Prep-training	CLVU	8
7-25	ROC SI course	Rad Org Methods	CLVU	8
7-28	Burbank TA social	Talk on F'vale victory	Burbank apts.	25
7-29	City School visit	Talk/disc on CLVU organizing	CLVU	30
8-1	ROC SI course	Rad Org Methods	CLVU	5
8-3	RAB Board	CLVU Sec. 8 organizing	BHA office	8
8-4	ROC SI course	Worldwide crisis	E Bos BTA mtg	15
8-10	ROC SI	Skit presentation	1199	70
8-11	ROC SI	Racism & Housing	CLVU	45
8-11	Brookline cable	Foreclosure work	Brookline studio	
9-8	Foreclosure symposium	CLVU foreclosure work	Erie St.	25
9-20	Staff training	Rad Org Method	Haymarket	12
9-22	Burbank TA	Strategic disc	Fenway CDC	15
9-26	Canvass	Prep-training	CLVU	10
10-5	Interviews with PBS	Re our strategy	CLVU	Staff
10-9	Canvass	Prep-training	CLVU	8
10- 1 4	Rox N'hood Council	Our strategy re gentrification	12 th Baptist	3 staff speak 15 attend
10- 1 6	Interview Samantha Clemens Radio 1510	Our take fore- closure crisis	Phone	--
10- 2 1	DB at BU Law pro bono fair	Get interns	BU Law School	??
10- 2 4	Canvass	Prep-training	CLVU	6
10- 2 4	Radio interview	CLVU Bank Ten Assn.	15 Greenock studio	2 speakers
11- 1 0	CJH presented to Funders conf at NCLC	Foreclosure and race	Park Plaza	35
11- 1	Present to NCLC conf	CLVU/HLAB/ BCC method	Park Plaza	105 regis

6-27	Canvass	Prep-training	CLVU	6
11-15	Present to HLAB conf post NCLC	CLVU/Legal/ BCC method	Harvard Law School	
11-21	Canvass	Prep-training	CLVU	8
11-22	Foreclosure Action Png Day – Dudley St. grps	Present on CLVU method	Northeastern	35
12-4	Young Elected Officials Conf	Present power pt. on CLVU method	Baltimore	50
12-13	Federal Reserve mtg	HAMP progress – CJH speaks	Fed Reserve	??
12-15	WAFT meeting	Present on legal- organizing link	Worcester	20
12-17	Kavod House Shabbat	CLVU presents on social justice	Brookline at Kavod	25
12-19	Canvass	Prep-training	CLVU	10

CHAPTER 9

PROTESTS/MASS ACTIONS

How the swords of mass actions and protests are used to fight evictions and keep people in their homes



photo: Brandon German

What you will learn in this chapter:

- *Why protest is effective.*
- *What factors to consider when deciding which mass action to organize.*
- *How to manage civil disobedience.*
- *What needs to be done to prepare for protest actions.*

Introduction

City Life/Vida Urbana has a chant that we use when we demonstrate against JP Morgan Chase: "Pain for the many, profits for the few. Shame on Chase. We're coming for you!" (The name changes with the bank, of course.) This slogan captures the situation well. Chase had record profits in the first quarter of 2010—the same quarter that foreclosures rose sharply. While these banks profited from both the sale of predatory mortgages and then the federal bailout money they received, when these mortgages failed, the borrowers received no help at all.¹

¹ In October 19, 2011, the New York Times reported that

After bailing out the banks, President Obama called on them to make principal reduction a central feature of the loan modification process, but the banks consistently refused to do so. Nor would they consider nonprofit banks' offers to buy occupied foreclosed buildings in cash; they insisted on evicting first. In 2009, the President sought passage of a law that would allow bankruptcy judges to reduce principal on the first mortgage (like they can on a second home or a yacht). This was defeated in the Senate—not surprising given that financial institutions are among the top political campaign contributors.

So how can we fight these injustices? There's a saying that goes, *"There's only one way to counter the power of organized money, and that's with the power of organized people."*

One might think that the banks, with their massive power, would be above caring about how they are perceived by the general public. But, in fact, they do care, as they are constantly seeking to avoid the kind of publicity that will subject them to additional regulation or may threaten their customer loyalty. Public protests have proven to be quite effective because:

- ***They expose stories that put the bank in a bad moral light.*** When a bank evicts a family that has been a victim of predatory loans and when that bank refuses an offer from us to buy the home so that the family can stay in it, they have a huge public relations problem on their hands.

Citigroup had "agreed to pay \$285 million to settle a civil fraud complaint that it misled investors in a \$1 billion derivatives deal tied to the United States housing market, then bet against the investors as the housing market began to show signs of distress." This is similar to a complaint filed by the Securities Exchange Commission (SEC) against Goldman Sachs in 2010. Clearly, these banks excel at maximizing their profits in the face of gross misconduct as well as poor business decisions!

Leadership Opportunity

Involve bank tenants in every phase of planning and conducting protests.

People are much more invested in the outcome of any action when they have been involved in making decisions about the tactics. On more than one occasion, bank tenants have decided to go in a different direction than staff recommended. For example, one time we had decided not to do an eviction blockade because we didn't think it would be successful. The Leadership Team (see below) pushed back and said we should do it. We held the blockade and the bank tenant ultimately won back her house.

- ***They inspire activism.*** They provide bank tenants with a way to feel the power of the movement and to gain comfort and inspiration from taking action.
- ***They are a great strategy to gain visibility and public awareness.*** The press likes dramatic stories. People being forced to leave their home in spite of being willing to pay rent makes the news. Likewise, when people chain themselves to their homes to prevent an eviction, the media pay attention. This not only makes the banks look bad, but it also gets the word out to others in the same situation that they are not alone and that there are groups like City Life that can help.
- ***They put pressure on the banks.*** Banks don't want properties with people in them. They don't want to have to deal with the responsibilities and liabilities of being a landlord. When people refuse to leave a property, it makes it harder for banks to sell these units because many investors

are buying a property for speculation and will be daunted by a property when the occupants refuse to leave. The time involved in eviction adds to the costs of speculative activity. Auction protests send the message to speculators that they will be buying themselves a big headache—not an empty building.

Types of Protests

(Pre-Foreclosure Actions)

Auction Sale Protest

Auction protests are held during foreclosure sale auctions to discourage speculators from bidding or from going forward with the sale. As mentioned above, speculators depend on quick flips to make their profit and are challenged by prolonged resistance. Up until now, a lot of investors and mortgagors have been trained that they can simply offer cash to the occupant of a foreclosed property and they will leave. While this tactic may work where there are no organizers, holding an auction sale protest delivers a loud culture-changing message, effectively retraining evictors to understand that the Cash for Keys approach will no longer be effective in this situation.

Leadership Opportunity

Create a Bank Tenant Protest Committee. Members can take over organizing and conduct an auction sale protest without knowing much about the family or the details of the case. They just need to show up.

Ultimately, the word will get out to other investors that it's just not worth the risk to bid at these auctions. We've been told that some investors have said that they won't touch properties that have our signs in the window or where our members are protesting. In one

case, an investor not only declined to bid but joined our protesters in a prayer vigil.

Even when investors do buy, ongoing pressure can result in

success. Some investors have agreed to sell the property back to Boston Community Capital; one investor actually helped finance the loan himself!

One major benefit of an auction protest

(in contrast to an eviction blockade or vigil, for example) is that it doesn't require many people. The important thing is to create enough of a presence that you will discourage investors from buying. You

can do this by training a determined band of volunteers to be part of a Bank Tenant Protest Committee. Members of this committee can take over handling auction protests, especially if your capacity is limited. They don't need to know much about the family; they don't need to know much about the specifics of the case. All they need to do is make it clear to outside buyers that the family is not moving after foreclosure, so it would be a big mistake for them to make an offer.

There's only one way to counter the power of organized money, and that's with the power of organized people.

Some investors have said that they just won't touch properties that have our signs in the window.



photo: Kelly Creedon

(Post-Foreclosure Actions in order of escalation)

Vigils at Bank Tenant Homes

⇒ NOTE: Vigils can be held both before and after a foreclosure sale (although they are more commonly held after the sale).

Vigils are held in front of someone's house to mobilize neighborhood support. We also hold them any time it is in our favor to raise public awareness about a breakdown between the bank and the bank tenant (e.g., when the bank refuses to negotiate about selling to the bank tenant).



photo: Kelly Creedon

Vigils are softer actions and are often held in candlelight. They can be solemn or more like a chanting picket line. They are designed to draw out neighbors, gaining both their support and participation. They also set the stage, and recruit more people, for more militant blockades and protests because they make a good first step for members who have never taken part in a protest. In addition, vigils allow us to set the time and place of the action, as we are not dependent on an external event like an auction.

Eviction Blockades

In Massachusetts, eviction blockades are used after an eviction judgment has been rendered, when all legal options have run out and the bank tenant has received the mandatory 48 hour notice that a truck will be coming to move them. During these 48 hours, CL/VU organizes a blockade. So far in the Bank Tenant movement, we have done blockades only where we are making a demand that the occupant can follow through on—namely, pay rent to the bank or buy back the building at current value. As in other protests, we use this event to raise public awareness about how the banks are being unreasonable and standing in the way of reasonable solutions. (That is, by selling to the buyer the bank doesn't even get hurt financially. They may even come out ahead—so why are they taking such an outrageous stand?)

During an eviction blockade, we get as many people as possible to protest in front of the building at the moment of eviction. We ask people to get there early (before the constable is expected) so that there are people there if the press gets there early.

Some people are willing to risk arrest. They will either chain themselves to the doorway or refuse to leave when the police order them to do so

(see *Civil Disobedience* section below). From the start of this work in 2008 to the end of 2011, we held 32 blockades, 26 of which were successful. In one blockade, we were defending an elderly brother and sister, both legally blind. Their family offered to buy the building back from Deutsche Bank at the real value (about half the loan value), but the bank insisted on eviction. This case received a great deal of publicity, and ultimately City Life blocked the eviction and forced the bank to re-sell the home to the family.

Protests at Bank Offices

Bank protests and pickets raise public awareness about what the banks are doing—on a mass scale, across the community, demonstrating that the phenomenon is widespread and impacts more than just one family. Whether these protests happen at a suburban district branch or a downtown main office, these actions attract both media attention and the attention of passersby.

On Valentine's Day, for example, we organized an action that involved a picket outside the

bank while other protesters entered to close their accounts (or “break up” with the bank). We chanted, “Roses are red, Violets are blue, Freddie Mac did the right thing, Why can't you?” (referring to Freddie Mac's decision to stop post-foreclosure evictions).

Bank protests can range in size from 10 people to 3,000. They can be peaceful or can involve dozens of arrests. Essentially they can be anything you want them to be as long as they are well planned and attract media attention. They are effective because:

- They apply pressure on the bank to stop its actions across the board, and not just as it relates to one case. For example, banks may begin to agree accepting rent from all bank tenants post-foreclosure.
- They build solidarity. It can be very uplifting to march in front of a bank. People are looking through the window blinds; customers want to know what is happening, etc.
- They provide an excellent platform to raise policy demands. This can range from having the bank change its own internal policy to passing new statutory protections for bank tenants.
- You can feature multiple case demands that are linked together. For example, you can reinforce the demand for principal reduction over and over, demonstrating how many people are affected and the general breadth of the problem.

Demanding that the bank take our money can be a powerful counterintuitive gesture that has people scratching their heads as they grasp the outrageousness of the bank's behavior.

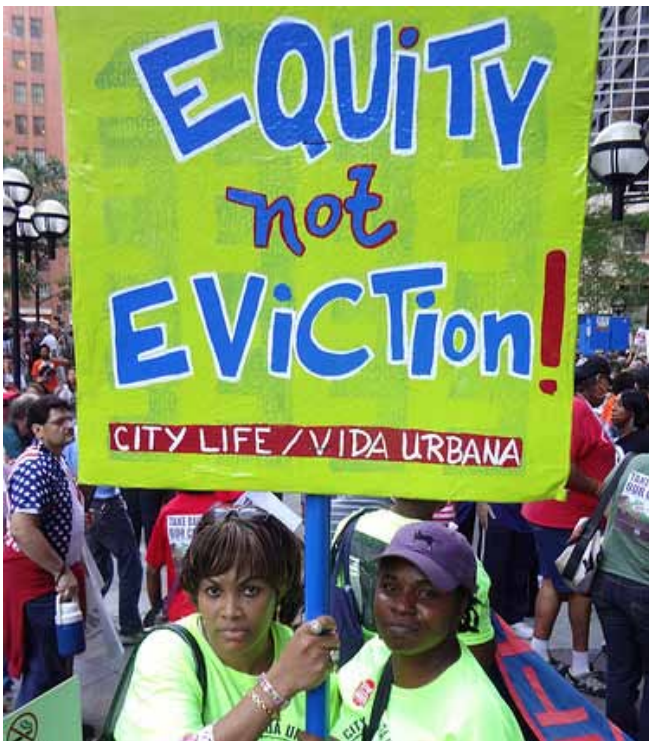


photo: Brandon German

Other Protest Variations

Un-rent Strikes

Un-rent strikes are used to protest the bank's unwillingness to accept the bank tenant's rent payment. In this kind of strike, go to the bank's office to deliver a rent check from a former owner, demanding that the bank take the rent rather than evict. Typically the bank won't accept the payment, but if we do gain entry into the office, we leave the check as a symbolic gesture. Demanding that bank take our money can be a powerful counterintuitive gesture that has people scratching their heads as they grasp the outrageousness of the bank's behavior.

Block Rebellions

During a Block Rebellion, we organize all residents in a small district to make a joint demand on all the banks owning foreclosed property within that community. For example, at one block rebellion, members occupied a vacant foreclosed property—one of 16 units that had been foreclosed in a two-block area. Ultimately the bank sold 12 of these 16 units to a nonprofit organization that was able to provide affordable housing for former owners and tenants. The event and the subsequent sales received a lot of positive response from the neighborhood and the city.



photo: Brandon German

Protest at Bank Events

This includes appearances with lots of people at the banks' feel-good events like bank-sponsored dinners, golf tournaments and other fundraisers. For instance, we have protested at the Deutsche Bank Invitational golf tournament right outside Boston.



photo: Boston Globe

Protests at the Bank CEO's Home

These can be very effective and earn lots of media attention. At one such protest, we (City Life, Right to the City, MassUniting participants) delivered ten bags of trash to the Beacon Hill home of Bank of America (Massachusetts) president, Robert Gallery. The trash came from a property that had been empty for a year after the bank had evicted a young family. The bank had let the property fall into disrepair, prompting bank tenants to organize a clean-up. The message: "Take it. This is your trash."

For another idea of what to do with trash collected from bank-owned vacant buildings, see attached Boston Globe article Protesters Try to Deposit Trash From Foreclosed Home at Malden Bank of America.

PROTEST GRID

TYPE	PURPOSE	ADVANTAGES	CONCERNS/THINGS TONOTE
Auction Protest	To put the bank on notice that it will be hard to sell this home to speculators. To put speculators on notice that eviction post auction will not be easy.	<ul style="list-style-type: none"> • Scares off investors. • The solidarity shown can be very empowering for the person facing foreclosure. • Builds movement and solidarity. Breeds resistance and sets the tone for the eviction defense actions. • Doesn't need a lot of people or media to put pressure on auction. • Can be done easily—requires less preparation than for a vigil or blockade. The more of these protests you do, the more visible it makes the movement. 	<ul style="list-style-type: none"> • Auction sales are often postponed, making it difficult to coordinate the attendance of the press and the participation of volunteers. Therefore, we usually try to take names of people who plan to go so we can alert them if it is called off.
Vigils	To bring attention to individual cases and connect to the larger battle; to use peaceful protest to put pressure on local officials to push the bank to negotiate with the bank tenant; to build pressure to get the bank to the negotiating table.	<ul style="list-style-type: none"> • Connects individual cases to larger policy issues. (All these protests are a form of advocacy for better public policy.) • Builds movement, solidarity and power. • Uses individual stories to build public support. • Engages local community/ neighborhood in bank tenant's fight. • <u>It's an action you can take before the blockade stage—not a make or break action, lower risks. Don't wait for a blockade to take action!</u> • First step in escalation to possible eviction blockade. • Not dependent on an external schedule like a blockade or auction. We can schedule a vigil at a time of our choosing. 	<ul style="list-style-type: none"> • Depends on media being there. If the mainstream media doesn't cover the vigil, make sure that social media does (i.e., take photos and videos and post on Facebook and on your website). • Bank <i>must</i> know about it—so even if the press doesn't cover the event you can send them a post-action communication to make certain they know about it. • Puts spotlight on the family—so you must make sure that <u>all</u> members are prepared for the public attention (talking to media, public criticism, etc.). • Need to assign media point people and vigil/rally leaders • Ideally there should be a large group of people. • Usually, the vigil will take place during evening hours.
Eviction Blockades	<ul style="list-style-type: none"> • To expose the banks' complete disregard for residents and our communities by highlighting their greed. • To show how banks, while making record profits, attempt to forcefully remove people from their homes, despite bank tenants' offers to rent or buy back the home. • To apply pressure on banks to accept our demands. • To raise the visibility of the bank tenant movement through media attention. 	<ul style="list-style-type: none"> • Connects individual cases to larger policy issues. • Builds movement, solidarity and power—rapidly. • Uses individual stories to build public support. • Draws serious media and political visibility and puts focus on banks' actions to evict families. • Engages local community/ in the bank tenant's fight. • News of eviction blockades spread rapidly from City to City and encourage further resistance. 	<ul style="list-style-type: none"> • Outcome sometimes depends on having media coverage at event. • Puts spotlight on families—family has to be ready and emotionally prepared. They may decide that even if it is a good idea politically that they don't want to be subjected to the intense media attention. Organizers must respect their choice—and it has to be their choice. • People potentially get arrested. We need to find those people and do significant preparation for civil disobedience plus post-arrest follow-through. • It's an ongoing question whether to use non-Bank Tenants to be arrested, or what percentage of activists not from the base.

Issues to Consider in Taking Action

Deciding which tactic to employ can be a complex process and ultimately you need to decide if the tactic you employ will serve the strategy you are going for. In the bank tenant movement, the strategy we most often seek to advance is the engagement of our base, rather than furthering one specific case. An important measure of the success of any action, therefore, is how the movement will benefit. Here are some of the factors you will need to weigh when making your decision:

- **Risk Involved.** What is the comfort level of the family? Are they new to the BTA movement with little protest experience or are they a seasoned protester?
- **Militancy.** How much publicity is the bank tenant comfortable with? Is the goal to disrupt or to be a visible presence?
- **Impact of a confrontation.** Will a confrontation result in having a desired impact (i.e., getting a lot of publicity or visibility)? How will the police respond to a planned escalation of tactics? How will that affect the outcome?
- **Time.** Does the success of the event depend on a large turnout? How much preparation will you likely need? Do you have the time?
- **Media.** How much press coverage are you likely to get?
- **Visibility.** How many people are likely to attend? How many people are likely to see the protest? Is this important?
- **Empowering the base.** What is the potential for developing leadership and expanding membership?



photo: Brandon German

All these issues will need to be weighed against each other in deciding the value of each mass action.

Example #1

At one bank protest we found out hours before the event that the CEO would be addressing a crowd at a luncheon in a nearby waterfront hotel. We started the protest at the bank because the press advisory had already gone out, but then we moved the action to the hotel after a short time. The event, which was taking place on the first floor, in plain view of the surrounding wharf, presented us with several decisions:

- *Should we attempt to enter the facility and disrupt the event?* We decided not to for several reasons. First, because we found out about the hotel function belatedly, we were not dressed appropriately. It would have been difficult to gain entry to the event dressed in our City Life t-shirts. Had we tried, we would have been shut down immediately. Had we persisted, we would have been arrested and we hadn't prepared for that. (See *Civil Disobedience* section below.) Even if we had the right clothes, we

would have had to depend on the element of surprise but we had already notified the press that we would be heading to the hotel. (You can't have your press and your surprise at the same time!)

- ***How much should we risk antagonizing police and private security?*** When we arrived, it became clear that the police were not going to shut us down up to a certain point of noise and disruption. What level of noise and disruption would the police tolerate? This was something that was spontaneously negotiated by one of the bank tenants who was leading chants using a megaphone. When the police approached him and asked him to turn down the megaphone, this leader responded, "You can't take away my voice. It's all I have left." He was respectful and calm and made his case directly to the police officer. The loud chanting continued under his leadership, but perhaps this peaceful yet somewhat tense interaction was less spontaneous than you might imagine. City Life develops

a high degree of trust, accountability and discipline leading up to our actions. Leaders know the parameters of the action, and are trained to interact with the police in a certain way, to keep the larger goals in mind, and to prioritize the safety of the group. (See more on *Dealing with the Police* and *Maintaining Discipline* below.)

