

HOW TO OCCUPY A HOME IN AMERICA

Monday December 19, 2011 Workshop at Storefront for Art & Architecture

If architecture can find inspiration from science fiction, perhaps it can participate in the formation of legal or political fiction. This document was produced within a workshop to craft such a legal and architectural fiction into a manual for occupation: "How to occupy a home in America." For 2 hours participants at Storefront shared tactics, including drawings and images, for a step by step occupation. For one hour the workshop focused on the production of this manual for public dissemination.

Occupying a home, not limited to 'adverse possession,' is a public remedy to the distress that is moving across America. It's the mobilization of foreclosed or vacated space for

This is a collection of existing programs and tactics that aim to reappropriate homes as a response to the unmet needs for shelter and life sustaining resources. Please contribute - <http://occupyhomeinamerica.tumblr.com/>

How you locate a home to occupy -

Potential categories [short-term]:

Abandoned properties
Foreclosed homes
Empty storefronts
Empty lots
Vacation homes
Unsold condos that haven't gone to rental

Potential categories [long-term]:

Locally managed public housing
Collective housing
Syndicate developments

Organizations working on this in NYC:

Picture the Homeless (vacancy count) - <http://picturethehomeless.org/housing.html>
596 Acres - <http://596acres.org/>

organizations working on this in NYC:

Community Voices Heard - <http://www.cvhaction.org/>
<http://vimeo.com/housingisahumanright>

Resources:

<http://takebacktheland.org/> Miami-based D6 organizer

<http://www.o4onyc.org/> NYC-based OWS D6 organizer

<http://596acres.org/> Vacant lots in Brooklyn

<http://www.propertyshark.com/mason/NY/New-York-City/Foreclosures>

requires a subscription. Consider creating a shared login for this and similar websites with limited access.

<http://occupyourhomes.org/>

<http://www.vice.com/read/occupy-east-new-york>

<http://www.housingworks.org/advocate/detail/occupy-our-homes-day-of-action-marches-in-east-new-york>

http://gothamist.com/2011/12/07/protesters_family_occupy_foreclosed.php#photo-1

Unclaimed Property websites: <http://unclaimed.org/> /

<http://www.unclaimedproperty.info>

Unclaimed property could be one of the options to identify properties to be "occupy".

Occupy a "Ruin"? Identify buildings – not just homes – that are un-occupied (foreclosed, abandoned) and un-claimed by owners or banks.

On Predatory Equity: <http://urbanomnibus.net/2009/05/making-policy-public-predatory-equity/>

PDF Poster for download explaining the process:

<http://urbanomnibus.net/main/wp-content/uploads/2009/05/pepdfinal-1.pdf>

Abandoned Buildings

Links to abandoned buildings:

<http://www.rbs0.com/abandon2.htm>

Website and links to Abandoned Buildings in the State of New York: <http://www.abandonedny.com/abandoned.html> (Possible sites?)

Recetas Urbanas:

Horizontal Property: Five floors house in the interior of a housing block -

"The aim of this project is to find a legal and constructive basis to connect spaces belonging to different premises in the same residential block, ruled by Spanish Civil Law, and law of "one level property" (L.P.H.). There before, it is an attempt to develop possibilities under that legal restrain. We hope to enable the construction of a new habitable spatial configuration that runs invisibly throughout the interior of the existing building."

Picture the Homeless:

Right to the City Project. <http://www.righttothecity.org/homeless-new-yorkers-occupy--vacant-lot-create-tent-city-demand-change.html>

"Under the slogan "NYC: A Place to Call Home," they demanded that warehoused lots and buildings be accounted for by the city, and transformed into housing for poor and homeless people."

How you find and contact rightful tenants -

Are rightful tenants the people who owned the home before it was foreclosed on? Sometimes those owners are speculative investors.

Rightful -- having a just or legally established claim. If it becomes an issue of just claim, this brings in housing as a human right: equitable behavior vs. legal presuppositions.

Potential resources: Neighbors. Property databases. Organizations that help evicted residents and the homeless.

Tactics: Ask neighbors. Create transparency in the process. Have meetings at the home or as close to the home as possible.

How you access the home -

Through the front door.

Through a window.

Through the balcony.

Through the fire escape.

Through the neighbor's home.

Through anything other than force.

How you keep the home secure -

Community watch.

Constant vigilance (home always has at least one occupant inside of it who is awake: occupation as 24 hour job. Occupation as occupation).

Camouflage your home.

Provide public services and space for existing community programs.

What you can do extend the occupaton of the home

Sustain a media campaign that frames the occupation as a public resource. Involve neighbors and publicize available resources.

Make it festive.

What laws would need to change for these steps to be legal -

Research "State adverse possession laws" in your state. Adverse possession requires at a minimum five basic conditions being met to perfect the title of the "disseisor." These are:

- 1) Actual possession of the property
- 2) Open and notorious use of the property
- 3) Exclusive use of the property
- 4) Hostile or adverse use of the property
- 5) Continuous use of the property

A court may require some combination of the following as elements of the basic requirements for adverse possession listed above. Laws vary by jurisdiction.

Strategy: Expand the legal definition of *notorious.* As the Occupation shifts from an assumption of adversity (vr Wall St. etc) to one of notoriety, continue to track the legal implications of noteirity through research at state and federal levels.

Resources:

<http://law.findlaw.com/state-laws/adverse-possession/>

Click on a state on the map below or select from the list of states below for state-specific laws on adverse possession, including the time limits required for possession and landowner challenge, and the effect of certain activity by the possessor http://en.m.wikipedia.org/wiki/Adverse_possession Explanation of "possession" in America.

What needs to change for everyone in America to occupy a home -

- Information on empty homes in every state made publicly available. (e.g. Google map of empty homes connected to Google map of Occupied homes -- as soon as one is occupied, it can switch maps with the click of a button.)

- Home Occupation becoming a service as ubiquitous as movers.

- Social media (Facebook, Twitter) as a way of getting people to know their geographic neighbors, not just to connect with far-flung friends.

- Warehousing vacant property criminalized (rather than vagrancy).

- Public housing guaranteed as a human right.

Resources:

<http://occupyourhomes.org/>

<http://occupywallst.org/>