- ***Should we stay on the sidewalk in front of the hotel—or picket on the wharf in direct view of the diners?*** We decided to stay in front of the hotel for most of the action; at the end, we moved the picket line to wharf. (We watched the electronic blinds come down as we came in sight—but we know they saw and heard us). The police originally told us not to do this, but they relented when we pointed out that the general public is allowed to walk on the wharf. Again, we pushed back against the police a little bit, but carefully, knowing that our goal was not to get into a fight with them. Our goal was to put the bank and the CEO on notice that an organized and disciplined group is coming after them – where they work *and* where they have their luncheons!

Get inspired by these great protest videos & photos!

CL/VU website

- <http://www.clvu.org/news-actions/media-coverage>

Springfield No One Leaves website

- http://www.springfieldnooneleaves.org/?page_id=695
- http://www.springfieldnooneleaves.org/?page_id=698

Kelly Creedon's We Shall Not Be Moved website

- <http://kellycreedon.com/category/we-shall-not-be-moved/>

Example #2

We had an eviction blockade planned that we thought had a good chance of success. The family, however, was very uncomfortable with intense publicity. They did not want to be in the limelight. Respecting their wishes, we organized a vigil instead. After the vigil, they grew more comfortable, and we proceeded to hold an eviction blockade shortly after.

This example demonstrates how the model allows people to get involved *at their own pace and comfort level*. Some people can leap right in, but others need some time—and the model allows for a slow immersion.

How to Prepare for a Protest Action

Make sure that the eviction is still scheduled (when planning an eviction blockade).

Interview the defended family (for protests that will be centered on a specific family).

- *Visit the house and interview the whole family.* Make sure their story is good and that there are no hidden skeletons. (For example, you might find out that the foreclosure stems more from a fight inside the family rather than bank greed.) Get a sense of how unified the family is about hosting the protest or even participating in the BTA. You don't want to find out about the family's internal disputes when you read about it in the paper.
- *Make sure the family is ready for media scrutiny.* Describe the process (namely, that the press will want to interview them, that the coverage may not be favorable, etc.) and role-play some of the questions that are likely to be asked of them. Emphasize what points are important (namely, that they will not leave, that they were pushed into a predatory mortgage, that have tried to pay their rent, etc.).
- *Make sure they know what they're getting into and understand what will happen step-by-step during the action.* Be very specific: "Two people will stand by the door to keep the constable from being able to enter; there will be several people chanting in front of the house; the constable may try to enter through the back door, etc."
- *Determine the demand and whether the family can follow through if that demand is granted.* For example, will they be able to stay and pay rent? Will they in fact try to buy back their home?

- *Determine what caused the foreclosure* and how you will frame the hardship to the public. Always highlight if the family tried to negotiate with the bank.
- *In the case of an eviction blockade, make sure the family has a plan* for what they will do if the eviction goes through. We typically recommend that folks remove any valuables beforehand. In addition,



photo: Brandon German

in Massachusetts a family can fill out a legal form asking that their property be sent to a specific license bonded facility. Sometimes people will move only some of their furniture. Spurred by the unjustness of the situation and the strong sense of place, most former owners are willing to endure the headache and stress of losing access to their property in order to be the subject of a blockade.

Prepare press release and flyer, with quotes.

- Show it to the family so they know what is going on.
- Put your press advisory out at least a day before. You want time for the press to call the other side. Make sure you provide the contact information for the other side. This is an important form of pressure, putting the bank on notice that resistance is being organized.

- Make follow-up calls to press outlets after they receive the email. Be prepared to resend the email when necessary.
- If this is an eviction blockade, the press advisory should give the time that the constable is arriving. Supporters should get there earlier so there is a crowd when the press arrive.

(Refer to the *Media* section for more details.)

Visit the site (for eviction blockade)

You should know the physical attributes of the house you are defending. You will have to be able to block each door. Anticipate which doorways they will be using to remove the furniture so you can block them. Share all of this with the bank tenant so s/he understands how this may play out. We like to tell the family that we are not just defending them. *They are letting us build our movement in front of their home.*

Contact the attorneys who will represent you (in cases where arrests are anticipated). Provide attorneys with the names of those willing to be arrested. They may want to talk to them ahead of time.

Contact political representatives and request that they call the bank and urge them to consider your demands. As part of this effort, urge your base (via meetings and through emails) to bombard key decision-makers with emails and phone calls. Public pressure from all angles is key for eviction blockades.

Assign roles. Assigning roles that bank tenant volunteers can take during a protest is a great way to build leadership capacity. This will include assigning someone who will be in charge of:

- **Internal communications:** Someone should be assigned to communicate with protest participants regarding plans, tactics, timing, etc.
- **External communications:** Some participants should be trained to speak to the press.
- **Police liaison:** This person could also have the role of ensuring that everyone complies with the agreed upon rules or plan.
- **Chant leaders:** If you don't assign this task, the organizer will end up leading the chants. Delegate responsibilities.
- **Documenters:** It is a good idea to have people who are filming and/or taking pictures.
- **Rally emcee:** This person keeps the event flowing, makes sure the speakers are heard, engages the participants in chants, etc., and welcomes new arrivals, especially if they are people of interest, such as city council members or others holding public office.



photo: Barry Scott



photo: Brandon German

- **Speakers:** Family members and people who are there in solidarity can be great public speakers, especially if they are reminded to speak from the heart and if they have been given a chance to practice beforehand.
- **Arrestees:** If civil disobedience is part of your plan, it is essential that you know in advance who is willing to risk arrest so that you give them adequate training and so that you keep them separate from those who are unwilling to risk arrest. It is generally not a good idea to add on arrestees at the last minute—especially if you don't know them and therefore can't count on their motivations and/or level of discipline.

Prepare supporters (for blockades).

- **Have a prior discussion, at a meeting if possible.** Make sure members know the family and are aware of why defending them is important. Make sure they know where the property is. Print a map if necessary. Explain again the different levels of participation and the different roles people will play, including blocking the entries, leading the chants, etc.)
- **Prepare a flyer for passersby.** Actions present

an opportunity to educate people on the street. Assign one or more persons to stand on the sidelines who can offer people material that explains what's going on. Sometimes people join in on the picket line. Sometimes people will share their own stories. In one eviction blockade we held in Malden, a suburb of Boston, three other people from the block came up to us and shared that they too were being foreclosed. Protests present an excellent opportunity to expand the base.

- **Prepare an email alert to your base.** (See attached template.) Put out an eviction blockade alert as early as you can. This message can include information on upcoming cases as well. It should also ask people to watch for a second alert which you should send the day before the blockade as a reminder. Make sure that you send out the email so that it doesn't reveal everyone's email to the entire list. Put recipients' email addresses in the "blind cc" (bcc)—not the "cc" or "to"—section. (*Note:* the recommendation above may have been overcome by new technology.)
- **Supporters should be asked to arrive a half hour ahead of the constable.** Always err on the side of caution.
- **What to wear.** During all events, participants should be encouraged to wear the organization's t-shirt. If the picket is at a bank event and there is a plan to disrupt a function, people who plan to enter the venue should be dressed up in order to gain entrance.

Prepare the neighbors. Pass out flyers on the street. Canvass if time allows.

Determine the tone and the protest narrative.

- Will your tone be one of anger and outrage? Solemnity?
- What is the story you want to convey? For example: The struggle goes on. We are winning. They can't stop us no matter what happens here. We are not leaving, etc.

Make sure you have all your equipment and a way to transport it to and from the site.

- Bullhorn.
- Appropriate signs (see template).
- Banners to hang on the building or fence.
- Chant sheets (see template of chants). It's good to distribute chant sheets to everyone at the event.
- Leaflets.
- Puppets, etc.

Documentation. Try to get photos that show the whole group. At CL/VU, we've begun uploading short (one- to four-minute) clips of recent actions onto the home page of our

Show the human face of foreclosure.
Use visuals. Tell stories.

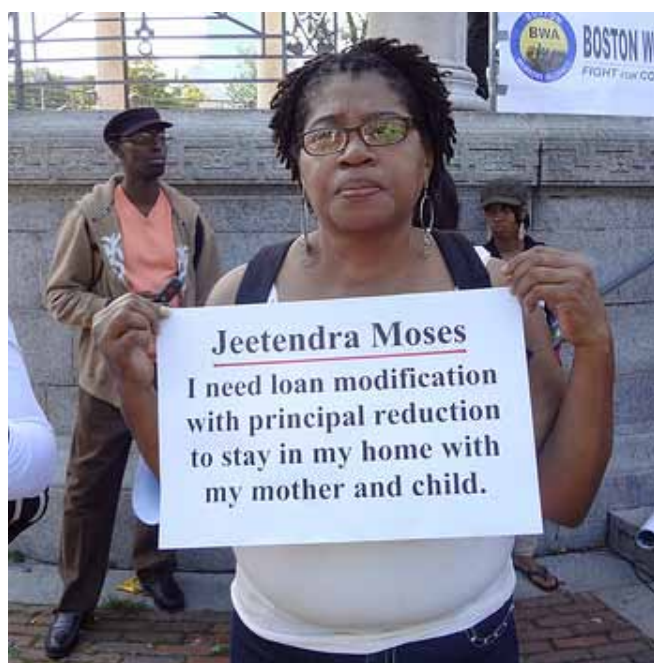


photo: Brandon German

website. Recent software advances make it easy to edit footage and insert text so those who are documenting the event do not need to film from beginning to end.

Follow up

- Send out an email with news of what happened.
- Send out a press release to the media with news of what happened. Photos can be attached.
- Plan for and schedule next steps. Sometimes that will entail scheduling another protest.

Dealing with the Police

The police come to most of our protest actions, especially if a press advisory has gone out. There are no set rules on how to deal with police because a lot will depend on what type of action you are organizing and how edgy or disruptive you are seeking to be. CL/VU has a particular approach in dealing with police: Remember that the banks are the target, not the police.

- *It's always best to focus on the bank—not the police or the moving company.* And you can say something to that effect several times during the protest so the police and the movers can hear it. Remember that the police are participants in the drama you are orchestrating. They are not the directors, the main actors or the subject of the plot.
- *If you tell the police you plan on doing something, CL/VU policy is that you should stick with it. Each protest is just one of many. Therefore we want to minimize potential conflict with the police.* Often when we start an action, we approach the police and

tell them our plans. They have learned over time that we do what we say we're going to do, we are never violent and our participants are disciplined. It takes some time to develop this relationship, and it's not easy to maintain. Like everything else about the bank tenant campaign, we are changing the culture of local institutions, including the police force.

Despite being on opposite sides, there have been times when the police have been oddly supportive. In fact, we have had instances when the police have approached

Remember that the banks are the target, not the police.

us to mention that they too are dealing with a foreclosure. We have even defended police members and their families at eviction blockades. Once, when

we had protesters ready to be arrested, the police actually refused to arrest them because the constable failed to show the proper paperwork. And because we handle our protests with discipline, most of the time the police have not been overtly antagonistic. At the Bank of America protest, which included 24 arrests, the police sought out our representatives to thank them for our discipline.

- *Edgier events can earn more media attention, but will also be less controlled.* When you are seeking a more combative tone and anticipate civil disobedience, you will typically be less forthcoming to the police and they will also feel more threatened. Less predictability also usually means a lower level of discipline and compliance. It's always a balancing act.

- *Understand the laws governing a public gathering.* Technically, if you are picketing in a public space, you need to keep moving in order not to require a permit. (City Life rarely seeks a permit.) You cannot block the sidewalk. You can enter a private space that is open to the public (like a restaurant or bank) but you can't interfere with people's ability to conduct business. Once again, everything will depend on the discretion of the police and how much they respond – and whether you are seeking a confrontation.

Maintaining Discipline

Maintaining discipline at a protest—whether you anticipate getting arrested or not—is so important that CL/VU embeds the same message in all our protest email alerts: “Please respect the discipline of City Life/Vida Urbana and the BTA in regards to chants, signs and picket line behavior.”



photo: Brandon German

We underscore again how important it is to be disciplined when facing squads of police—especially in a large rally. You have to know what you are going to do, and you have to do what you plan. We have a tactical leadership committee that is assigned to make these decisions—decisions that often need to be made within a matter of seconds, with no second guessing allowed. Anyone who disagrees is welcome to do so—but only after the action. Never during.

It is not just the police that can be challenging. Sometimes other groups or individuals engage in behavior that doesn't help build your event. In some cases there are people probably paid to disrupt the event. They won't be able to, however, if your tactical leadership team is clear about the plan, clear about why it is important not to get derailed and clear about whose responsibility it is to do what.

All the emphasis on discipline is linked to our central goal of base-building. We are trying to build a large and vibrant movement among people directly affected by the crisis. They must be in control of what happens.

Leadership Opportunity

Assigning roles that bank tenant volunteers can take during a protest is one of the most important ways of building leadership.

Civil Disobedience and Getting Arrested

Civil disobedience involves using your body in protest of an injustice and often attracts significant media attention. For many in the BTA, civil disobedience has a powerful historic association with the civil rights movement.

Yet breaking the law also has powerful negative connotations, especially when you take into account the racism in the criminal justice system. If you are considering civil disobedience for future actions, it will be important to give adequate time for people to voice their concerns and for the whole group to educate themselves on the possible repercussions.

Some important considerations:

- ***An action involving civil disobedience must be particularly disciplined.*** People need to know their assigned role and stick with it. Some people will be walking and picketing (this entails the least risk of arrest and is appropriate for people who cannot afford to risk arrest like immigrants or those on probation); some will be sitting and will need to move when the police tell them to move; others will sit and their role will be to not move.
- ***Make sure you have lawyers who will be willing to advise the group and represent those who have been arrested.*** We use veteran attorneys from the National Lawyers Guild who are sympathetic to our cause and who are willing to provide their services free of charge. Have at least one back-up lawyer in the event your primary lawyer is not available. Ideally, you will want a legal observer team, as well as a lawyer to bail you out and represent you at the arraignment, and other post-arraignment hearings as may be necessary.
- ***Go limp?*** It is a tradition in some civil disobedience to go limp. Don't resist arrest but don't cooperate. Generally, CL/VU has not done that. This is an important tactical decision. What builds mass participation the best? What are people ready and willing to do? What has the best



photo: Brandon German

effect not only on the case at hand but the next 10 cases where protests are mounted?

- ***Make sure people know what to expect.*** For example:
 - They will handcuff you, put you in a wagon, take you to the station and process you, including fingerprinting.
 - Men and women will be separated.
- ***Advise people to bring as few valuables as possible.*** Identification and a bus pass is all you need.
- ***Getting bailed out.*** In our experience, your lawyer should be able to bail you out within several hours. You should have funds set aside for bail through your Legal Defense Fund. In our court system, bail has been roughly \$40–\$75 per person.
- ***Court appearance and sentencing.*** There are different approaches for managing this. Your legal strategy may simply be to get people out of jail with the least expense and in the shortest period of time. Or you may want to prolong the process,

by pleading the necessity defense, for example, in order to be able to subpoena the CEO and have an attention-getting trial—or some combination of both. After you are released on bail you will need to return for the court appearance with your attorney. Your lawyer will also negotiate a settlement for you that will hopefully impose minimal probation and fines, and no record of the conviction or any criminal charge. People with outstanding warrants should not risk arrest. Immigrants should be aware of possible ramifications before risking arrest.

- ***Solidarity.*** Getting arrested can feel empowering, but it also may leave your members feeling frightened or vulnerable. Be conscious that people may be treated differently by police depending on their race, gender, sexuality, age, or ethnicity. Make sure supporters are there when people are bailed out and are there to accompany them to hearings, etc. Give the folks who were arrested time at the next mass meeting to share their experiences, which might inspire others to consider arrest in the future.
- ***Organizer arrests.*** While it is OK for organizers to get arrested, they must consider the implications of having to leave the scene. If the organizer does choose to get arrested, he or she needs to make sure there are other people willing to take charge.

Evaluating the Protest

Evaluating every action should be a key part of every protest. At City Life we conduct several event evaluations: right after the event, at our

Tuesday night meeting with all our members, and at the leadership team. We talk about what went well and how we might have done things differently. Over time, we have learned that:

- *Even campaigns that appear unsuccessful can be successful in ways that one may not immediately realize.* For example, some actions will buy more time for the bank tenant to work out a buyback. Other victories only emerge over a period of time. For example, the passage of the Massachusetts Just Cause eviction law to include tenants initially did not make it to the Senate floor but ultimately our street work helped bring it to the floor and it passed in the Senate and House unanimously. Our actions also change the culture of community institutions. We have watched the courts become educated and change how they decide cases. Banks realize that investors will not want to purchase houses and they are more likely to sell back to owners.
- **Even people who end up being evicted consistently report a sense of peace from having gone through the protest experience.** While there inevitably will be outrage and sadness when a family is forced to move from their home, we have consistently seen that these families go into it action with clear eyes. They are prepared for the possibility that they may lose and they understand that even if they do lose, it is still worth doing. They understand that they are not just defending their family, but creating a giant and unified face of resistance.

Time and time again, we witness that people have been transformed. They share that even though it may have been a protracted battle, demanding lots of time and energy, that when they have to leave,



photo: Barry Scott

After all the protesters had left, and after the constables had changed the locks on her door, [a bank tenant] sat on the front stoop of her house chatting with a Boston Globe reporter, telling him that “the bank thinks they have won. But they haven’t.”

they don’t feel violated. They may have lost but they sure don’t feel powerless. In two cases, bank tenants went through four eviction blockades before being evicted. Those same families each later occupied vacant foreclosed buildings—they were not disempowered by the loss. In another case, a woman was evicted at the second blockade. After all the protesters had left, and after the constables had changed the locks on her door, she sat on the front

stoop of her house chatting with a Boston Globe reporter, telling him that “the bank thinks they have won. But they haven’t.” Her struggle launched a long campaign of protest against Bank of America that still continues.

Puppets and Signs

City Life uses a giant puppet head (Count Bancula) that we bring to many of our protests, particularly ones that are at the banks. Some ideas for creating your own protest include:

- *Use member talent.* For information on making puppets, visit Activist Magazine’s website: http://www.activistmagazine.com/index.php?option=com_content&task=view&id=19&Itemid=136.
- *Contact Agitarte.* AgitArte, an organization which started in Lynn, MA, created our puppet head. The group organizes agitational art events in marginalized communities. For more information, you can email them at agitarte@gmail.com or call Jorge Díaz Ortiz (787) 448-3159.
- *Contact Bill Moyer of the Backbone campaign.* Bill (not to be confused with Bill Moyers) runs classes on artful activism. Backbone wrote a grant to help us create our signs. We paid for the materials. You can also consult with them for assistance on a specific project. Visit their website at www.backbonecampaign.org for more information.



photo: Brandon German

ATTACHMENTS

- *Sample Poster*
- *List of chants*
- *Sample protest flyer*
- *Sample email alert*
- *Boston Globe article Protesters Try to Deposit Trash From Foreclosed Home at Malden Bank of America.*

Hey Wells Fargo...

Roses are red.

Violets are blue.

Freddie & Fannie did right.

Why can't YOU?

CHANT SHEET / CONSIGNAS

One West. You can't hide
We can see your greedy side.

One West, we don't wanna fight
Please...Just...Do what's right.

Pain for the many,, Profits for the few.
One West, We're coming for you!

Hey Hey, HO HO
Greedy banks have got to go
Ho Ho, HEY HEY
Gotta believe we're here to stay!

1-2-3-4 – No more constables at our door
5-6-7-8 – Don't evict. Negotiate!

One West, They're no good.
Get them out of our neighborhood!

One West. We're here to prove.
We – shall – Not be moved!

Fee, fie, foe fum
Look out Banks
Here we come!

Banks got bailed out,
we won't be thrown out

Gonna beat, back, the Bank attack
Gonna beat beat back that Bank attack

What do we do when the banks attack?
Stand up! Fight back!

One West, Whaddya say?
Don't throw anyone out today!

Ask the Neighbors, Ask the Police
Empty Homes Won't Bring Us Peace

Empty Houses Ain't No Good
They Destroy Our Neighborhood

What do we want – justice
When do we want it – Now!

Brockton vigil at Vernet 3-12-12

Who's got the money money
Who's got the money money
They got the money money
We got the bill!

Workout Counselors can fix this corruption.
Give them the tools for Principal Reduction!

One! – We are the people
Two! – a little bit louder
Three! – We're gonna take back our City!

Up with the people – Yeah Yeah! (2x)
Down with the banks – Boom Boom! (2x)

En español

*Escucha, escucha
Estamos en la lucha*

*Se ve, se siente
El pueblo está presente*

*Estamos diciendo
No al desalojo!
Después el embargo
No al desalojo!*

Cuando Luchamos – ¡Ganamos!

*¿Que queremos? ¡Justicia!
¿Cuando la queremos? ¡Ahora!*

*¡Luchar, Crear!
¡Poder Popular!*

Song by Evan Greer, Rising Tide

We ain't letting you evict
our neighbors anymore
Housing is a human right
we won't let you ignore
So One West, you better believe
we're knocking down your door
Screaming we ain't letting you evict
our neighbors anymore

CHANT SHEET / *CONSIGNAS*

Wall St. Banks. You can't hide
We can see your greedy side.

Wall St. Banks, we don't wanna fight
Please...Just...Do what's right.

Pain for the many,, Profits for the few.
Wall St. Banks, We're coming for you!

Hey Hey, HO HO
Greedy banks have got to go
Ho Ho, HEY HEY
Gotta believe we're here to stay!

1-2-3-4 – No more constables at our door
5-6-7-8 – Don't evict. Negotiate!

Wall St. Banks, They're no good.
Get them out of our neighborhood!

Wall St. Banks. We're here to prove.
We – shall – Not be moved!

Fee, fie, foe fum
Look out Banks
Here we come!

Banks got bailed out,
we won't be thrown out

Gonna beat, back, the Bank attack
Gonna beat beat back that Bank attack

What do we do when the banks attack?
Stand up! Fight back!

Wall St. Banks, Whaddya say?
Don't throw anyone out today!

Ask the Neighbors, Ask the Police
Empty Homes Won't Bring Us Peace

Empty Houses Ain't No Good
They Destroy Our Neighborhood

What do we want – justice
When do we want it – Now!

Protest at Wall St. Banks 9-1-11

Who's got the money money
Who's got the money money
They got the money money
We got the bill!

Bust up... Big Banks!

One! – We are the people
Two! – a little bit louder
Three! – We're gonna take back our City!

Up with the people – Yeah Yeah! (2x)
Down with the banks – Boom Boom! (2x)

En español

Escucha, escucha
Estamos en la lucha

Se ve, se siente
El pueblo está presente

Estamos diciendo
No al desalojo!
Después el embargo
No al desalojo!

Cuando Luchamos – ¡Ganamos!

¿Que queremos? ¡Justicia!
¿Cuando la queremos? ¡Ahora!

¡Luchar, Crear!
¡Poder Popular!

Song by Evan Greer, Rising Tide

We ain't letting you evict
our neighbors anymore
Housing is a human right
we won't let you ignore
So Wall St. Banks, you better believe
we're knocking down your door
Screaming we ain't letting you evict
our neighbors anymore

Sample Flyer:

No more bank evictions!

We demand that Wells Fargo and all banks end the policy of no-fault evictions after foreclosure. Let occupants pay rent. Sell back to occupants or non-profits at real current value.

Ursula Humes has lived in her home for 17 years. She is employed full time in public service and she is a member of the Bank Tenants Association, affiliated with City Life/Vida Urbana.

Wells Fargo foreclosed on Ursula's home. She has been trying to buy it back at real current value, as many other Bank Tenant Assoc. members have done. One problem is that there is a dispute over value. A non-profit has offered to buy but not at the price the bank wants. To resolve this dispute, we have asked Wells Fargo to do a site inspection to determine property condition and thus real value. We ask Wells to stop this eviction and do the site inspection. Ursula has been paying rent to the bank and would continue to pay rent while this inspection is done.

Bottom Line. Banks refuse to take rent from occupants after foreclosure. They evict no-fault. These evictions hurt families and communities. **Foreclosing banks should end the policy of post-foreclosure no-fault evictions once and for all!**

EVICITION BLOCKADE MONDAY, JUNE 7, 8:30 AM 18 KING ST. DORCHESTER

Directions: off Dorchester Ave., 7 blocks north of Ashmont Station, across from St. Marks



Every week hundreds of families come to City Life to fight the banks. We have won back many people's homes, partly through eviction blockades, like the successful one pictured above on Semont Rd. We will protest the eviction at 18 King St. Our movement is continuing to grow because When We Fight, We Win.

City Life Vida Urbana (617-524-3541)

Sample Protest Email Alert Content

1st alert – 6-3-10

Eviction Blockade Alert – Ursula Humes Monday, June 7, arrive at 8:30 am if possible 18 King St., Dorchester

(off Dorchester Ave., north of Ashmont, near St. Marks)

Ursula Humes has been a long time member of City Life and the Bank Tenants Association. She is facing eviction by constable on Monday, June 7, at 9 am. We plan to block this eviction! Ursula got a postponement of her eviction 2 months ago to give time to try to work with a non-profit lender and buy her home back. We all have worked very hard to make that happen, it possibly still could happen if we had more time. But the bottom line is that No Bank Should Evict No Fault after foreclosure. Wells Fargo should accept rent (which Ursula has been paying the last two months) and sell occupied. We oppose no fault evictions by lenders after foreclosure as a matter of principle. Ursula is taking a stand on principle and we plan to support her.

Second Blockade Case – Andres Cabral and family

Andres and family live in Hyde Park. They have been approved for a new mortgage by Boston Community Capital (BCC). BCC has made a cash offer to buy the property to Chase Bank, after which they would resell to Andres. Chase has not responded to the offer. They are threatening eviction. That is one reason we protested in front of JP Morgan Chase on May 20 (about 70 people there!). Chase says it must evict because investors require that. The investors are represented by Deutsche Bank, which urges (after pressure from us at their golf tournament) servicers to reconsider mass evictions. Who is lying? If necessary, we will block the eviction of Andres and his family! Stay tuned for more news.

Auction protests

We are starting a new effort to protest earlier in the foreclosure process, at the auction. The purpose is not necessarily to stop the auction. It is rather to serve notice on any buyer that we will defend occupants. We had planned an auction protest on Monday, June 7, at noon, on behalf of the Hightower/Burgess family. This is Chase/Wells.

There may be two more auction protests next week at other locations.

Canvass Saturday – 2 pm

If you want to help us reach out to new families facing foreclosure or eviction after foreclosure, help us canvass door to door. Our next canvass is scheduled for Saturday at 2 pm. Call us if you want to be involved.

Dorchester Day Parade Sunday – noon to 4 pm

Each year City Life joins Dorchester People for Peace in a joint contingent in the parade, marching up Dorchester Ave. We distribute thousands of flyers about the foreclosure crisis. The parade will almost march right past Ursula's house! If you want to join our contingent, gather at Richmond St. (runs between Adams and Dorchester Ave.) in Lower Mills at noon or watch for us along Dorchester Ave.

Protesters try to deposit trash from foreclosed home at Malden Bank of America

September 19, 2011|By Justin A. Rice, Town Correspondent, Globe Staff



Dorchester resident Fank Maxey and other MassUniting supporters collected bags of trash from an abandon home and tried to drop them off at the Bank of America in Malden Center.

By Justin A. Rice, Town Correspondent

Chanting “Bank of America, bad for America” this afternoon at the Bank of American in Malden Center, more than a dozen Malden residents and [MassUniting](#) supporters tried to deposit about 10 bags of trash and debris they collected from an abandoned home in Malden.

This morning, about 15 volunteers spent about two hours cleaning up the property at 56 Clinton St. that was foreclosed on by Bank of America. After filling the black garbage bags with toys, tree branches, and trash, they transported them to the Bank of America at 46 Pleasant St.

The protesters said they also cleaned up an abandoned television and a gutter that fell off the house.

“When you have properties next to yours that are rundown it becomes an eyesore and a lot of times we’re judged by the appearance of our neighbors,” said Augustus Cooks, who lives near the Clinton Street property. “We spent a couple hours there but apparently [the bank] had sent someone in earlier.

“The amount of debris that was there when we got there wasn’t the same as it was last week. Maybe they got a little bit of heads up of what was coming.

“You could see someone had gotten in there and freshly cut or raked some of the grass. There’s still furniture in the house, kids’ toys. Maybe these people were forced out of their home and they just had to walk away ... which is what’s happened to a lot of people.”

The grass-roots coalition based in Charlestown estimates that bank-neglected and abandoned properties could cost Malden more than \$2.3 million.

“Bank of America holds the largest number of foreclosed properties in the country, including dozens in Malden,” according to the statement. “The company also has one of the worst records of modifying mortgages to help people stay in their homes.”

A spokeswoman for Bank of America’s Home Loans division, Jumana Bauwens, confirmed that the bank worked on the property last week.

"I'm not sure if we caught wind [of the protest] or not," she said during a telephone interview today. "I can tell you that when we become aware of a property that needs maintaining we take immediate action to maintain that property."

Bauwens said she saw pictures of the house after the bank's crew worked on it and it didn't look like an eyesore.

"I know work was done on the property last week," she said. "From my understanding debris was removed, shrubs were cut down, and the grass was maintained as needed. I'm a little surprised they found toys."

Bauwens also said residents of any town can report disheveled Bank of America properties at fieldservices.bankofamerica.com and "We take immediate action." She said Bank of America works with service providers to inspect and maintain more than 1 million properties each month, Bauwens said.

"Maintaining property in our possession is important to us. "We take our responsibility to neighborhoods very seriously."

Malden Police were on the scene as the protesters entered the bank. The bank manager declined to take the trash and referred protesters to a bank spokeswoman. The protesters took the trash back out to the street, posed for a photos for several media outlets covering the protest, and loaded the trash back into their cars.

"It was just very energizing to feel like you're making a difference and doing something," said Everett resident Lisa Hines, who noted Malden residents will help with a similar protest in Everett next month. "Basically they need to be accountable for their property. They foreclosed on these people, they wouldn't renegotiate their mortgage, they kicked them out, and the place is overgrown and it's a mess. The message is: Take care of your property. If you're going to kick people out and you're not going to let people stay there and take care of their own property, they should take care of that."

Hines recognized that the Malden branch is not responsible for maintaining the home.

"It's probably not this specific branch but we're making a stand here," she said. "The manager of the branch came out and listened to what we had to say. We're being respectful. We didn't disrupt anyone's business."

"We wanted to make a deposit. Unfortunately they don't want to take our deposit."

MassUniting, which will hold a protest at 2 p.m. on Sept. 30 on the Boston Common, will consider dropping the trash from the Malden home off at either Bank of American Massachusetts president Robert Gallery's Beacon Hill home or the Wellesley home of the bank's CEO and president, Brian T. Moynihan.

"We're trying to return it to the rightful owner," MassUniting spokesman Jason Stephany said. "This bank wouldn't accept it today so maybe someone higher up the food chain will."

Justin A. Rice can be reached at jrice.globe@gmail.com.

CHAPTER 10

POLITICAL EDUCATION

Helping people connect the dots



photo: Brandon German

What you will learn in this chapter:

- *Why political education is such an important part of the campaign.*
- *Topics that can stimulate discussion.*

Why Political Education Matters

Organizing is not just about fighting an immediate battle. It's also about understanding what made the battle necessary in the first place. It's not just about action; it's about thinking, too. A key part of responding to the crisis is having an accurate and empowering understanding of what caused it. We oppose any attempt to individualize the struggle or blame the victim.

City Life/Vida Urbana is committed to helping

BTA members understand that the foreclosure crisis is directly tied to a larger political failure. Making these connections can lessen the shame people feel about having lost their home. When people see that there are millions of other people in the same boat, they see that it's not about poor money management skills or bad choices. Soon it becomes clear that what the banks are doing is part of an intentional approach that puts profitmaking above morality—in all sectors of our society. Having successfully taken on the banks, many people become inspired to take action in other areas of their life.

Because we view this educational aspect of our campaign as so important, we try to weave it into every weekly meeting. We also offer opportunities for people to join monthly discussion groups, and to attend seminars and conferences.

Sample Topics

We don't have a lot of time during our weekly meetings, perhaps only 20–30 minutes. We pick topics that are designed to be more accessible and feel timely given current news. We hand out articles every week but no one is required to have read them to participate in discussions. While many topics relate to housing and to foreclosure specifically, we often discuss other issues. We try to bring in outside speakers where possible so that members get exposed to different movements.

Having successfully taken on the banks, many people become inspired to take action in other areas of their life.

Discussions at weekly meetings identify

topics that some people would like to pursue in greater depth. We do that through discussions at the Leadership meeting or at special trainings for leaders. Sometimes these trainings are for our leaders only. Sometimes they are much bigger events like the series of Radical Organizing Conferences. These draw people from many movements.

If people are interested, you can consider organizing discussion groups where people will have more time to talk in depth and may be willing to do some reading in advance. These groups are more like regular courses. CL/VU groups are participatory, not lectures. The discussion is determined by what participants want and not necessarily by the topics listed on the sheet. Friendly disagreement and debate are always welcome.

Sample topics relating to foreclosure might include:

- How the housing bubble happened and why it collapsed.
- Why the banks make loans they knew people couldn't pay off.
- How the Occupy movement ties into the BTA movement.
- Why the government is not pushing for principal reduction.
- Why banks received bailouts and not homeowners.
- How and why grassroots organizing is effective.

The topics below have been some of the components of a 5-part CL/VU discussion group:

Housing (General): Real estate profit vs. people's homes.

- Right of profit vs. right to a home.
- Who/what creates real estate value?
- How landlord profits are made?
- What is real government intervention in housing?
- Why doesn't the housing market work as well as other markets?
- Affordable housing as part of the social wage.
- Why people of color are more impacted by the foreclosure crisis.
- Why the fair rent isn't the market rent.

Class: Wages and the social wage

a. Alienation

- What it means to sell your labor power as a commodity.
- How control of work affects satisfaction. Different classes have different levels of control.
- How money defines job status in a commodity economy—and warps our values.
- Growth and education on the job is different for different classes.

b. Driving down wages

- How are wages determined in a market economy?
- Why less unemployment is bad for business.
- Limitations on the use of unemployment to depress wages.



- How worker bargaining power is decreased by:
 - removing the social wage, including affordable housing, welfare, etc.
 - expanding the arena of worker competition—globalization.
 - attacking organizing rights—here and outside the US.
 - attacking specific groups of workers—racial minorities, immigrants.

3. Race/ethnicity/language

a. *Black and white*

- Individual racism vs. institutional racism.
- Attitudes vs. power.
- Difference between *prejudice* by whites and *prejudice* by people of color.
- Historical roots. The creation of white supremacy ideology.
- The connection to profit and defense of privilege.
- The effects and limits of white privilege in the working class.

b. *Native and Immigrant*

- History of *legal* immigration. Who was *legal*.
- Why people immigrate. How the international economic system forces immigration.
- Uses of immigration for capital.
- Uses of the attacks on immigrants: militarization, desperate reserve army of labor, racism
- The false *line of citizenship*.

Organizing and the limits of our democracy

- What are the limits to our democracy? Where do they come from? Why do we even need to organize?
- Structural limits, money limits, media limits, unaccountable economic power limits.
- How do people control their government? What power is outside of government?
- What is organizing? How do we get *people power*?
- Why do new people get involved? Stay involved?

- How is organizing different than providing services, or advocacy?
- How do organizations grow out of the struggles they fight?

Foreign policy: the U.S. Empire

- Is there such a thing as a United States Empire in the world?
- What do people in the rest of the world think of the United States? What form does opposition to the US Empire take?
- What is the purpose of this empire? What does it protect or promote?
- Differences and connections between economic control and military control.
- Would the American revolution have been labeled “terrorist” by King George III?
- What is the link between class and racial oppression here and actions by our government abroad?

The role of media in U.S. politics

- Who controls the media—is there really a liberal press? How does media consolidation work?



photo: Brandon German

CHAPTER 11

LEADERSHIP DEVELOPMENT

Leadership building = movement building



What you will learn in this chapter:

- *Why political education is such.*
- *Why building leadership is critical.*
- *Empowerment strategies.*
- *The importance of a leadership committee.*

Strong thriving movements depend on leadership from within. This includes both the constant infusion of new leaders and the constant development of veteran leaders. Some people bring a vast wealth of leadership experience and radical politics to our movement that is already formed; our goal is to provide a place to exercise that leadership. More commonly, people are introduced to leadership roles and analysis they had not previously experienced.

The health of a movement is also reflected in the self-determination and self motivation of its members. Recognizing these tenets as central to everything we stand for, CL/VU prioritizes member empowerment in every aspect of how we operate. Specifically, we:

- **Structure our meetings so that they are driven by bank tenants.** Part of the reason for a structured meeting agenda is for participants to identify specific leadership roles. We also try to get members to do as much of the speaking and presenting as possible. Our members also participate in skits, give testimony, take intake, do one-on-one greetings, and more.
- **Involve bank tenants in every phase of planning and conducting protests.** People are much more invested in the outcome of any action when they have their fingerprints all over the planning process. On more than one occasion, bank tenants have played a key role in the outcome of an action. For example, one time we had decided not to do an eviction blockade because we didn't think it would be successful. The Leadership Team (see below) pushed back and said we should do it. We held the blockade and the bank tenant ultimately won back her house.
- **Use the writing of the Public Letter to help people find their voice.** Often people will say they can't write the letter and ask for staff help. We tell them that we might help them type it—but we urge them to write it themselves. When people are able

to tell their story, it helps them give a voice to what happened to them. It also makes them think about what has kept them silent. What have they internalized and why? Why haven't they been able to speak truth to power? Writing these letters has been an extremely liberating experience for many of our members.

- **Work to identify members' skills and help them gain the confidence to share these gifts with others.** CL/VU is proud of and grateful for its talented musicians, actors, writers, songwriters, photographers, cooks, designers, builders and more.
- **Encourage members to represent the organization at coalitions, events, presentation, fundraising events, etc.** There is so much opportunity to spread the word—and never enough people.
- **Help members become effective media spokespeople.** While it's important to identify one media spokesperson (or a few) for a protest, the press will always want to talk to bank tenants. Learning how to talk to the press and successfully getting your point across in the media can be a powerful experience.

photo: Brandon German



- **Hire members as staff.** Most of our organizers and some of our other staff originally came to the movement searching for help. In terms of background, there is not much difference between our staff and our members and leaders.
- **We use a radical analysis to rid people of shame and motivate action.** When bank tenants understand the connection between the growing gap in wealth between the 1% and everyone else and the tendency of capitalism to engage in speculative bubbles, they begin to build connections between issues and no longer feel they are to blame. Instead, they are inspired to respond with anger and action.
- **Encourage emerging leaders to participate in the Leadership Committee.** Having a separate committee of members who demonstrate leadership capacity is one of the best ways to take select BTA members to the next level, while providing a formal vehicle for bank tenant input. We don't have a set formula of who to invite, but rather

identify bank tenants (and we limit it to bank tenants) who have demonstrated their readiness and willingness to take on more responsibilities. Sometimes when we invite a person to participate in the committee, they may say they are not yet ready. We tell them to check it out without any commitment to continue. Almost everyone has stayed.

- **Frequency:** The committee meets every two weeks, which gives people an opportunity to process recent developments in a timely manner.
- **Size:** We're constantly adding new people, as people often cycle through due to work obligations, relocation, etc. Sometimes people leave the committee and we find out they have taken their new skills and become activists on another issue.
- **Agenda, etc.:** Staff attend these meetings but we rotate facilitation. The meeting has an agenda focused on (1) helping staff organize the movement in many practical ways and (2) political education and training.



CHAPTER 12

MEDIA

How CL/VU uses art, mainstream media and social media to place pressure on the banks and elevate the BTA movement's public profile



photo: Brandon German

What you will learn in this chapter:

- *How to frame and convey your message.*
- *How to work productively with the press.*
- *How to write and distribute press releases and PSAs.*
- *How to build the media skills of your base.*
- *How to get accurate and positive press coverage through conventional and alternative means.*

Introduction

With its regularly scheduled protests, blockades, auction and bank protests, the Bank Tenant Association model is designed to generate frequent compelling stories that the press will want to cover. Each of our bank tenant meetings is an inspiring event by itself, laden with personal stories of strength and transformation that are newsworthy. We feel free to invite press to any weekly meeting with the understanding that they won't cover any personal situations not approved individually.

City Life/Vida Urbana has aggressively seized these opportunities for publicity, earning extensive local (neighborhood and town papers), regional (metropolitan papers, TV, radio) and national (*New York Times*, *Dateline NBC*, *PBS News Hour*) exposure. This publicity has consistently attracted new members, shifted the behavior of the banks and the courts, and spurred funders and others to support us.

Not only have we earned extensive coverage from the mainstream press, we also use independent, noncommercial media to get our message out—reaching audiences we might otherwise miss. And we’re increasingly using art, social media and other creative outlets, to attract attention to our work and to create a clear and powerful public narrative.

Here are some basic tips on creating an effective communications plan:

Messaging

How you tell your story and how well you control the narrative will have a direct impact on how you are perceived by media consumers. Here are some tips for getting the right kind of publicity:

- **Highlight the immorality and unfairness of the bank’s behavior.** People respond to language that talks about human values, so when promoting an eviction blockade or other action, talk about how:
 - Banks intentionally fueled an artificial housing bubble and then sold hundreds of thousands of mortgages they knew would fail but would yield record profits.
 - When their system did indeed collapse, the banks got bailed out by the government. Instead of passing on this help to the people they had scammed, they chose instead to seize their homes.
 - Even worse, when the people losing their homes offered to pay rent or buy back their homes at their current value, the banks refused their offer, opting instead to let these homes go vacant, destabilizing both families and neighborhoods in the process.

Interestingly, not so long ago this story would have been deemed subversive but now, given the growing anti-Wall Street sentiment, this once radical framing is increasingly accepted as an accurate portrayal of the current banking system.

“If Deutsche Bank forecloses on Joe Schmoe the best they can do is to sell that property at real value. So if Joe Schmoe can afford the property at real value, why not sell it back to him? But the only reason the banks aren’t doing that is because of what they call moral hazard. They say basically that homeowners should be punished because they signed these loan documents.

These are the same guys who have run our entire economy into the ground and who have been rewarded with billions in taxpayer bailouts and have used billions of that money to give bonuses to the very executives that drove their companies and the whole economy into the ground. And *they* are citing moral hazard as the reason why they can’t resell that property to the existing homeowners at the real value!”

- Steve Meacham, CL/VU Lead Organizer, *Bill Moyers Journal*, May 2009.

- **Don't couch the story in terms of victimhood. Emphasize instead that bank tenants are taking control of their lives and helping others in the process. Talk about how:**

- *The bank tenant movement involves personal transformation through crisis.* The model inspires people to take action, while gaining a sense of power, hope and confidence.
- *The movement is about community building—both literally and socially.* Both the strength and the beauty of the movement is that it depends on people helping each other. Talk about how people initially come to the meeting in a place of despair and personal shame, and then inevitably end up understanding how they are part of a larger battle that is winnable if they stick together.

Encourage the reporter to come to a meeting. Explain how the weekly meeting has to be witnessed in order to be understood.

Be aware that many reporters may try to portray bank tenants as victims rather than fighters. In the beginning of our bank tenant organizing, we often got coverage that was technically accurate but failed to cover the resistance aspect of the campaign. In one case, it was clear that the reporter wanted a story about despair and wrenching heartache so she just interviewed people in court. She barely mentioned anything about our effective blockade actions or even that the bank tenant went on to win back her home. We decided to call her out (respectfully) on her approach, explaining to her that there was a far more interesting story behind the one that actually got

printed. Soon after that, she ended up doing a far more extensive front page piece on us and did a great story that highlighted the effectiveness of our approach.

- **Give the foreclosure crisis a human face.** Highlight the story of a specific family in every communication you put out to the media. Two caveats:

- As mentioned elsewhere, make sure there are no hidden skeletons that might surface when the reporter probes.
- Make sure to refer to several other families who are in a similar situation. With the focus on one family, it's easy for a reporter or reader to discount that person's particular story and view the bank's actions as either warranted or an isolated incident.

- **Repeat your main points.** In any given context—whether you will be talking to the press at a protest or doing a radio interview—you should identify two to three talking points you want to emphasize and keep repeating them. (Some people say you need to hear things *three* times in order for them to sink in.)

It may be helpful to structure your story by referring to the: (1) problem, (2) solution

"One of the things I loved about when I came to City Life and what kept me here. Was that they didn't really do for me, they helped me. They would direct me, but they never once did it for me and I liked that."

- Melonie Griffiths,
CL/VU Lead
Organizer, Bill
Moyers Journal,
May 2009

and (3) action. For example:

- The banks behaved irresponsibly by making predatory loans.
 - We are offering to buy back our homes and/or pay rent to the banks—but the banks would prefer to punish us by letting our homes go vacant.
 - We have responded by organizing a movement of bank tenants who are able to fight the banks by sticking together.
- **Stay on message.** *Get your message out regardless of what questions you are being asked by the reporter.* Remember that in an interview, both you *and* the reporter are trying to drive the process. So you may sometimes have to steer your answer away from the question being asked and back to the points you want to make. You can use phrases like *“I think the real issue here is ...”* to steer the conversation in the direction you want.
 - **Customize your message when appropriate.** Be aware of who your audience is and what will resonate well with them. For example: A media outlet that reaches a more conservative audience may respond to messaging that emphasizes the BTA movement’s ability to stabilize neighborhoods and keep families intact. A more liberal audience might appreciate that the BTA movement is keeping housing affordable.
 - **Give the press good sound bites.** A sound bite is a few sentences or phrases that capture the most important element of your message. Sound bites are short—the average TV sound bite is 5–13 seconds and the average print sound bite ranges from



photo: Brandon German

5–25 words.

By definition a sound bite can’t be complicated or ambiguous, and you can’t use the same one in every interview (although it’s always worth analyzing which types of sound bites tend to get picked up). Here are some samples from our files:

(From “Foreclose This!” *Boston Magazine*, November 2011)

- After a few hours of protesting, Ocwen agreed to temporarily call off the eviction. **“I couldn’t believe that a group of people were able to do what my legislators couldn’t do for me or what the courts couldn’t do for me,”** Griffiths recalls.
- David Grossman, the faculty

director of Harvard Legal Aid Bureau, says such mistakes by the banks are actually symptomatic of a dangerously flawed system. "The whole securitization mess is what got us where we are now, and that is what we are going after," he says. **"These aren't just clerical errors. The whole thing was built on fraud, recklessness, and incompetence. That is what we are trying to expose."**

- "One of the biggest problems we have when we try to negotiate with banks is getting them to pay attention to us and our offer," explains Jessica Brooks, BCC's vice president of development and communications. **"Lenders are more likely to respond to us when they are feeling the pressure City Life exerts, and they know the papers have been called to the scene of a protest."**
- "Our view at City Life," Steve Meacham says, **"is that if you want the government to take action against such powerful actors, then you better have a powerful movement on the street, because they are not going to do it otherwise. And that's what we're trying to build."**

From Bill Moyers Journal, May 2009

- **"A lot of what we do ... is create the moral space for people to feel like they have the right to resist, because they're told by almost everybody that they don't."** (Steve Meacham)

It may also be useful to prepare an "elevator speech" for situations when you have a limited time to convey your

message. An elevator speech (so-called because you sometimes have a limited amount of time to communicate, such as when you're riding the elevator) is a 30-second synopsis of your bank tenant project. It's important to polish a short version of your message because opportunities to talk about the campaign often arise unexpectedly, and it may not be in a formal interview setting. The speech should be designed to pique the interest of your listener. It's good to practice one in advance.

- **Back up your message with compelling data.** For example:

- Observers ranging from Credit Suisse to the Center for Responsible Lending estimate that about six million

"Every 17 minutes somebody is being foreclosed in Massachusetts. Nationally, it's every 13 seconds."

- Steve Meacham, CLVU
Lead Organizer, Bill Moyers
Journal, May 2009.

- families have lost their homes to foreclosure and project that 12 to 15 million families altogether will lose their homes before the crisis is over.
- Recent foreclosure activity and the subsequent costs are not race-neutral. According to the Center for Responsible Lending,¹ approximately 8 percent of African-American and Latino families have lost their homes to foreclosure compared to 4.5 percent of white families. United for a Fair Economy² has estimated that a third of black

¹ <http://www.responsiblelending.org/>

² <http://www.faireconomy.org/>

households and 40 percent of Latinos are at risk of falling out of the middle class and into poverty as a result of the foreclosure and related economic crises.

- Violent crime increases 2.33% for every percentage rise in an area's foreclosures.³

Excellent sources for data include:

- [ProPublica](http://www.propublica.org/investigations/) (<http://www.propublica.org/investigations/>) – This terrific website features lots of topnotch investigative journalism in the public interest. Go to their Investigations section and check out the *Eye on Loan Modifications* and *Eye on the Bailout*.
 - [The Daily Bail](http://dailybail.com) (<http://dailybail.com>) – Their subheading is *Debt & Deficits. Bailout News. Federal Reserve Corruption*.
 - [Above Top Secret](http://ask.abovetopsecret.com) (<http://ask.abovetopsecret.com>) Type Foreclosure in the search bar.
 - [Foreclosure Fraud](http://4closurefraud.org) (<http://4closurefraud.org>) this website is somewhat disorganized but has some nuggets worth looking at.
 - [The National Housing Institute](http://www.nhi.org) (www.nhi.org). Type Foreclosure in the search bar.
 - [Seven Ways Foreclosures Impact Communities](http://www.nw.org/network/neighborworksplogs/foreclosuresolutions/reports/documents/7ForeclosureImpacts.pdf). (<http://www.nw.org/network/neighborworksplogs/foreclosuresolutions/reports/documents/7ForeclosureImpacts.pdf>) A compelling report by NeighborWorks America.
- **Be prepared to address some common myths.** For example:
 - *"People are taking advantage of the system to buy more than they can afford."*
 - *"People got themselves into this."*
 - *"People weren't paying attention."*
 - *"People with means will foreclose intentionally so they can use the buyback process to walk away from their debts while keeping their home."*

While an uninformed outsider might easily believe these myths to be true, it's important to reinforce that:

- *The banks were working overtime to*

³ http://articles.boston.com/2007-11-18/realestate/29234026_1_foreclosure-rate-realtytrac-foreclosures-surge

"The people who are in our room were buying any old house in a working-class neighborhood and they were being told by everybody that they should. Even if prices are high, you have to buy now because they will only go up. That's what everybody was saying.

And ... even though they could see they couldn't afford that monthly payment, they were being told by the bank that they would be refinanced. And they say, 'Why the heck would the bank lend me money they don't think I can afford?' Nobody thought that the banks would lend money they didn't think you could afford. And yet that's exactly what they were doing."

- *Steve Meacham, CLVU Lead Organizer, Bill Moyers Journal, May 2009*

drive the housing bubble and to put people into subprime mortgages they knew they couldn't afford. Their goal: to make as much money as quickly as they could before the scheme imploded. They processed these mortgages with lightning speed, often approving loans with no review at all. Everyone in the real estate business collaborated in making this possible, with mortgage brokers, appraisers and realtors all receiving financial incentives to push through these sales and mortgages.

- *People were bombarded with the message that they should buy now or they would forever be shut out of the real estate market.* People were watching housing prices go up every day and felt pressured to buy—especially given that the teaser interest rates they started out with often made it as cheap to buy as to rent.
- *People trusted that the banks knew what they were doing and would make good on their promises.* Most people assumed the banks wouldn't put them into mortgages that they knew would fail. Why would they do that? They also believed the bank's promise that they would be able to refinance when the teaser rate expired. Many borrowers reported telling the bank that they were nervous about signing onto a mortgage with rates they knew they couldn't afford in the long-term, but were repeatedly assured that refinancing would be automatic.
- *All buyback transactions are designed to prevent people from taking advantage of the system.* The BCC mortgage contains

a mechanism that limits how much profit the borrower will be able to keep when he or she sells the house.

- *The banks received substantial bailouts because they were deemed too large to fail—but their victims received nothing.* The banks received billions in federal assistance because their financial collapse was deemed to be disastrous to the global economy. When people lost their jobs because of the bank's dishonest lending practices, they were hung out to dry. The banks have the moral obligation to help out the victims of their profit-driven scam.
- **Use community leaders to help you get out your message.** Consider using a respected leader from local government, the faith community, or business or civic organizations to publicly support your project and/or public actions. Make sure these

Don't overlook the power of Op-Eds, Editorials and Letters to the Editor. Get someone notable in the community to write a positive op-ed. (Consider providing them with a draft of what you'd like to see.) You can also speak to the editorial department and ask them to endorse your position. Remember, if you don't ask, you don't get. Letters to the editor are coverage too—and the third most read part of a paper.

spokespeople are educated on your issues. You especially want to ensure that they are comfortable addressing the common myths associated with foreclosure (listed above).

Media Outlets

1. **Use as many communications outlets as you have the time and capacity to undertake.** Recognize that, especially in the beginning, you will always feel as if you could do more. Stretch your communications capacity by using volunteers. There are a lot of people, especially young people, who really enjoy undertaking these kinds of media projects and who are good at it. Delegating media responsibilities to volunteers will not only expand your capacity but is also a great way to develop leadership.
 - **Traditional:** This will entail directing press releases and Public Service Announcements (PSAs) to local newspapers, television and radio stations. (*More details below.*)
 - **Public/Noncommercial and Independent Media:** This includes contacting local cable TV and community radio stations, newsletters (local unions, school, religious groups), ally/coalition members' websites, etc. Find out who may have press connections among your base. (*More details below.*)
 - **Social Media:** Using social media is a great way to spread your message and CL/VU is only in the early stages of using these technologies to their full potential.
 - **Facebook.** It takes only minutes to



photo: Brandon German

start a Facebook Community Page and well worth the effort—but be aware that you have to update your page regularly. If you don't take the time to do so several times per week, it's almost better not to have it because it will look as if your group is inactive. Get into the habit of posting an update, photos and/or videos before and after every action. Post links of any mention by the press. In addition:

- Send Friend Requests to everyone you know on Facebook asking them to Like your page and to send the request out to their friends.
- Add your coalition partners to your list of Likes (and ask them to post a request to their friends to Like your page).
- **Twitter.** Tweet before, after and even during a protest. You can learn how to build your Twitter flock by reading [How to Get More Twitter Followers--The Right Way](http://www.pcmag.com/) in PC Mag (<http://www.pcmag.com/>)

article2/0,2817,2389302,00.asp).

- **YouTube.** Upload clips of every action or event you think could be newsworthy onto YouTube. (That way people can share with their friends even if they are not your Facebook
- **Other links.** Encourage people to add your link to their home page, as well to reference what you are doing, or post some of your photos on their home page. For example, photographer and multimedia artist Kelly Creedon has links to our campaign throughout her homepage. Send out emails to encourage your allies to do this as well. (See Kelly's site: www.weshallnotbemoved.net)

2. **Evaluate your press coverage so you can hone your message and improve your visibility.** (You can set up Google so that it will send you articles when your organization is mentioned.) This will enable you to:

- Analyze how you are being reported and what you may need to change to get the coverage you want.
- Ensure that you know who is writing about you and what they are saying.
- Allow you to archive your coverage and link to good pieces on your website.

Working with the Press

Getting regular and favorable press is all about cultivating personal relationships with journalists. A reporter who has an ongoing relationship with a group is more likely to write an accurate and compelling story. He or she may also develop a particular interest in

your project and cover your issue on a regular basis. We've had reporters start by writing short articles on our protests. As we developed a more personal relationship, some of them have gone on to write in-depth human interest articles about the organization and the movement. Watch the news shows in your city, and take notes on the reporters. When you see a story on foreclosures or anything about housing, note the reporter's name and contact him or her. Offer to have the reporter come to a meeting and/or to shadow members of your staff. Follow up each press release you send out with a phone call.

The SPIN Project, a group that helped social justice organizations build their communications skills, published an excellent downloadable handout entitled *Developing Relationships with Reporters*. It is attached in this manual and quoted at length below. (*Note: Everything not in italics is lifted from this document*).

Here are some highlights:

- **Be a resource for reporters.** Develop a reputation as someone who has accurate information, meets deadlines, can provide additional contacts and sources, and is always good for a clever quote or a much-needed fact. (*In small communities, one or two reporters are expected to cover all the local news—so remember that you are most likely dealing with generalists who may know little about the foreclosure crisis. Your job is to educate them and make their job easier. Feel free to provide them with detailed fact sheets that contain all the background information they will need.*)
- **Think like a reporter.** Everyone thinks their issue is the most important, compelling subject and should be covered

all the time, but reporters are faced with hundreds of issues and stories. What sets it apart? What hooks make your story particularly relevant right now?

- **Be accessible to reporters.** They will usually try to get you on one phone call. If they cannot find you they will often move on to other sources. Give reporters your direct line and a cell phone number—plus your home number if appropriate.
- **Know your facts.** Your reputation rides on the accuracy of the information you give reporters. *If you don't know the answer, don't try to fake it. Tell the reporter you will get back to them.*
- **Do not expect reporters to be your cheerleaders.** Decision makers at news outlets often oppose progressive stances because of their pro-business (and pro-advertising revenue) disposition. Even those reporters working for supportive media can't be viewed as a megaphone for your issue. *Ask yourself whether your press release or other communication to the media would pass the "brother in law" test. Would an outsider who is not in the activist world understand or sympathize with your story?*
- **Do not waste reporters' time.** Only contact reporters when you have newsworthy information, a good pitch or are responding to an inquiry or a story.

Some reporters keep a mental list of news pests and other obnoxious non-sources who aggravate them on a routine basis. Do not make that list. *It's important to send press releases regularly—but only for real events. We once heard an editor of a community newspaper being interviewed on radio. He went on extensively about City Life's work. He clearly had read our press releases and understood that each event was real, even when his paper wasn't covering them.*

- **Be aware that everything is on the record.** Even if you feel like you have a great relationship with a reporter, don't say anything you wouldn't want to see on the front page or the evening news. *That being said, there will be occasions, especially when you may have reporters shadowing you and seeing what goes on behind-the-scenes at your office, when you can ask the reporter to respect the fact that what you are sharing with them should not be quoted or needs to be embargoed (i.e., not released until a certain time).*
- **Weigh the advantages and risks of giving 'exclusives.'** Giving exclusives—the first and only shot at important news—can have both positive and negative repercussions. On the positive side, a well-placed exclusive to a key media outlet can result in a major, in-depth story that will spark other news coverage. Plus, you develop a stronger relationship with the reporter. On the negative side, be prepared to take the wrath of reporters who did not get the exclusive. Kiss their butts—in a professional manner, of course—and toss them something else in the future.

(Credit: *Developing Relationships with Reporters, The SPIN Project, 2006*)

Writing Press Releases

Well crafted press releases are the key to making sure that you get reporters to your event, that they get the facts right and that the issue is framed in a way that furthers your goals. Here's what we recommend:

Sample Press Release:

FOR IMMEDIATE RELEASE

City Life Plans Eviction Blockade Monday to defend the Humes Family

When: Monday, June 7th at 9 am

Where: 18 King St. off Dorchester Ave near St. Mark's Church in Dorchester

Contacts: City Life (617-524-3541), Melonie Griffiths (x315 or cell: 617-XXX-XXXX) or Steve Meacham (x310 or cell: 617-XXX-XXXX)

Wells Fargo: John Smith, 617-XXX-XXXX

NOTE: Interviews with Ursula Humes and other bank tenants resisting eviction available upon request

For 3 years, foreclosing banks have almost always begun evictions after foreclosure. City Life and the Bank Tenants Association have built a mass movement opposing these evictions and sometimes doing blockades. City Life plans to block the eviction of the Humes' family on Monday, June 7th, at 9 am.

Wells Fargo included 18 King St. on the list of properties they offered to sell the City or City-approved nonprofit while occupied. They could sell back to the Humes family with a deed restriction. The Bank Tenant Association has been working towards this goal on many properties, including 18 King St. A nonprofit has made an offer to buy but at a lower amount than the bank desires. One sticking point has been the level of repairs necessary to restore the building. In court in late March, the bank representative agreed to do a site inspection to determine the level of necessary repairs in order to facilitate negotiations. That inspection was never done. City Life is asking Wells to back off from the eviction, do the site inspection, and resume negotiations.

"We have lived here for 17 years. It's our home," stated Ms. Humes. "I've raised my two children here. One is on active duty in the military and the other is away in college. This is the only home they have known and they are looking forward to returning. I have worked hard, as an MBTA Transit Officer, to maintain this home for my family. It's not just about us, it's about our communities. If we are being told that we have to leave our homes because we can't afford them, then who can? What would the face of our communities look like?"

"Our movement doesn't just fight post foreclosure eviction but also gentrification," added Melonie Griffiths, a City Life organizer. "The bottom line is that no bank should be allowed to evict without cause after foreclosure. This family has been paying the bank to stay in their home for the past two months. Why can't they continue paying? They should not have to consider moving, unless there is a sale to another family who wants to occupy."

Prominently display dates, times and location. For eviction blockades, include the time that the constable is expected.

Make it easy for the reporter to be able to reach you.

Provide contact info for the bank; this increases the likelihood they will be called and puts them on notice that their actions are being scrutinized.

Let the press know that bank tenant interviews are available. Prepare the tenants by role playing questions. Make sure there are no hidden skeletons.

Include relevant information and demands; Emphasize the bank's unwillingness to cooperate.

Use emotionally compelling quotes that spell out the main talking points.

Provide at least one quote from an organizer and one from a bank tenant. Evident quonsu



photo: Brandon German

Public Service Announcements

Public Service Announcements or PSAs are a free way to publicize your organization and a great way to involve your base. Here's what you need to do:

- **Write two or three scripts of varying lengths.** Radio PSAs are available in blocks of time—typically 60, 30 and 15 seconds and sound best if they are read at a rate of 2½ to 3 words per second. That means a 60-second PSA should contain 150–180 words, a 30-second PSA should contain 75–90 words, and a 15-second PSA should contain 38–45 words. Plan to record and submit several versions. To get a good idea of whether the PSA will fit into the allotted time, read it out loud slowly and evenly and time it. If you can, send several versions to the radio station so people won't always hear the same one. If you only send one, send a new one every few months.

Here's an example of a pre-recorded PSA:

Use: IMMEDIATE

Time: 30 seconds

Organization: City Life/Vida Urbana

(Sound of people chanting at an action in the background: "What do you do when the bank attacks? Stand up and Fight back!")

Last year I was faced with losing my home through foreclosure. Then I went to City Life/Vida Urbana and joined the hundreds of other owners and tenants who have saved their homes by fighting the banks. Don't panic and don't move out. Call 524-3541 for more information. (Ends with another chant.)

###

Logistics

- **Timing:** Email the press release at least one day before the event and follow up with a second email the day of the event. Many PR professionals recommend sending out press releases early in the week and early in the day; others say you can send it out anytime except for the weekends. Follow up with a phone call to major press targets to make sure your event is on their radar.
- **Formatting:** Send the press release as an email attachment. Also, be careful to put recipients' email address in the "blind cc" (bcc)—not the "cc" or "to" section. You should do this for all mass emails that are not intended to be listserves (i.e., where the recipients are not part of a group that communicates amongst its members).
- **Who to send it to:** Create a spreadsheet with names, phone numbers and email addresses of all your press contacts. Include all local papers, radio and TV stations. Do not forget to include noncommercial/independent and ethnic media.

Example of a PSA meant to be read by the radio host:

Use: IMMEDIATE

Time: 20 seconds

Organization: City Life/Vida Urbana

If you are facing foreclosure, there may be a way for you to save your home. Don't panic. Don't move out. Call City Life/Vida Urbana at 524-3541 and join the hundreds of other owners and tenants who have saved their homes by fighting the banks

###

- **Ask for volunteers willing to record the announcement.** Pre-recorded PSAs need to be produced in a noise-free location. Contact your local community media center where you may be able to access their equipment and get help making the recording.
- **Research what radio shows your target audience listens to.** Direct your PSAs to radio shows that you know are popular among your intended audience. Get the name of the host and follow up with a call to increase the likelihood that your PSAs will get aired regularly.

Building Members' Media Skills

Cultivating members' media skills and involving them in getting the message out is important for several reasons:

- Knowing how to use the media effectively is a valuable and transferable skill for people and can be tremendously empowering.

- The success of a movement depends on developing leaders who have media skills.
- The press is more likely to include quotes from actual bank tenants, increasing the chances that the article will be more sympathetic to your issues.
- Although it is always preferable to have a pre-identified media spokesperson, you never know when the press will try to interview a bank tenant, so it's important that bank tenants are prepared to talk to the press if they are called on to speak.

Here are some ways to build your base's communication capacity and participation:

Create a team of bank tenants who are interested in becoming media spokespeople. While it's important to identify one media spokesperson for a protest, the press will always want to talk to bank tenants. You can build BTA members' media skills by:

- Providing a mini-training that covers the issues covered in this chapter with a particular focus on keeping on message.
- Role-playing interviews. Ask them to critique themselves afterwards.
- Bringing people to community radio and TV stations for training and/or observation.

Cultivate media literacy. Bring videos and press clips to meetings. Get people to analyze what message emerged, what worked, what didn't and what could be done differently.

Present ideas for how people can create their own media/communication opportunities.

At CL/VU we've had members:

- Create their own PSAs.

- Write a rap song (see attached lyrics and recording).
- Write about getting arrested and why they did it. (See attached Letter.)
- Tweet about our events; post about us on Facebook.

Survey your membership to find out who has skills and connections you may not know about. We've had people with connections to local radio and TV stations, people with professional photography skills, etc. One member was actually a skilled media consultant whom we were able to hire.

Help members prepare and practice their own elevator speech. Word of mouth can be the most powerful way to get your message out. Bank members will each have opportunities to publicize the program to friends, family and co-workers.

Explore getting training from nonprofit organizations whose mission is specifically to build grassroots communications skills. For example, *People's Production*: <http://peoplesproductionhouse.org> provides multimedia journalism training to members of community-based organizations.

Creative Attention-Seeking Strategies

Nearly every minute of the day, every one of our senses is assaulted by media that we often tune out to preserve our sanity. Likewise, the press is inundated by thousands of requests from people and groups wanting to get their attention. One of the reasons CL/VU has been so successful in attracting media attention is that we are bold and relentless about keeping ourselves in the public eye. And even though

Sample Protest (and Exhibit) Notice:

November 17th at noon
 "SHOULD YOU BE PAYING FOR BOA'S MESS?"
 Photo Exhibit & Protest
 DOWNTOWN SPRINGFIELD BRANCH OF BANK
 OF AMERICA
 (1 Monarch Place, Springfield)
 (Sneak peak image at www.springfieldnooneleaves.org)

Join us as we unveil a powerful new photo exhibit of Bank of America owned vacant homes that have been neglected, destroyed, boarded up and left for the taxpayer to pick up the tab!

Bank of America is the largest member of the Mass. Banker's Association, which is threatening to sue the city to block the strongest anti-foreclosure legislation in the country, which we just passed in August! Bank of America would rather that the taxpayer keep footing the bill for their predatory practices that leave families homeless and homes vacant!

We won't let that happen! Join us to protest Bank of America and the Mass. Bankers Association! (We will also be taking the exhibit in front of United & Hampden banks, two local banks that have refused to withdraw their names from the MBA's letter threatening to sue the city.)

we keep making the same demands, we try to use fresh approaches.

For example, CL/VU has been fortunate to work with Kelly Creedon, a talented photographer and producer whose multimedia documentary project entitled [We Shall Not Be Moved](#) has attracted massive national media attention including PBS News Hour. Because of Kelly's work documenting our movement, CL/VU

received publicity from media outlets that would never have covered us either because we were not on their radar or because we were deemed too political. But because they were covering us through the lens of art, we came to the attention of large segments of the population who would never have noticed us otherwise.

Other examples include:

- Creating big attention-getting puppets (see *Protest* section).
- Getting a member-written rap song about foreclosure to play on local radio (see attached lyrics to *The Bank Attack*).
- Putting videos of dramatic actions and protests on YouTube and getting these videos to go viral through emails and Facebook. (Visit the homepage of CLVU.org for some great examples.)
- Creating public street art. You can film people reading their Public Letters out loud or telling their foreclosure story and then broadcast this video on public spaces such as bank walls.

How do you find artists willing to promote your work? First of all, see what comes your way and take advantage of it. It's important to respond to opportunities that may arise as well as creating new ones. For example:

- Find out if there are any photographers or creative types among your group.
- Contact the art department of your local colleges and community colleges.
- Create a contest and publicize it in your community.

Dealing with Challenging

Situations

Being able to attract coverage and get the message you want is tricky business, involving lots of trial and error. While it may be beyond the scope of this manual to anticipate every challenging situation, here are some we've encountered:

- **Dealing with coverage that fails to emphasize our organizing work.** When we started working with Boston Community Capital to help bank tenants buy back their homes, we found that the press wanted to emphasize that part of our campaign to the exclusion of our community organizing work. We started intentionally emphasizing the collective power of bank tenants working together and employed a useful strategy: Whenever possible, we'd hold our press interviews standing in front of our large City Life/Vida Urbana—"We Shall Not Be Moved" banners, creating a powerful image for TV and press. (*Also read on p.181 how we worked with a reporter to change the way she wrote about us.*)
- **Correcting inaccuracies.** Always make the effort to correct mistakes the press may have made. It lets them know you are paying attention and may induce them to be more careful in the future. If it is a major error or omission, it may be worthwhile to ask them to publish a letter you have drafted to the editor as well as to provide follow-up coverage. (*See above example.*)
- **Clarifying how we are related to, yet different from, the Occupy movement.** When the Occupy Boston movement came on the scene, CL/VU had already been doing occupations and other social justice resistance work for nearly 40 years. Suddenly we were faced with potential

confusion about our two movements and needed to give careful consideration as to how to explain our similarities and differences. Ultimately, we emphasize that we are two distinct but related movements. We are similar in that the Occupy Wall Street (OWS) movement emerged out of wanting to oppose the same greed and profit-making obsession that caused the foreclosure crisis—and we frequently support each other and attend each other's actions. We are different, however, in that OWS represents a fast-evolving “movement moment” whereas CL/VU has deep roots in the community and a long history of carefully and intentionally building a mass-based organization. While CL/VU and the BTA movement also seek to change the status quo, developing the leadership of our base is equally, if not even more, central to our mission.

- **Dealing with negative bank tenant ‘back stories.’** It is not unusual for a reporter to uncover that a bank tenant lost their home to foreclosure due to a bad business investment or the loss of a job. They may have taken out a second mortgage for a business enterprise that failed or stopped being able to pay because they were fired. Our response to this is simple: None of these actions are crimes. (And in fact they may have lost their job due to the financial crisis caused by the banks!) We emphasize that the bank has nothing to gain (and everything to lose) by penalizing qualified bank tenants by not selling them back their house at its current value. The family will suffer; the community will feel the direct impact of another abandoned house—and even the bank will lose out on money they could be making. If the press wants to point its fingers at those who have benefited from a questionable handout, they

can start by examining the actions of the foreclosing banks.

ATTACHMENTS

- *What Bank of America Taught Me About America, Antonio Ennis, Huffington Post, June 2, 2012*
- *Bank Attack: Lyrics and Video*
- *A Way to Stop Foreclosures, Boston Globe, April 17, 2008.*
- *Carolyn Grant's Op-Ed, Bay State Banner*
- *Finding in Foreclosure a Beginning, Not an End, New York Times, March 22, 2012*

CL/VU in the News:

Boston

MAGAZINE



Foreclose This!

Screwed by the mortgage companies, blasted by the real estate bubble, and hung out to dry by the government, angry Boston homeowners are banding together to fight back. They've got foreclosure-happy banks trembling—and their movement is spreading...(read more)

http://www.bostonmagazine.com/articles/foreclose_this_boston_homeowners_fight_back/



What Bank of America Taught Me About America

by Antonio Ennis

I've learned a lot in my 45 years. I've learned from hustling in the streets of Boston, from more than two decades in the rap game, from being a landlord, a retail store owner, and the father of six daughters. But some of the most important things I know, I learned from Bank of America.

Before the economic crisis kicked in, things were good for me. People knew me around Boston and internationally from my career in the rap industry with The Almighty RSO, WiseGuys and MadeMen. I ran a clothing boutique in my neighborhood. For almost 10 years, business was good.

In 2008, things slowed down drastically. I had to let a few employees go. Two of the tenants in the building I own lost their jobs and couldn't pay their rent. I started to fall behind on mortgage payments. Soon I had to close my store.

At that time, I didn't understand what was going on in America. While I was trying to get Bank of America to agree to a loan modification, the bank was collecting \$230 billion in bailouts. While I was paying my own taxes, Bank of America paid zero taxes in 2009 and got a \$1 billion refund in 2010. While my neighbors were fighting to keep their homes, Bank of America was allegedly forging thousands of documents a day to illegally force people out of their homes.

And when Bank of America did offer me a loan modification, they gave me the chance to pay \$1,000 more a month.

Then I started to go to community meetings by a group called City Life/Vida Urbana, part of a grassroots network called Right to the City. I joined a blockade to try to stop an eviction by Bank of America. The family was from Haiti, and they had taken in relatives after the hurricane. A few activists got arrested to send a message to the banks. People were shouting. Babies were screaming and crying. The grandmother in the family had a heart attack in the driveway from the stress.

I've seen people shot in the streets and haven't cried. But this was something else. I'm a family man first, and seeing a family displaced up close brought tears to my eyes. I learned that this was the fight that mattered to me. I decided to do everything I could to raise awareness of how the big banks were profiting from the crisis they created -- and to stop them.

I went to work for City Life/Vida Urbana. Last September we helped organize a 3,500-person march on Bank of America in Boston. I wrote a song called "The Bank Attack" about our movement. We've helped save more than 1,000 families from losing their homes in the Boston area so far. That's a good start, but as of June 2010, Bank of America had \$88 billion worth of foreclosed homes from all over the country in its servicing portfolio.

That's why I'm heading to North Carolina next week with a bus full of folks from Boston, Springfield, Worcester, and Providence for the "Showdown in Charlotte": a march of more than 1,000 people on Bank of America's annual shareholder meeting, organized by the UNITY alliance together with the New Bottom Line, Rainforest Action Network, and others. Our demands: stop profiting from the crisis you created, expand principal reduction for struggling homeowners, pay your fair share of taxes, and get your money out of the dirty coal industry.

Marches like this are happening all over the country. It's called 99% Power, and it's the way the 99% are showing the 1% that our need is greater than their greed.

The City of Charlotte is trying to scare us off. They invoked an anti-free speech law that's so harsh, children could get arrested for carrying magic markers. It's one more sign that Bank of America has become "Bank vs. America."

I keep hearing that Bank of America CEO Brian Moynihan spends most of his time in Boston, but I haven't seen him in my neighborhood yet. All I see is the aftermath of his "foreclosure tsunami." Maybe we'll get the chance to meet in Charlotte. I have to thank him for all I've learned.

The Bank Attack [4:00]

By: Antonio Ennis PKA Twice Thou

Verse 1:

It's time to wake up and get with the movement
Hear the message in the music
Now.....we could fight back or we could lay down
Or beat back the bank attack and stay proud
They got bailed out, we gettin' thrown out
Some livin' underwater in their own house,
(underwater mortgages)
They hear the word "Foreclosure"
They get scared and think it's all over
But nah the fight just begun
It ain't gon be easy but it must be won
'Cause Bank of America's bad for America
Congress held hostage, they kidnapped the
Treasurer
This ain't the dream in the land of America
But we can change that if we stand up together
Demand somethin' better than the status quo
We elect, they neglect, then they have to go!

HOOK:

Gonna beat back the bank attack, gonna beat
beat back that bank attack
We gonna beat back the bank attack, we gonna
beat beat back that bank attack
(Everybody say) I said up with the people (Hard
Workin' People) - Yeah, Yeah
And down with the banks - (Those Dirty Banks)
Boom, Boom
(Everybody say) I said up with the people (Job
Searchin' People) - Yeah, Yeah
And down with the banks - (Those Greedy
Banks) Boom, Boom

Verse 2:

It's capitalism, political arcade
Stop thee evictions, we picket and blockade
March and rally for social justice
Forged signatures got the Robo busted
Do the right thing now, reduce the principle
Job growth, increased residuals
We're solidified, can't divide and conquer
When we fight!, We win!, the pride to prosper

With people power, we equal the power
Civil disobedience to veto the dollar
Close our bank accounts, oppose their policy
Loan mod programs don't work, it's a lottery
So what do we do when the banks attack
Stand Up!.....Fight Back!
And we don't want no "Cash For Keys"
We want an end to this catastrophe...rapidly
Meanwhile, we're starin' in the eye of the storm
Earthquakes, hurricanes, try'na hold on
But US Bank, we're here to prove - What?
We Shall Not Be Moved!!
Only a judge can evict you
You wanna fight for your home (Yeah) then we'll
fight with you!

HOOK:

Gonna beat back the bank attack, gonna beat
beat back that bank attack
We gonna beat back the bank attack, we gonna
beat beat back that bank attack
(Everybody say) I said up with the people (Hard
Workin' People) - Yeah, Yeah
And down with the banks - (Those Dirty Banks)
Boom, Boom
(Everybody say) I said up with the people (Job
Searchin' People) - Yeah, Yeah
And down with the banks - (Those Greedy Banks)
Boom, Boom

OUTRO:

Who got the money money
Who got the money money
They got the money money
We got the bill!
Hey Hey, Ho Ho
Greedy banks have got to go
Ho Ho, Hey Hey
Gotta believe we're here to stay!

A way to stop foreclosures

Posted by Binyamin Appelbaum April 17, 2008 09:18 AM

The most successful foreclosure prevention program in the state of Massachusetts may be the rolling blockade orchestrated by [City Life/Vida Urbana](#). Starting last fall, the Jamaica Plain activist group has undertaken the protection of a growing number of Bostonians living in foreclosed buildings, pledging to physically inhibit any attempted eviction.

With growing regularity, the group has sounded its trumpets, alerting supporters and the media that an eviction is scheduled. People and cameras muster outside the house in the early morning hours. And the eviction is canceled. The mortgage company backs down.

City Life's [most recent victory](#) came Tuesday, when city officials announced that Wells Fargo had indefinitely postponed an eviction of tenants from a foreclosed building on Norfolk Street in Dorchester.

Sometimes the cancellation happens the night before, and the blockade becomes a rally. Sometimes it's only clear when no constable comes to carry residents and possessions across the threshold.

What doesn't seem to vary is the result.

It has become increasingly clear that City Life/Vida Urbana -- and probably any other activist group -- effectively can prevent a given eviction simply by announcing that they plan to be in attendance.

It's the rare practical application of Heisenberg's uncertainty principle: Evictions apparently don't happen in the presence of spectators.

Take the case of Melonie Griffiths-Evans and Ocwen Financial Corp.

In late January, Ocwen filed to evict Griffiths-Evans from her Dorchester home. City Life mobilized. Protesters, media and politicians descended. Moments before the scheduled time, [the eviction was called off](#).

Ocwen denied that it had yielded. Said there had been a misunderstanding with the constable. Rescheduled the eviction for a few weeks later. [And then backed down again](#).

Meanwhile, the company is reselling [82 other homes](#) in Massachusetts that it successfully claimed from the former owners. I imagine residents were evicted in at least some cases. But it's hard to say for sure. There weren't any spectators.

Photo Credit: George Rizer/Globe Staff: Homeowner Melonie Griffiths-Evans (center at bottom, clapping hands) was surrounded by media and supporters after it was announced that eviction proceedings were postponed.



Community Voices: Why I got arrested

One woman's story of protest during Occupy Boston

Carolyn Grant

I have spent my whole life trying not to get arrested. My husband and I have counseled our son to stay out of trouble and obey the law.

But on Friday, Sept. 30, I did something that I knew would get me arrested. I, along with 24 others, sat down in front of the doors of the Bank of America headquarters at 100 Federal St. and occupied the branch office in the same building. We were accompanied by 3,000 protestors, organized by Right to the City, who came to send a strong message to Bank of America and other financial institutions: Banks should stop foreclosing on families and putting them out on the streets.

Banks should negotiate loan modifications with owners whose homes are underwater. It's common sense. Even if the bank is able to re-sell the property, they'll only be able to sell it at market value. Why not negotiate with the family instead—keeping the family in their home and the community intact?

We believe that the banks helped cause the real estate bubble which helped bring about a massive economic crisis. The banks' unregulated trading of mortgages was motivated by intense greed. Thanks to their speculation on our homes, thousands of families in Boston have been made homeless.

Because these banks were considered "too big to fail," they were bailed out. How is it fair to bail out banks while ordinary people are thrown out of their homes?

When the Bank of America security guards and the police asked us to leave, we refused. We decided that committing the crime of trespass was necessary because greater wrongs were being committed inside that building.

My husband and I are hard-working people, each of us working so that we could own our own home and raise our son well. I've lived in Roxbury all my life.

In 2008, just before the economic crisis, we bought a 3- bedroom condo in Roxbury for \$375,000. In hindsight, I see that that price was inflated—a result of the real estate bubble. But the banks led people to believe that even such an inflated value would continue to rise. In 2009, just after the economic crisis, my husband lost the job he had held for 25 years. We could not keep up with mortgage payments to Wells Fargo just on my salary.

By 2010, our home was worth much less than when we bought it. We owed more on the loan than the house was worth. I called Wells Fargo and tried to get a modification on the loan.

In the midst of these negotiations, I spoke with a representative of the bank on Aug. 7, 2010. She said, "I

assure you we will not foreclose on you.” The next day, my husband called me at work. He said, “They are conducting an auction in front of our house! Our home is being auctioned off!”

That night I went to a meeting at City Life/Vida Urbana. They told me, “Whatever you do, don’t move out.” They said it’s illegal for banks to foreclose on you if you’re applying for modification.

I have been to their meetings every Tuesday night since then. I have joined a growing movement of people who refuse to leave their homes after foreclosure.

More than a year has passed since an auction was held on our front steps. And I am still in my home. Currently Boston Community Capital is buying my home back from the bank. They will sell it back to me at market rate.

I got arrested on Friday because what the big banks are doing is not right.

My case is going to be settled, and I am going to stay in my home. But I’m not done fighting. Now I’m fighting for my community. That is why law-abiding citizens got themselves arrested (and will do so again)!

That is why City Life and all the other organizations that have joined up with takebackboston.org occupied a foreclosed home in Dorchester on Oct. 1 in an effort to reclaim it for the family that rightfully belongs there.

We are taking back our homes, our community and our democracy!

Carolyn Grant is a lifelong Roxbury resident.

The New York Times

Finding in Foreclosure a Beginning, Not an End

By JOHN LELAND Published: March 22, 2010

BOSTON—Jane Petion lived in her home for 15 years and saw its value rise slowly, rise rapidly and, when the housing bubble burst, plunge at a sickening pace that left her owing \$400,000 on a house worth closer to \$250,000. Last June, her lender foreclosed on the property. The family received notices of eviction and appeared in housing court.

As part of a demonstration, artists projected videos on sheets in windows, showing silhouettes of families re-enacting the 72 hours before eviction.

Then they discovered a surprising paradox within the nation's housing crisis: Their power to negotiate began after foreclosure, rather than ending there.

In December Ms. Petion signed a new mortgage on her house for \$250,000, with monthly payments of less than half the previous level. She and her husband now have a mortgage they can afford in a neighborhood that benefits from the stability they provide. A nonprofit lender made the deal possible by buying the house from her original mortgage company and selling it to her for 25 percent more than its purchase price—a gain to hedge against future defaults.



"It was exactly what we needed to get back on our feet," said Ms. Petion, who works for a state agency. "We have income. But another bank, it would have been easy to look at our foreclosure and say, 'I'm sorry, we have nothing for you now.' "

This counterintuitive solution—intervening after foreclosure rather than before—is the brainchild of Boston Community Capital, a nonprofit community development financial institution, and a housing advocacy group called City Life/Vida Urbana, working with law students and professors at Harvard Law School.

Though the program, which started last fall, is small so far, there is no reason it cannot be replicated around the country, especially in areas that have had huge spikes in housing prices, said Patricia Hanratty of Boston Community Capital. "If what you've got is a real estate market that went nuts and a mortgage market that went nuts, what you've got is an opportunity."

Two years into the nation's housing meltdown, and after hundreds of billions of dollars of federal rescue programs, government officials and housing advocates denounce the unwillingness of lenders to adjust the balances on homes that are worth less than the mortgage owed on them.

Research suggests that such disparity, rather than exotic interest rates, is the main driver of foreclosures, in tandem with a job loss or another financial setback. The financial industry lobbied aggressively to defeat legislation that would empower bankruptcy judges to adjust mortgage balances to properties' market value.

That reluctance, however, eases after foreclosure, when lenders find themselves holding properties they need to unload, Ms. Hanratty said.

"We found, frankly, the industry wasn't ready to do much pre-foreclosure," she said. "But once it was either on the cusp of foreclosure or had been taken into the bank portfolio, banks really do not want to hold on to these

properties because they don't know how to manage them, don't know what to do with them."

Working with borrowed money, Boston Community Capital buys homes after foreclosure and sells or rents them to their previous owners, providing new mortgages and counseling to the owners, who typically have ruined credit. During the process the families remain in their homes. Since late fall it has completed or nearly completed deals on 50 homes, with an additional 20 in progress, Ms. Hanratty said. The organization is now trying to raise \$50 million to expand the program.

Steve Meacham, an organizer at City Life/Vida Urbana, is one reason banks may be willing to sell their foreclosed properties to Boston Community Capital. When families receive eviction notices, his group holds demonstrations or blockades outside the properties, calling on lenders to sell at market value. It also connects the residents with the Harvard Legal Aid Bureau, whose students work to pressure lenders to sell rather than evict by prolonging eviction and "driving up litigation costs," said Dave Grossman, the clinic's director.

"So they're being defended legally, and we're ramping up the pressure publicity-wise," Mr. Meacham said. "And B.C.C. came in; they had a part that buys properties and a part that writes mortgages. It wouldn't work without all three."

A focus of the program has been the working-class neighborhood of Dorchester, where home prices dropped 40 percent between 2005 and 2007, compared with a 20 percent drop statewide, according to research by the Federal Reserve Bank of Boston. Foreclosures and delinquencies there are more than twice the state average, the bank found.

In such neighborhoods, lenders and residents are hurt by evictions, which often leave vacant properties that invite crime and drive down values of neighboring houses, Ms. Hanratty said. "So it's in the lenders' interest to get fair market value as quickly as possible, and in the interest of the community to have as little displacement as possible."

The program is not a solution for all lenders or distressed homeowners. After months of post-foreclosure negotiations with her bank, Ursula Humes, a transit police detective, is waiting for her final 48-hour eviction notice. Her belongings are in boxes.

Mrs. Humes owed \$440,000 on her home; her lender offered to sell it to Boston Community Capital for \$260,000. But after assessing Mrs. Hume's finances, the nonprofit asked for a lower selling price, and the lender refused.

On a recent evening, Mr. Grossman of the Harvard law clinic counseled Mrs. Humes on her options. "This is a case that doesn't have a happy ending," Mr. Grossman said.

Mrs. Humes said, "I depleted my retirement account and everything I owned, but I'm still going to lose it."

Many commercial lenders, similarly, would shy away from such a program because it involves writing mortgages for borrowers who have already defaulted once—a high risk for a small reward.

For other homeowners, though, the program is a rescue at the last possible second. Roberto Velasquez, a building contractor, lost his home to foreclosure last November, owing the lender \$550,000. After extensive wrangling, during which his family stayed in the house, he bought it again in March for \$280,000, a price he can afford.

On the night after he closed, he joined other members of City Life/Vida Urbana at a foreclosed four-unit building in Dorchester from which most of the tenants had been evicted. A group of artists projected videos on sheets in the windows, showing silhouettes of families re-enacting their last 72 hours before eviction. Garbage filled one of the units. Mr. Velasquez said it hurt to stand amid such loss, but he was jubilant at his own perseverance.

"We've been fighting for so long," he said, "and we win, because we're still in the house."

CHAPTER 13

PROGRAM EVALUATION

Measuring your progress



What you will learn in this chapter:

- *Different ways to measure your success and evaluate your effectiveness.*

While it is beyond the scope of this manual to go into detail on fundraising, we thought it was important to note that funders and other supporters will expect you to track tangible results. In addition to needing this information for most grant reports, it also makes good sense to share evidence of your success with everyone related to your project—bank tenant members, the press, your board, your staff and volunteers. Don't just include current funders and supporters; keep people in the loop who may support you in the future or who supported you in the past. Share your good news through emails and press releases.

And keeping track of your work is not only for bragging rights. It's an important way to assess your effectiveness and adjust your approach if necessary—which is why we build an evaluation of our efforts into both our staff meetings and the bank tenant meetings.

Here's what we recommend that you track and examine:

- How many families are able to buy back their home or avoid eviction.
- How many actions you have organized.
- How many people show up at protests.
- Whether the banks are increasing the numbers of homes they are selling back to bank tenants.
- Quality and quantity of press coverage.
- How many new people are coming to your offices each year.
- How many properties have been canvassed.
- How many volunteers have been recruited.
- Whether the courts are decreasing their eviction orders.

- How many people have taken on leadership roles: how many people can lead rallies, participate in organizing strategy, participate in political discussion, have sophisticated analysis, etc.
- How many speaking engagements or presentations have been done.
- Degree of neighborhood stability and safety indicators including rate of evictions, number of abandoned properties, and crime, property values over time, etc.
- Indicators of economic independence for the assisted families, including savings and other asset accumulation, reduced debt levels, and property value and condition.

It also may be worth considering getting an external evaluation. These can be expensive, but many funders view them favorably. Research whether there are any local schools whose students could perform the evaluation as an independent project for credit. Also, many evaluators may be willing to discount their service for a worthy cause.

CHAPTER 14

LEGAL PARTNERS

How lawyers and law students are helping bank tenants stay in their homes through mass representation



photo: Sam Levine

What you will learn in this chapter:

- *The role of lawyers and law students in the movement.*
- *How the model works to maximize legal efficiency.*
- *How to identify potential legal partners in your community and persuade them to participate to provide eviction defense, assist with arrests and civil disobedience, and draft legislation.*
- *Potential tensions in working with lawyers and law students.*

Introduction

Legal service lawyers and other attorneys dedicated to serving the needs of low income people have always been frustrated by the fact that they can only serve a small portion of the people needing representation. This has been particularly true in foreclosure cases, where people are often unaware of their rights and consequently leave their home before the attorney can assist them.

In response to this problem, Harvard Legal Aid Bureau (HLAB) and Legal Services Center (LSC) joined ranks with Greater Boston Legal Services (GBLS) and City Life/Vida Urbana in

late 2007, to form what was then known as the Foreclosure Taskforce. The Taskforce launched a massive canvassing campaign, deploying hundreds of law students, bank tenants and other volunteers to neighborhoods hardest hit by the foreclosure crisis. We found that knocking on doors and reaching out to people in person was the most effective way to get people to appear in court and exercise their legal rights.

Through this collaboration, GBLS, HLAB and LSC lawyers and law students started hosting legal clinics for bank tenants and providing them with advice at the CL/VU weekly meeting and in court, making certain that every bank tenant had some kind of legal and community support to fight their eviction.¹

But it was the linkage with CL/VU that really transformed the legal landscape. Working with CL/VU, the partnership was able to reach far more people than ever before—and far more efficiently. Most importantly, CL/VU's sophisticated grassroots organizing strategies placed pressure on both the banks and court to change their behavior: Post-foreclosure evictions started becoming rarer and rarer because there were fewer and fewer uncontested bank actions. Procedural violations were noticed and used to stop evictions. And lenders became more willing to sell back foreclosed properties to their owners.

Over the years, this partnership has continued to blossom and deepen. These attorneys have also helped us when members engage in civil disobedience, and they have helped us draft stronger bank tenant legislation.

¹ For more information on this partnership, with a focus on the legal aspects, read *No One Leaves: Community Mobilization as a Response to the Foreclosure Crisis in Massachusetts*, Nicholas Hartigan, Harvard Civil Rights-Civil Liberties Law Review. (<http://harvardcrl.org/wp-content/uploads/2009/06/181-204.pdf>)

CL/VU is grateful for the attorneys who work tirelessly on our issues and for their commitment to help us succeed. Above all, we are moved by the respect they have always shown our members and our organizers. We are truly fortunate to have them as our partners.

Streamlined Community Advocacy

With dozens of new cases coming in each week, the lawyers we work with do not have the time or staffing to provide full representation to every client. Instead, through a calculated balancing of resources, bank tenants benefit from a non-traditional attorney/client model that ensures that:

- Bank tenants will find advice, if not representation, in Housing Court.
- Advocates are always available to answer questions and provide legal guidance.
- The proper paperwork will be filed.
- Lawyers have the time and energy to tackle larger reform issues. (See examples below.)

The model is a collaborative one between bank tenant and attorney, fostering an environment of empowerment instead of dependence. Bank tenants take an active role in their

case and feel they are in charge. While the bank tenant may technically be a client to the lawyer, it is a term that the BTA intentionally tries to avoid because of its passive association.

While the bank tenant may technically be a client to the lawyer, it is a term that the BTA intentionally tries to avoid because of its passive association.

Examples of the model's time-saving efficiencies:

- **It has a targeted focus: stopping the eviction or challenging the foreclosure.** If the bank tenant is interested in loan modification, we refer them to workout counselors (although we also encourage them to still attend our meetings for social support, community building and political action). We also welcome our members to stay involved with the BTA even if they are pursuing individual legal assistance elsewhere.
- **It utilizes group sessions to educate bank tenants about the court process, their legal rights and future options.** Even though people will still need to work one-on-one with a legal professional, educating people in a group saves a lot of time. Greater Boston Legal Services and Massachusetts Law Reform have also created user-friendly documents, designed to make it easy for bank tenants to fill out necessary legal forms. And even though attorneys review all documents before they are filed in court, involving the bank tenant in filling them out can be a major time saver. (See sample attached documents.)
- **Attorneys report that there are fewer instances of clients that randomly drop in during the day.** Because bank tenants know they can get the information and support they need from the BTA, they don't tend to need to meet as frequently with their attorney. This can be a major time-saver.
- **Organizers provide extensive case management social support and community.** This helps people survive

emotionally while contesting bank evictions. It includes general orientation, education and help collecting and filling out the necessary documents.

- **By harnessing the political clout of an organized movement, broader, more long-term, reform is made possible.** By changing the laws and the culture that govern the banks and the courts, it becomes easier to win cases and in some cases even eliminates the need for litigation (see examples of legal reforms below).

Potential Legal Outcomes

There are a range of outcomes that attorneys can make possible through their efforts, some of which may vary depending on the unique laws of each state. For example, lawyers can help bank tenants by:

- **Recovering damages.** A bank tenant may be able to recover damages in a situation where an uninformed tenant was pressured by the bank or its agents to take "cash for keys" and misled into believing that this was a good deal or their only choice. Damages might also be due if a bank tenant was harassed or intimidated into moving or had to live without heat or water for months.

Attorneys working with foreclosed bank tenants have won numerous large settlements for their clients—reducing both the profitability of the foreclosure and the likelihood that the bank will continue using illegal eviction tactics.

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- **Stopping the eviction indefinitely or for a considerable period of time.**

In Massachusetts, for example, a new law (2010) pushed by the bank tenant movement protects tenants (but not home owners) from being evicted from a foreclosed property if they have paid their rent and not violated any lease conditions.

- **Invalidating the original mortgage and/or the foreclosure.** Across the nation, irregularities in both the mortgage and foreclosure process are now emerging, putting into question whether the bank even had the right to foreclose on the property. In cases where the mortgage has been invalidated, bank tenants can be awarded free and clear ownership of their foreclosed home. As a result of a precedent setting Supreme Judicial Court case involving one of our members, problems that occurred during the foreclosure process can now be raised in the eviction trial after foreclosure.

- **Requiring non-compliant banks to meet their landlord responsibilities.** After a foreclosure, many banks or investors turn off utilities or let a building fall into disrepair. Lawyers can file motions that require the bank to fix code violations, maintain the property, and provide heat, electricity, gas and water.

- **Expediting the buyback process.** Lawyers can help buyers gain more time so they

don't get evicted before the buyback option becomes available. Investors considering purchasing and flipping a property (with the expectation of a quick eviction) will not want to buy a house that is involved in litigation.

- **Changing the culture of the courts.** By working closely with the same judges on multiple foreclosure cases, year after year, attorneys are educating judges on the law and changing their willingness to consider certain remedies or challenges they would not have considered in the past.

- **Changing the law.** By harnessing the collective influence of the BTA and its allies, and by winning precedent-setting cases, lawyers have been able to:

- Penalize lenders for not engaging in mediation prior to commencing foreclosure, in an effort to achieve meaningful loan modifications. (We are also pushing for legislation that will make mediation mandatory as many banks are simply accepting the Massachusetts two-month delay penalty and do not mediate.)
- Require that judges hearing eviction cases entertain defenses based on defects in the lending or foreclosure process. (This was a Supreme Judicial Court case involving our member in which it was ruled that a Housing Court judge could review these issues and the case did not have to go to Superior Court (where it is far more difficult and expensive to file a suit).
- Provide just cause eviction protections to protect tenants living in foreclosed properties.



photo: Brandon German

Recruiting Legal Partners: How to Sell the Program

The ease with which you will be able to find attorneys in the community willing to serve as legal partners will depend on the size of your community, as well as its proximity to a Legal Services office and/or a law school.

Some suggestions for pitching your program:

- **Invite prospects to come to your meeting.** Observing a BTA meeting can inspire people to take action but it can be difficult to describe the immense power of the gathering without sounding a little starry-eyed. Explain this and insist they come watch in person. Of course, this is a little *chicken-egg* since our ability to build large and effective BTA meetings is easier if lawyers are involved.
- **Make a presentation to the Legal Services staff or board.** Identify what their service priorities are and make the case that the project will be responsive to these needs and have a long-term and broad community impact. Make the case that the model will allow staff attorneys to maximize their limited resources.
- **Reach out directly to law students.** These students will then advocate directly to their law school by approaching faculty they think may be open to considering this partnership.
- **Reach out directly to the legal clinic of your local law school.** Make the case that law students will gain valuable hands-on experience by participating in the program. The law school will also get positive press for incorporating an innovative, client-empowerment approach to tackling the foreclosure crisis.
- **Organize a presentation for the National Lawyers Guild and the local bar association.** These groups may be willing to circulate your need for a legal partner in their newsletters, emails to members, etc. They may even be willing to host a presentation. Private attorneys interested in doing pro bono work may be particularly attracted to this kind of work because of:
 - The availability of community support (i.e. organizers who can help the bank tenant in addition to the attorney).
 - The active involvement of the bank tenant. Thanks to the organizing efforts of the BTA, bank tenants tend to be well-educated about their case. They play an active role in making sure things move forward, they show up

where and when they are supposed to and they tend to have a clear sense of what they want to accomplish.

Lawyers are used to taking the lead on their cases—by definition, they are hired literally to speak for someone else.

This is not always the case in a traditional attorney-client relationship where the attorney basically takes over the helm.

- The opportunity to have a high legal impact through appellate litigation.
- The fact that the model has been tested and time-proven through a reputable institution like Harvard Law School.
- The ability to play a meaningful role in the fight for social and economic justice. There are many opportunities for doing good in this work: eviction defense work, civil disobedience assistance (including helping members who are arrested and drafting legislation, to name a few).

⇒ NOTE: Many big law firms can't provide pro bono services to bank tenants because of conflict of interest—they have big banks as clients somewhere.

Fostering a Good Working Relationship with Your Legal Partners

When involving lawyers in the BTA campaign, it is important to be conscious of the power dynamics and tensions that can arise between lawyers and organizers or bank tenants.

Lawyers are used to taking the lead on their cases—by definition, they are hired literally to speak for someone else. Add to that, many people tend to place lawyers on a pedestal, ceding them the authority and power when they enter a room. The combination can smother any attempt to cultivate bank tenant empowerment.

Lawyers are trained to put an individual client first, to put a premium on confidential information. Organizers building a movement emphasize sharing information, combining cases, looking at strategy that affects the whole. Organizers and lawyers must learn the dynamics of each others' roles.

Ideally what you are looking for is a

partnership built on mutual trust and respect in which lawyers are not the lead partner but trusted allies.

Decisions should be made not by the lawyers, but by the bank tenants, acting individually and in a movement, who value their attorneys' valuable skills and experience.

Lawyers and law students who fault bank tenants for the sins of their mortgagors will not be a good match for the program.

Here are some tips on how to promote a healthy partnership.

- Be thoughtful when picking your legal partners. Look for lawyers who:
 - *Share the value of tenant empowerment.* Be upfront that this is what you are looking for. Most lawyers and law students who participate in the BTA movement do not want to undermine the organization's ability to organize its members effectively. Enlist their as-

sistance in urging bank tenants to participate in public actions and weekly meetings even after they have secured legal assistance.

- ***Are committed to challenging the status quo.*** We have found that the best lawyers are the ones who are willing to stand up and fight, are willing to take risks and have no problem upsetting the applecart.
 - ***Are respectful and not judgmental of bank tenants.*** Lawyers and law students who fault bank tenants for the sins of their mortgagors will not be a good match for the program.
 - **Do not overemphasize the role of lawyers.** When people come to their first BTA meeting, they usually know that they will have a chance to speak to an attorney. If the meeting is structured in such a way that the meeting with the lawyer is emphasized, the legal process—and not the organizing process—will take center stage to the detriment of the project. For this reason, it is important to set up the weekly meeting so that lawyers and the legal process are seen as the tools that can be used towards the end goal, but are not the end goal. Make sure that people don't start meeting with lawyers until well after the second half of the meeting, after the importance of the Sword strategy has been reinforced. We also recommend that organizers, rather than lawyers, should consider doing the presentation of legal rights in BTA meetings.
- ⇒ NOTE: Make sure that all legal information that is presented has been reviewed by an attorney. If you have any questions or confusion, err on the side of caution and run your questions by your legal partner first.

- **Encourage lawyers and law students to attend weekly meetings, public actions and other meetings with organizers.** By participating in the non-legal aspects of the BTA, legal professionals are more likely to understand and buy into the importance of organizing bank tenants. Their attendance also demonstrates their respect for the bank tenants and is appreciated by all.
- **Set up regular meetings between organizers and lawyers.** Lawyers working with CL/VU have told us that they appreciate having regular meetings with the organizers to coordinate legal matters. Lawyers are trained to find legal solutions to problems. But they need to understand how organizers think. Many lawyers have never worked closely with organizers, and for them it is a different way of thinking. We have found that the best organizers and the best lawyers share a strong mutual respect and trust. Working with an organized membership base and seeing people change from being extremely intimidated to standing up for themselves can change an attorney's whole approach to how they lawyer.
- **Encourage bank tenants to attend each other's cases in court.** This helps bank tenants connect their individual legal cases to the larger group and reinforces the principle that everyone must work together to effect change. CL/VU also regularly pickets in front of the courthouse when key cases are there and/or sends in folks to the courtroom with stickers on their clothes saying whatever is important at the moment. The presence of 10–15 folks in the courtroom, all in solidarity with someone facing eviction, is a meaningful display of power.

CHAPTER 15

BUYING BACK FORECLOSED PROPERTIES

Developing financing partnerships/cooperative relationships



photo: Brandon German

What you will learn in this chapter:

- *How to pre-screen applicants and make appropriate referrals.*
- *What information the applicant will need to provide the nonprofit bank.*
- *What criteria will be used to decide if the applicant will be able to buy back his/her home.*
- *Typical buyback mortgage terms.*
- *The role of the nonprofit bank in negotiating a sales price with the bank owning the foreclosed property.*
- *How to identify agencies/lenders willing to buy back foreclosed properties in your community; what criteria you are looking for in a buyback partner.*

Introduction

At some point in the second year of our organizing, it became clear that CL/VU needed to evolve the model further. We needed an endgame. We were forcing banks to back off evictions and even offering to resell to former owners, but there was no financing available. The banks were firmly unwilling to refinance or lower the principal on troubled mortgages, saying that it would create a moral hazard by encouraging homeowners to default on their loans just to save money.

CL/VU decided we would try to find an alternative lender, so we approached Boston Community Capital (BCC) about doing loans for families who could afford to pay the real value of the home (rather than the inflated value of the original mortgage). BCC is a Community Development Financial

Institution (CDFI) with a 25-year track record of stabilizing low income neighborhoods. CDFIs are nonprofit financial institutions that lend money for affordable housing or small business development to those individuals or organizations that would ordinarily be unable to borrow money from mainstream banks.

By acting as an intermediary, BCC was able to convince the banks to sell the foreclosed property to them, and they, in turn, would re-sell it to the bank tenant.

BCC bought and re-sold the first *buyback home* to great success and soon after launched a pilot program called Stabilizing Urban Neighborhoods (SUN). Through this initiative, BCC buys foreclosed properties at reduced prices and resells them to existing owners and tenants,¹ providing financing through affordable 30-year fixed-rate mortgages. These mortgages are funded through private investors

who are willing to invest in these seemingly risky mortgages because they contain adequate reserves should the buyer default.

This cooperative relationship with BCC, together with the work we were doing with Legal Services and Harvard Legal Aid gained us national recognition² because the combination of eviction defense, public protest and buyback opportunities achieved results not happening anywhere else. See “Bill Moyers Journal” (<http://www.pbs.org/moyers/journal/05012009/profile2.html>) and the New York Times article (<http://www.nytimes.com/2010/03/22/us/22foreclose.html>).

And being able to do buybacks not only allows us to put front and center our goals of principal reduction and keeping people in their home, but it also highlights the punitive behavior of the banks. For instance, when Chase Bank refused to negotiate with BCC, our protests

¹ This BCC program is not limited to CL/VU. BCC also makes it available to other lending institution and organizations working with people in foreclosure or pre-foreclosure.

² See Bill Moyers Journal (<http://www.pbs.org/moyers/journal/05012009/profile2.html>) and New York Times article (<http://www.nytimes.com/2010/03/22/us/22foreclose.html>).

IMPORTANT NOTE ON CHAPTER 15

- (1) The content in this chapter is very technical. We include it so that the organizer can explain the basic buyback concept to bank tenants and begin guiding them through the process. It is not necessary to understand all the details.
- (2) The buyback program described in this chapter is unique to the Boston Community Capital Program (visit www.sunhomehelp.org for more information) which currently is only operating in Massachusetts. It is presented as one example of how a buyback program can be structured. If your group is not in Massachusetts, please refer to Section G below for how to create your own partnerships.
- (3) Much of this chapter contains information from Purchasing Properties from REO and Reselling to Existing Occupants: Lessons from the Field on Keeping People in Place by Elyse D. Cherry and Patricia Hanratty. This helpful article was originally published in September 2010 in REO & Vacant Properties: Strategies for Neighborhood Stabilization (A Joint Publication of the Federal Reserve Banks of Boston and Cleveland and the Federal Reserve Board).

against Chase were significantly more effective, since the bank had offers in hand that they were rejecting without reason.

Who Can Qualify for the Program?

While CL/VU does not conduct a formal pre-qualification process, we do an initial screening to determine if we can refer the member to BCC for a more in-depth qualification process. This entails determining:

- **Personal hardship and amount of delinquency:** Has the bank tenant been a victim of predatory loans, loss of employment, major illness, etc.? It is important to note that CL/VU considers that any person who bought their housing during the inflated housing bubble, even if not through a predatory loan, is considered to have been a victim of a predatory crime.
 - ⇒ NOTE: If the member is not behind on her mortgage, she will not be eligible to buy back her home.
- **Income eligibility:** BCC will consider any form of stable income including public assistance—with the exception of unemployment, since that is a time-limited source of income. Bank tenants are reminded that while they may technically have enough income, the bank will need to see this income verified through tax returns and will typically require a two-year work history.
 - ⇒ NOTE: Prospective buyers can increase the size of the loan they can qualify for by buying the home jointly with another borrower who has a consistent relationship to the household. Their income, as well as their debt and housing payments, will be used to calculate eligibility. Any decision to buy a home with another person should be made carefully.
- **Cash in hand:** Because BCC will require a deposit of \$5,000, bank tenants should be counseled on the importance of not spending the money that they would ordinarily have been paying towards their mortgage. This deposit will be applied towards closing costs (currently averaging \$8,000 and will be returned if the bank does not agree to sell. The only circumstance in which BCC will keep the deposit is if the homeowner refuses to buy back the property at the price they accepted.
- **Value of their property.** If the house is not underwater (i.e., if value of the building is worth the same or more than what is still owed on the mortgage), a normal loan modification might help members better than a BCC buyback, so it's important to determine a property's value. If a member has no idea of real current value, we often go to www.zillow.com to see if we can get an estimate of the current value of the member's house. (Note: These values are almost always high because they are based on normal conditions, not the conditions of neighborhoods with high foreclosure rates or the distressed nature of individual homes in foreclosure.)
- Bank tenants are cautioned that buying back their home can be a lengthy process—but that this time delay can work in their favor because it may strengthen their application by enabling them to get another year of income history and/or set aside more money towards their down payment. There are many cases where the eviction

defense work that is part of this model (the legal defense and the protests) have delayed bank evictions long enough for people to establish enough income or down payment to qualify for a BCC loan. In some cases, the delay and protests have convinced the banks to negotiate with BCC.

Mortgage Application Process

At BCC, the former owner will meet with an affiliated mortgage lender who will:

Ensure that all the required information and supporting materials are submitted and complete. This will likely include:

- A letter detailing the circumstances surrounding the current financial situation (Hardship Letter). This can be the Public Letter but should include a statement about what has changed to make paying a mortgage possible.
- A copy of the two most recent bank statements.
- A copy of the two most recent pay-stubs (including unemployment compensation, disability, SSI, etc.) or profit and loss statements from the last three months if self-employed.
- A copy of the two most recent tax returns.
- Information relating to current monthly debt.
- Details concerning any second mortgage on the house.
- Payments on each credit card and the balance.
- Payments on any other loans, such as student loans and car loans.

Review the status and cause of the foreclosure.

The specialist will want to know:

- Where they are on the foreclosure spectrum (from behind on payments to auction to facing eviction).
- The size of their mortgage.
- Who services the mortgages.
- What caused the delinquencies and default? Were there any unexpected hardships. For example, were there teaser rates that expired? Did the buyer refinance? Was loss of a job a factor? An accident? These factors may have an impact on the negotiation process with mortgage bank.

Determine what size mortgage the bank tenant can support. BCC underwrites its mortgages using the strict criteria based on what the applicant earns and owes on a monthly basis. BCC will consider all stable income sources including public assistance, child support, etc. towards which it will apply the following formulas:

- *A maximum housing expense of 38 percent of household income.* This means that the monthly mortgage and associated taxes and insurance cannot exceed 38 percent of the buyer's monthly income.

⇒ **Example:** If a person earns \$25,000 per year, their monthly housing cost cannot exceed \$791.67. ($\$25,000 \div 12 = \$2,083.33$ times .38)
- *A maximum debt-to-income ratio of 48 percent of household income.* If the buyer has any debt (which is more likely the case than not), then the monthly mortgage plus the monthly debt obligation cannot exceed 48 percent of the buyer's income.

⇒ **Example:** If a person earns \$25,000 per year and has a monthly car loan of \$250 and other monthly debt in the amount of \$50, their monthly housing cost cannot exceed \$700. (\$25,000 divided by 12=\$2,083.33 times .48=\$1,000. 1,000 minus total debt of \$300=\$700.)

Typical Mortgage Terms

BCC offers a range of loan products designed to meet the needs of low income borrowers. Through extensive research, BCC has determined that low income borrowers are far more likely to pay their mortgage on time—and over time— if their loan contains the following features:

- *A fixed-rate mortgage that ensures a manageable, predictable monthly payment.* All mortgages are underwritten using historically standard debt-to-income ratios (see above).
- *A sales price that reflects a 25 percent markup.* BCC adds a 25 percent markup to the price of the home they are selling back to cover what is called the loan loss reserve. A loss loan reserve is the money that is set aside as part of a loan to cover estimated future losses that might arise if the borrower defaults (stops paying) on the loan. The new price to the owner after 25 percent markup should be at normal market value. (BCC would not want to make a loan at more than normal value because that loan would immediately be underwater.) This means that ideally the sales price negotiated with the foreclosing bank (which will be in cash) should be discounted low enough so as to keep the sales price affordable and the mortgage financeable.

Even though buyback borrowers

infrequently default on these mortgages, the BCC adds this reserve to their mortgage as a way to convince investors to buy into the loan fund and thereby provide the source of the loan money. These investors would otherwise be unwilling to fund a mortgage where the borrower has already had a default history, something which applies to everyone in the BCC pool.

⇒ NOTE: While this 25 percent sales price markup is necessary to make the BCC mortgage attractive to their investors, we have found that bank tenant members have a hard time understanding the role of investors and accepting having to pay this markup in order to buy back their home. (This is especially true in those cases where the markup means the bank tenant can no longer afford the mortgage.)

- *Interest rates that will likely be higher than market interest rates.* Understandably, bank tenants also often have a hard time hearing that their interest rates may be significantly higher than what other buyers who have not gone through a foreclosure have to pay.
- *Automatic deposit of paychecks and automatic withdrawal of mortgage payments,* timed to ensure that the mortgage is the first bill paid each month or bi-weekly.
- *Budget counseling, including education on the real costs of owning and maintaining a home.* This kind of follow-up is particularly critical during the first year

of the loan when the borrower is still getting into the rhythm of making their monthly payments. CL/VU does some of our own budget counseling by organizing meetings of families who got their homes back to support them in making informed and effective decisions. We also try to keep them involved in the movement. In addition to attending meetings, these individuals are often a part of a CL/VU Speakers Bureau of success stories. BCC does not do formal counseling but stays in communication with borrowers to achieve prompt resolution of payment difficulties.

- **Cash down payment.** BCC requires that the borrower have \$5,000 towards the purchase.
- **Biweekly payment plans.** Repayment will be structured to provide two additional payments each year that can be used for shortfalls or for home repairs with loan officer approval. (If not used for shortfalls, biweekly payments will reduce the term of the mortgage from 30 years to 24 years, saving the borrower tens of thousands of dollars.)
- **For multi-family properties, BCC attempts to write the loan so that the borrower's income covers the majority of the mortgage payment,** rather than have the borrower rely heavily on rental income. If units become vacant, emergency reserve funds may be used to cover gaps until a new tenant is found.
- **Moral Hazard Protections.** Banks often justify their unwillingness to reduce principal on the basis of wanting to avoid moral hazard. They claim that if they reduce the principal for one borrower, other owners, not in foreclosure, will opt to default on their mortgages in order to reduce their monthly payments and even

reap a windfall profit when housing prices rise again. To address this issue, the BCC mortgage contains a mechanism which limits how much profit the borrower will be able to keep when he or she sells the house. This is referred to as *shared appreciation*. It could also be a feature of a principal reduction program on a mortgage modification.

⇒ **EXAMPLE:** Let's say the homeowner's prior mortgage was \$300,000 and BCC is able to purchase the property and re-sell it to the occupant for a purchase price of \$150,000. In the event of re-sale, the homeowner will be entitled to keep only 50 percent of the appreciation value. In other words, if the property sells for \$250,000, the homeowner will repay BCC its \$150,000 first mortgage, and will split the remaining \$100,000 evenly with BCC, receiving \$50,000 of the appreciation to be used to assist future homeowners facing foreclosure. It's important to note here that all the equity gained by paying off the existing principal of the BCC mortgage is the bank tenant's to keep, no sharing—it's just the appreciated value (the amount the house has appreciated since purchase) that has to be shared.

Negotiations with the Bank Owner

Once BCC ensures the client's income is sufficient to stay in and maintain the property, it will approach the bank owner with an offer to purchase the property at fair market value. BCC will provide the bank with information supporting this price, including:

- *Recent current Multiple Listing Service (MLS) sales data on other nearby distressed properties of similar size and condition.* BCC has developed an extensive database of property values and trends over the past six years which allows staff to estimate current values for distressed properties.
- *Information relating to any tax liens* on the property and any relevant information that emerges through a title search.
- *Information on the physical condition of,* and essential repairs needed, to make the house safe and habitable, gathered from the bank tenant as well as site inspection.
- *What the buyer can afford to pay.* In most situations the sales price will need to reflect a discount large enough so that the 25 percent loan loss reserves markup can be built into the new price and the mortgage and still remain affordable.

Buyback Solutions to Create Rental Housing

Under some circumstances, the former owner or current tenants may not be interested or financially able to purchase the building but would be interested in staying on as a tenant. There have been several situations in which a nonprofit developer has purchased the unit from the bank and runs it as either affordable rental or coop housing. CL/VU is working with local nonprofits to increase these opportunities. BCC can also work with tenants in such properties who can qualify to purchase the property. In these cases, there is no shared appreciation clause in the mortgage.

Sample Financial Info for two clients helped by the Sun Initiative Buyback program:

	Client 1: Hyde Park		Client 2: Dorchester	
	Pre-SUN	Post-SUN	Pre-SUN	Post-SUN
Mortgage amount	\$350,000	\$161,930	\$326,000	\$121,500
Loan-to-value ratio		94%		72%
Mortgage rate	11.25%	6.50%	11.50%	6.50%
Monthly payment	\$2,522	\$1,545	\$3,561	\$1,068
NSP purchase price		\$123,559		\$94,000
Resale price		\$153,750		\$137,500
Cash from borrower		\$3,679		\$5,540
Capital reserves*		\$3,130		\$3,000

* Reserve amounts vary according to loan size, property taxes, homeowners association fees, etc.

Timeframe

Once an application is completed, it is categorized as being strong, weak, or somewhere in the middle. Strong applications are ones where the buyer appears to have stable income and a down payment, and does not have excessive debt. These applications are fast tracked and the negotiation process can commence quickly. At one time, BCC was able to submit an offer to purchase a property in as little as three weeks if the client had assembled all the required paperwork. More recently, this time frame has been less predictable due to increasing applications to BCC.

Applications that do not appear to meet program guidelines are reviewed to confirm that buying back the property is not an option or to seek additional information. Most rejected applicants are notified within two weeks.

The timing variable that is the most difficult to predict is how long it will take the bank that owns the foreclosed property to respond to the offer. This can take anywhere from one week to three months. In addition, there

will be situations where the bank refuses to negotiate or demands a sales price that is too high. This is where the importance of ongoing movement pressure shows itself.

It is important to note that all BCC offers are contingent on the current occupants remaining in the property.

Setting Up a Buyback System in Your Community

In order to set up a buyback, community capital-type system in your community, you will need the following elements:

- **Realtors** who can assess realistically what the present day value is for a building and other related issues.
- **Housing counselors** who can help people fill out pre-mortgage applications and help with budgeting, debt management, etc., and who will ensure that folks will be able to afford to pay the mortgage in the long run.
- **Lawyers** to do the legal work and possibly some of the negotiation with the bank, owner or mortgage holder of the property.
- **A lender** that understands and is willing to do character loans and has enough financial capital to actually fund the effort. These lenders must be willing to look beyond the foreclosure and look at other factors such as a good payment history (prior to the default), adequate and stable income, reputation in the community, etc. Possible lenders or resources to identify these lenders might include:
 - *Boston Community Capital*. BCC is in the process of expanding its lending outside of the Boston area. Call their

offices at 617-933-5880 to see if they are providing buyback services in your area or may be familiar with other counterparts across the country.

- *Local Community Development Financial Institutions*. There are now over 800 CDFIs in the United States, many of which receive federal and state money like Neighborhood Stabilization Funds to assist people facing foreclosure. Go to www.cdfifund.gov/docs/certification/cdfi/CDFIbyState.pdf for a complete list of these institutions.
- Local State housing agencies. Go to www.bankrate.com/brm/news/mtg/20001102b.asp for a complete list of U.S. state housing finance agencies. State housing finance agencies are the recipients of federal Hardest Hit Funds, a program established by President Obama in 2010 to help families in states hit hard by the economic and housing market downturn. The Hardest Hit program gives state housing finance agencies flexibility to create programs designed to prevent a mortgage from going into default or foreclosure. Hardest Hit Fund programs vary state to state, but may include various forms of assistance including principal reduction.
- *Local and state housing/community development departments*. Planning and community development departments typically are aware of national and state funds that will be, or have already been, allocated to address the foreclosure crisis.

- **Your local HUD field office.** The U.S. Department of Housing maintains an excellent website that can be used to identify possible resources in your state. Visit <http://portal.hud.gov/hudportal/HUD?src=/states>. Go to your state and then click on the “Avoid Foreclosure” link. You can also visit this HUD site: <http://www.hud.gov/offices/cpd/about/conplan/foreclosure/index.cfm> which offers a list of foreclosure resources across the country.
- **Other affordable housing organizations.** Community Development Corporations (CDCs) and other housing organizations may know of available resources and may even be in the position to facilitate these partnerships.
- **Local banks and even friendly private investors** who are working with the community may be interested in financing the buyback of a foreclosed home.³

³ What these banks may not be able to do is cover the whole purchase. In that case, we would hope for second mortgages from intermediate investors. Such things have happened but not on a large scale. We hope we could entice participation in such a process by having the second mortgage be mostly on the 25 percent markup. For example:

- Homeowner has mortgage of \$300,000, but home is actually worth \$175,000 if not distressed due to foreclosure and can be purchased as distressed property for cash at \$140,000.
- Friendly investor could buy home for \$140,000 and re-sell to homeowner for \$175,000 but homeowner would need financing.
- Friendly community bank (eg., BCC) now offers financing to folks with bad credit scores but will only finance 80 percent of the purchase price (\$140,000).
- Investor re-sells to homeowner for \$175,000.
- Friendly bank finances \$140,000. Friendly investor does second mortgage at \$35,000.
- Not much risk for bank since home worth much more than loan. Not much risk for investor since his/her original outlay of \$140,000 is fully reimbursed at the start through the bank mortgage.

Cautionary Notes on Working with Nonprofit Lenders

Challenges. While a successful buyback program will make it feasible for bank tenants to buy back their homes, it is a feature of the model that can also impede or get in the way of effective movement building. Here’s why:

- **Marketing outside of the BTA model.** If the lender develops a successful loan product for foreclosed bank tenants, they may legitimately want to market it to other bank tenants and organizations that are not involved in bank tenant organizing. While we work towards individual victories and respect the right of these lenders to market their program, the success of the BTA model depends on bank tenants working together rather than just attending to their own crisis.
- **Potential Conflicts of Interest.** It is not unusual for the buyback lender to have working relationships with some of the major foreclosing banks. This will mean that in some situations—for example, during the negotiation process—the interests of the BTA may be in conflict with the buyback lender.
- **Putting the buyback on a pedestal.** Bank tenants new to the process can easily be seduced into viewing the buyback process as a great solution to their problem and not participate in the BTA, not realizing that the movement-building aspect of the model (which generates a culture of resistance in an area) is why the buyback process is even feasible.

How to address these challenges:

- **Get your message out.** Ask to do a

presentation at the buyback lender's outreach forums during which you make the case for the importance of becoming a BTA member. Urge attorneys, community organizations and others working with people in or facing foreclosure to refer clients to both your group as well as the buyback lender.

- ***Develop alternative end games.*** The real argument here is that the whole process could be handled far more quickly, cheaply and efficiently if the banks took on the role of BCC. They could reduce the principal on the home and themselves taking a share of the appreciated value or equity of the

property. In order for this to happen, we need to keep pressuring banks on the issue of principal reduction.

- ***Identify alternative buyback partners.*** When there is only one game in town, capacity is inevitably limited and a buyback partner will tend to choose cases that are quicker or easier to generate volume. CL/VU is now in the process of identifying credit unions or small community banks that would be willing to put together alternative financing packages in different and creative ways that allow our members to choose what is best for them.



photo: Kelly Creedon

SELF TEST

(From Housing Crisis 101)

1. What are sub-prime mortgages?

Sub-prime mortgages were aggressively marketed to borrowers with low credit ratings starting in the early 2000s. These mortgages had much higher interest rates than standard mortgages, which were kept artificially low for the first several years of the loan. Typically, sub-prime borrowers were told that they would be able to refinance once the higher rates came due but after the U.S. housing bubble burst, refinancing became less possible, leaving them to default on their mortgages.

2. Why did mortgage lenders aggressively push mortgages on people they knew could not afford the monthly payments?

On one level, the for-profit banking system was simply operating the way it was supposed to: Bankers were under a lot of pressure **not just** to make a profit, but to make ever-increasing profits. They were also free to make risky investments because the banking industry had recently been deregulated. Furthermore, during this period, foreign countries were vying to invest their funds in mortgage securities. Since most banks do not hold onto mortgages after they lend the money, they faced little direct risk if the borrower defaulted. Between 2002 and 2006, the sub-prime share of the market nearly tripled.

3. Which factor was not responsible for the foreclosure crisis?

- A. Millions of borrowers stopped being able to afford mortgages with predatory lending terms.
- B. Lots of people put their home on the market at the same time, causing the market to plunge.
- C. Banks evicted owners, causing massive neighborhood abandonment, which in turn caused housing prices to sink even further.
- D. Banks were forced to make risky loans to low- and moderate-income borrowers to meet the requirements of the Community Reinvestment Act (CRA).

Answer: D. Despite claims from critics of the CRA that this law caused the crisis, mounting evidence has demonstrated that failed regulatory policy and banking oversight caused the system to collapse.

4. What does it mean when a loan is “underwater?”

It means that the amount of money still owed on the mortgage is more than the house is worth.

(BTA Model – A Summary)

5. What is the Three Legged Stool?

The Three Legged Stool is how we describe our approach to fighting foreclosures that include the “**Shield**” (legal defense options); the “**Sword**” (public actions that put pressure on the banks and courts; and the “**Offer**” (the demand we are making of the bank, for example, to sell back the property.

6. What are the Five Masses?

The five masses are the strategies we use to building a mass base to fight for justice. They include: Mass outreach, mass meetings, mass casework, mass actions and mass political discussion.

(From Starting Up)

7. What is a fiscal sponsorship?

BTA projects can ally themselves with an established nonprofit organization with a similar mission willing to share its tax-exempt status. This will enable the BTA to apply for grants, as well as utilize the financial/bookkeeping support of the host group. A fiscal sponsorship will usually involve a fee-based contractual arrangement.

(From Canvassing)

8. What should you do if an angry homeowner wants you to stop canvassing their multi-family property?

You should honor their request in order to minimize any provocation. Leave them with a packet and an invitation to come to the weekly meeting. If possible, leave packets for the tenants you have not been able to speak to,

9. Name three main things that are important to convey to the person you are canvassing.

(a) The organization you are with is helping other people in their situation and does not charge money for this. (b) They have rights and do not have to leave their home. (c) They should come to the meeting.

(From Case Management)

10. What is “collectivized case management”?

“Collectivized case management” is a system of managing cases in which we look at people’s foreclosure cases through a “big picture” lens. Rather than analyzing each case on its own merits, we look at how that case can be used to impact the other cases. Collectivized case management discourages people from viewing themselves as dependent “clients,” It makes people think of their problem as part of a system-wide failure and underscores the importance of working together to make long-term changes.

11. What’s a “hot case” and what should you do with it?

Hot cases are cases that are great examples of bank immorality or unfairness. By organizing around these kinds of cases, you are able to rouse solidarity as well as raise public awareness of how poorly banks are treating their mortgagees.

12. Name four reasons for writing a Public Letter?

(a) By sending it to key community members, it raises awareness of the bank's practices. (b) It helps people take charge of their case by voicing their demand. (c) It puts the banks on notice that they face serious resistance. (d) It is a way for people to tell their story and connect with other bank tenants.

13. How does the BTA model deal with the issue of privacy?

The BTA model encourages people to be very public about their foreclosure. Almost the first thing a BTA member does is announce his or her foreclosure to a large group of strangers. Not only is this a great way to shed shame, but it also raises public awareness and builds solidarity among bank tenants whose sharing makes them realize that they are not alone.

14. Name five things you can encourage bank tenants to do (besides pursue their case with their lawyer or explore buyback options) to build a sense of connection with the rest of the group.

(a) Attend protests (b) Canvass (c) Make calls or do other volunteer work (d) Follow other people's court cases (e) Write and circulate a Public Letter.

15. What should you tell a bank tenant about paying rent?

It is generally a good idea to counsel bank tenants to set aside and not spend the money they would have spent on their mortgage. Especially in states with just cause eviction laws, offering to pay rent to the bank is a good way to establish one's tenancy—or at least intention to establish a tenancy. In addition, in situations where buying back one's home may be an option, it's a good way for people to start saving towards their down payment.

16. Why is the BTA model especially effective after the foreclosure?

Banks are not usually motivated to negotiate with a tenant before they foreclose on their home. They just want their mortgage payment and assume that the bank tenant will leave their home quietly. Using the BTA's Shield and Sword approach, however, bank tenants who have been foreclosed can refuse to leave, rendering the property far less marketable to investors who don't want to deal with the headache of occupants who won't leave.

(From Protests)

17. Which action doesn't need a lot of people or preparation, yet still gives notice to the bank and investors that there will be organized opposition?

An auction sale protest.

18. What are some of the reasons you want to meet with a family before you start organizing protests on their behalf?

- You want to make sure you are completely familiar their story, so that no surprises emerge from press interviews.
- You want to make sure the family is unified in their support of the protest and are prepared for what will happen.
- You want to prep the family for media scrutiny and make sure everyone has a consistent narrative.
- You want to make sure the family is prepared for what will happen if the eviction goes through.
- You want to get a physical lay of the land, so you can plan how to “defend” the property.

19. Why is it important to identify a chant leader (or two)?

If you don’t make assignments like these, the organizer will end up leading the chants—and having someone lead chants is a great way for him or her feel heard (literally and metaphorically).

20. Some actions—particularly ones involving civil disobedience—demand a high level of discipline. What does this mean?

It means protest participants need to have a plan they can stick to regarding:

- How to deal with the police and who will be the lead person.
- Having lawyers ready to help with bail and legal defense if it’s needed.
- Who will get arrested.

21. When you send out an email to a group, what should you remember?

Send the email alert to a staff member and paste in the list of emails in the blind cc (bcc) box (NOT cc). You don’t want recipients of this “replying to all” and you also don’t want to reveal everyone’s email to the entire list.

(From Media)

22. What are some ways to ensure that the press makes references to how the BTA builds unity and power among bank tenants and doesn’t just talk about victimhood or individual cases?

- Invite the reporter to your weekly meetings or to shadow the groupHold TV interviews in front of your banners or signage.
- Talk repeatedly about organizing, how effective organized protests have been, etc.
- Make sure the bank tenant who is the subject of a protest talks about the power of the BTA.
- Make sure your press releases refer to the role of organizing work.

23. What is an elevator speech?

An elevator speech is a brief prepared description of the BTA project delivered under time constraints, designed to spark the interest of the person who asks.

24. **What are some common myths you may need to confront about bank tenants?**
- “People are taking advantage of the system.”
 - “People got themselves into this.”
 - “People weren’t paying attention.”
 - “People will foreclose intentionally so they can use the buyback process to walk away from their debts while keeping their home.”
25. **What are some key responses to common myths?**
- The banks and everyone in the real estate business knew exactly what they were doing when they made loans destined to fail.
 - People were watching housing prices go up every day and felt pressured to buy—especially given that the teaser interest rates they started out with often made it as cheap to buy as to rent.
 - People trusted that the banks knew what they were doing and would make good on their promises that they could refinance.
 - All programs designed to help bank tenants buy back their homes are designed to prevent people from taking advantage of the system.
26. **True or False? When you tell a reporter that something is off the record, they are legally obligated not to include it in the article.**
- False. Never assume anything is off the record.
27. **True or False? Keep your project on the radar of reporters by regularly sending them regular press releases about your project.**
- True and false. It’s important to send press releases regularly—but only for truly newsworthy events.
28. **What are some ways to build BTA members’ media relations skills?**
- Provide in-house mini-trainings including interview role-playing.
 - Bring members to community radio or TV stations; encourage them to take available training there.
 - Cultivate media literacy by sharing press clips.
 - Encourage members to write or produce their own media.

(From Legal Partners)

29. **What are some ways to recruit legal partners?**
- Invite prospects to come to your meeting.
 - Make a presentation to the Legal Services staff or board.
 - Reach out directly to law students.

- Reach out directly to the law school.
- Organize a presentation for the National Lawyers Guild and the local bar association.

30. What are some key points to make when presenting to prospective legal partners?

- Enormous opportunity for long-term community impact.
- Gratifying nature of the work.
- Availability of case management support.
- Motivated and active clients.
- Tested and time-proven model co-initiated by Harvard Law School.
- Many time-saving opportunities afforded through group sessions, fewer drop-ins, etc.

31. Besides helping people financially, why are large legal settlements important to the BTA model?

Large legal settlements force banks to reconsider the overall cost effectiveness of their foreclosure and eviction policies.

(From The Buyback)

32. What are some qualifications a bank tenant must meet to be able to buy back their home?

The bank tenant must:

- Be behind on his/her mortgage.
- Have adequate, stable income to qualify for the new mortgage.
- Have or have had a home that is worth less than what they owe.
- Have an enough saved for a down payment.

33. What does it mean when a bank refuses to reduce the principal on a house because they want to avoid a “moral hazard”?

Banks often justify their unwillingness to reduce principal on the basis of wanting to avoid “moral hazard.” They claim that if they reduce the principal for one borrower, other owners, not in foreclosure, will opt to default on their mortgages in order to reduce their monthly payments and even reap a windfall profit when housing prices rise again.

34. How does the BCC model protect against moral hazards?

The BCC mortgage contains a “shared appreciation” mechanism which *limits how much of a profit the borrower will be able to keep when he or she sells the house*. In the BCC model, the buyer can only retain half of the appreciated value. This repayment is required even after the mortgage has been repaid.

35. What features does a typical buyback program have that will discourage bank tenants from using it simply as a way to reduce their financial obligation?

The mortgage will require the borrower to split any profit received on the sale of the house with the lender.

36. What does a 38/48 debt-to-income ratio mean?

Mortgage lenders use two ratios to determine a maximum mortgage amount. The front ratio (38%) is the percentage of one's monthly gross income that is used to pay for all housing costs (including principal, interest, taxes, insurance: also known as PITI). The back ratio (48%) includes the PITI plus all monthly consumer debt.

37. What are some ways to research prospective bank partners?

Contact Boston Community Capital, as well as your local Community Development Financial Institutions (CDFIs), State housing agencies, state housing/community development departments and HUD field offices, as well as other affordable housing organizations.

38. What are some challenges to be aware of when dealing with buyback partners?

- The nonprofit bank may opt to work around the BTA organizing process, doing outreach to recruit potential customers without referring them to take part in a BTA. The success of the BTA model depends on bank tenants leveraging power for the whole community rather than just attending to their own crisis.
- Potential conflicts of interest. BCC is increasingly working closely with many of the banks that we are fighting, at the same time that they rely on CL/VU organizing strategies to get their offers accepted. This can be a serious conflict of interest.
- Bank tenants may come to view the buyback as the solution and fail to realize the role that organizing plays in long-term solutions.

39. How does a nonprofit bank get investors to finance mortgages where the borrowers are considered high risks?

In most situations the sales price of the home will include a 25 percent markup for *loan loss reserves*. Loan loss reserves are the monies that are set aside to cover estimated future losses that might arise if the borrower defaults on the loan. Even though BCC mortgages have historically had a low default rate, having a loan loss reserve provides security for investors who would otherwise be unwilling to fund a mortgage where the borrower has a poor credit record.

40. What are some features contained in a buyback mortgage that are designed to protect the borrower?

- A fixed-rate mortgage that ensures a manageable, predictable monthly payment.
- Automatic deposit of paychecks and automatic withdrawal of mortgage payments.
- Budget counseling.
- A built-in source of reserves for unexpected emergencies.
- Biweekly payment plans that provide one additional payment each year that can be used for shortfalls or for home repairs with loan officer approval.
- For multi-family properties, BCC writes the loan so that the borrower's income covers the majority of the mortgage payment, rather than have the borrower rely heavily on rental income.

GLOSSARY

TERM

DEFINITION

Absentee Owner

An owner who does not live on the property that he or she owns; typically, this term refers to owners of rental properties.

Adjustable Rate Mortgage (ARM)

A mortgage with an interest rate that periodically changes, as opposed to a fixed-rate mortgage that remains the same for the life of the loan. Typically, an adjustable rate mortgage will have an artificially low introductory or “teaser” rate.

Answer

The response made to a legal request for information.

Appeal Bond

An amount of money that is posted by the losing party in a court case when s/he wants to appeal (challenge) the decision. Theoretically, this bond protects the court from frivolous appeals that have no basis in fact and that one might file simply because one had nothing to lose. These cases can cost the court system much time and money.

Appreciated Value

The amount that a house is worth, over the amount of the mortgage.

Bailout

To give money to a company so that it avoids bankruptcy and is able to continue operations. Generally speaking, the term often refers to a government bailing out a private corporation. (From *The Free Dictionary*).

Bank Tenant

Technically the term encompasses both homeowners and their tenants who become tenants of the lending bank after the homeowner has foreclosed. At City Life/Vida Urbana we have come to use this term to include people who may be facing foreclosure in the near future.

Bank Tenant Association

A membership organization consisting of people seeking support and solidarity as they fight the bank both before and after a foreclosure.

Canvassing

The systematically knocking on doors in order to contact a target group of individuals.

Cash for Keys

This is a practice in which the foreclosing bank will offer the homeowner or tenant a relatively small amount of cash in return for leaving the property and waiving all their rights. This practice often relies on misinformation and coercion. The bank makes the bank tenant feel as if they have no other options, when in fact, they may not have to leave at all (or any time soon) and may be eligible for far larger payouts (\$20,000+) if they do decide to move.

Civil Disobedience	The act of refusing to obey certain laws, demands or policies believed to be unjust with the goal of calling public attention to and changing these injustices.
Collectivized Case Management	This group-oriented method, rather than a one-on-one approach to case management, enables CL/VU to handle a large number of cases while allowing bank tenants to take charge of their situation and avoid the mentality that they are passive recipients of services.
Damages	A monetary award paid out for loss or injury.
Debt-to-Income Ratio	The percentage of a borrower's monthly income that goes toward paying debts, including their mortgage costs. A mortgage lender usually has a maximum 'debt to income ratio' that they will allow when deciding how much they will lend to the person applying to a loan. If the borrower has a lot of credit card or other debt, for example, it will limit how much they can borrow to buy a house.
Discovery	The process by which opposing parties in a lawsuit can obtain evidence from each other by means of asking questions and requesting documentation.
Down Payment	A cash payment that a mortgage lender requires a borrower to pay up front before they will lend them money to buy a house.
Equity	That portion of a home's value that the homeowner actually owns and does not owe to the bank.
Eviction	When a landlord obtains a court order that requires the occupant to leave.
Eviction Blockade	A form of protest in which the bank tenant, BTA members and others refuse to leave the property even after a constable or sheriff arrives to physically remove the occupants.
Execution	Putting in action or enforcing a legal decision.
Foreclosure	The legal process by which a mortgage lender is able to seize and repossess a property from a borrower who has defaulted on their mortgage.
Foreclosure Auction Sale Protest	A protest held right before and during a foreclosure auction in order to discourage investors and persuade the bank to sell the home to the bank tenant.
Judicial/Non-Judicial Foreclosures	In approximately half the states in this country, the law requires the bank to file a lawsuit against a borrower before they can take back the property. Non-judicial foreclosures depend on a clause in the loan that allows the bank to start the foreclosure process as soon as the borrower fails to make his or her payment. In this case, a petition to foreclose and notice of the foreclosure sale must be published in the newspaper. The buyer also has a chance to cure (or repay) the foreclosure. The process can be far quicker than the judicial review process, leaving the borrower with little time to resolve the matter.

Just Cause Eviction Laws	Laws that protect renters by allowing landlords to evict only if they have a good reason (or “just cause”), such as the tenant’s failure to pay rent or a violation of the lease.
Loan Default	The act of failing to pay back a loan.
Loan Loss Reserve	The money that is set aside as part of a loan to cover estimated future losses that might arise if the borrow stops paying on the loan.
Loan Modification/Principal Reduction	While the term is a general one, referring to any changes in the term of a loan, it has come to mean relatively minor changes that may extend the period of time a borrower has to pay a loan, but does not decrease the amount (principal) owed even though the real value of the property has declined sharply. In some cases, in fact, the borrower will end up paying even more than the original loan. Many homeowners, thinking that they should do anything to avoid foreclosure, will accept bad loan modification offers -- in spite of the fact that the bank will only be able to sell the home for its real value if they foreclose.
Loan Workout	A series of steps taken by a lender to remedy a delinquent loan.
Moral Hazard	When used in reference to mortgages, a situation that might occur when a borrower takes advantage of the system in a way that is immoral or unfair. In this case it would be when a borrower forecloses on their loan not because they can’t afford it but because they want to become eligible for the buyback program and get a lower mortgage payment.
Mortgage	A loan used to buy real estate. If a borrower stops paying on the mortgage, the bank making it may take possession of the real estate and sell it to recover its investment.
Mortgage Securities	Mortgage securities are bundled mortgages that the lending bank sells to large investors. (Lending banks typically do not hold onto mortgages after they lend the money. Instead they sell the right to collect on these loans to investors and they make their money on fees.)
Mortgagee	The borrower.
Mortgagor	The lender bank.
Motion	A request to a judge to make a decision about the case.
National Lawyers Guild	The National Lawyers Guild is a nonprofit federation of lawyers, legal workers and law students. Since 1937, Guild members have been using the law to advance social justice and support progressive social movements (according to www.nlg.org).

Predatory Lending	An illegal practice in which a bank will coerce a borrower to agree to unfair or abusive lending terms such as excessively high interest rates and fees, false promises to refinance or extremely low teaser rates.
Principal	The total amount of money being borrowed.
Public Letter	CL/VU recommends that each new bank tenant member writes a letter to the foreclosing bank stating their demand and presenting who they are in a human context. Copies of these letters are usually sent to public officials as well.
Radical Organizing	An approach to organizing that seeks to change the root causes of societal injustice by addressing day to day problems.
Redlining	A discriminatory and illegal practice, in which banks refuse to lend money to borrowers—typically based on their race, sex or neighborhood. The term came about because banks would draw a red line on a map and then refuse to lend in those areas. As a result, borrowers living in these redlined areas could not borrow money to buy or fix their homes, the homes would deteriorate and the neighborhood would fall prey to blight and abandonment. Reverse redlining occurred when lenders aggressively marketed sub-prime mortgages to communities of color.
Reserves	Funds that are set aside in case they are needed in the future.
Restraining Order	A legal order that requires a person or entity to stop doing a specific act.
Solidarity	The feeling of being part of a large group that shares a common interest or experience.
Shield Quiz	A short quiz used by CL/VU to make sure new bank tenant members are aware of their rights and options.
Short Sale	A short sale is a sale of real estate in which the proceeds from selling the property will fall short of what is still owed -- but the bank does not necessarily release the borrower from his/her obligation to pay back the full amount. CL/VU does not recommend short sales.
Speculation	The act of holding onto an asset for a very short period of time with the singular goal of turning a profit. The inflated housing prices that peaked in 2006 were in part a product of housing speculators who bought properties when prices were going up with the sole intention of re-sale.
Stay of Execution	A court order that temporarily stops the decision of a court from being put into action. (The phrase is often used in connection with the death penalty, but it can refer to the “execution” of any court decision.)
Steering Committee	An advisory committee whose role is to provide guidance on keys issues relating to budget, mission, priorities, etc.

Sub-prime Mortgages

To meet the growing investor demand, the lending banks started a ruthless campaign of predatory lending, pushing loans to people that did not have the level of income or creditworthiness of previous borrowers. These were called sub-prime borrowers because they had a low credit rating. These mortgages have interest rates that are 2–4 percent higher than standard mortgages, but their high monthly payments are kept artificially low for the first several years of the loan.

Summary Judgment

A decision made by a judge when he or she decides, based on undisputed facts, that one party is clearly in the right and there is no need of evidence or testimony to resolve the issues.

The Sword and the Shield

The combination of offensive and defensive strategies that the BTA model uses to fight the foreclosing bank.

Teaser Rate

A teaser rate is an artificially low, introductory interest rate designed to entice potential customers to choose an Adjustable Rate Mortgage. The teaser rate will be in effect for a temporary period, after which the rate typically goes up higher than the market rate and, in some cases, higher than what the borrower can afford.

Troubled Asset Relief Program (TARP)

A federal bailout program in which the U.S. Treasury paid \$700 billion to buy up failed mortgages in order to prevent the collapse of the banking industry. The borrowers that were the victims of these high-risk, high profit mortgages received no assistance from this program.

Underwater Mortgage

This means that the value of the building is less, sometimes much less, than the value of the loan. In this situation, you can pay and pay for years and still have no equity. The banks are (so far) very reluctant to do any meaningful loan modification where they would reduce the principal to the real value of the building. In these situations, foreclosure and fighting the eviction after foreclosure, is sometimes the best option.

Vigil

A solemn protest typically held outside of a home that is to be auctioned; it is designed to elicit community support.



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