



SELF-MANAGEMENT LAW, NOW!

Fostering Community-Owned, Permanently
Affordable and Sustainable Housing in Brazil

May 2020



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FOSTERING COMMUNITY-OWNED, PERMANENTLY AFFORDABLE AND SUSTAINABLE HOUSING IN BRAZIL

Interactive Fieldwork Experience

Winter 2020

University of Michigan Taubman College in collaboration with client,
União Nacional por Moradia Popular

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Click QR Codes throughout to link to our website: <https://leidaautogestaoja.org.br/>



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01

EXECUTIVE
SUMMARY

Brazil, like many countries around the world, is experiencing a severe and growing housing deficit as a result of a dramatic mismatch between production and need. The provision of services and urban infrastructure often benefit the wealthy while underserving low-income populations, reinforcing and exacerbating inequality. Housing available for low-income populations is frequently inadequate, unaffordable, and unstable. In response, members of social movements demand more: their solution is autogestão (self-managed) housing, democratically produced and governed through practices of mutirão (mutual aid), collective property, and joint effort.

In the past several decades, housing programs like Fundo de Atendimento à População Moradora em Habitação Subnormal (Fund for Assistance to the Dwelling Population in Substandard Housing, or FUNAPS), Solidarity Credit Program, and Minha Casa Minha Vida Entidades (My House My Life Entities, or MCMV-E) have provided funding for social housing production, but have proven to be extremely vulnerable to changing political administrations. This is evidenced most recently by the gutting of MCMV-E and the dissolution of the Ministry of Cities under the Bolsonaro administration. Projects funded by MCMV-E that were under construction and nearing completion have therefore stalled due to lack of funding, with thousands of units sitting vacant

as millions of low-income Brazilians are in need of stable housing.

The 2020 Integrative Fieldwork Experience Capstone Team from the University of Michigan compiled this report as a means of summarizing our analysis of the housing issues facing Brazilians, the solutions proposed by the dedicated social movements that represent them, and our work in supporting these movements to advance housing as a fundamental right. The capstone team partnered with the National Union for Popular Housing (UNMP), the Union of Housing Movements (UMM-SP), and the Landless Workers of the East District 1 (MST-Leste 1).

The team produced two main deliverables. The first is an interactive website that publicizes and promotes autogestão housing, highlights successful housing projects through an interactive map, and, most importantly, disseminates UNMP’s draft bill that creates a stable legal framework for the continued production of housing under this model. The website acts as a toolkit for a wide array of promotional and educational materials — described in detail below — intended for a wide audience ranging from laypersons to organizers to academics to politicians. In response to the drafted bill, the team also developed a memorandum on suggestions for further development of the bill, specifically to advance the legitimization of collective property as an option for self-managed housing and to address potential barriers to land acquisition. The second main deliverable is the Environmental Engagement Suite, which includes a set of flexible resources to help self-managed housing projects meet environmental protection requirements, address serious environmental vulnerabilities on their land, and overcome major financial and logistical barriers associated with those tasks.

The capstone team visited the São Paulo Metropolitan Region in March 2020. During that time, the team toured and documented 12 housing sites produced under autogestão. These experiences enriched our understanding of the housing crisis in Brazil and the work the movement is doing to confront the crisis through



autogestão. Most importantly, we were given the opportunity to talk with the members of the movement and to hear their powerful stories of struggle and optimism.

Before our fieldwork trip, the team produced an in-depth background research report. This report provides a comprehensive look at Brazilian land use policy, property regimes, housing policy and finance, and key social movements. The report also characterizes the severe housing crisis in Brazil by closely examining the issues São Paulo faces in particular. This aspect of the project was not developed for the client, but rather acted as a learning experience for the team — ensuring we were well-informed and prepared for our fieldwork — and provides the essential context needed for readers of this report.

With the materials gathered through the fieldwork trip, the team worked to advance self-managed housing with two main strategies:

- **Promote UNMP’s Legal Framework for Self-Management Law**, which makes third-sector organizations legitimate and secure housing producers in Brazil and calls on the federal government to provide a permanent stream of funding and support for autogestão housing and related expenses. This draft bill would provide the resources and governmental recognition to scale up

the production of autogestão housing in Brazil, which has proven to be a viable and equitable alternative to the developer-led housing market. The deliverables related to legislative development and advocacy include:

- **Lei da Autogestão Já (Self-Management Law Now) Website.** The website houses each of the sub-deliverables below, providing rich and easily accessible information to the public about the law and related information. The website will be handed off to UNMP at the conclusion of this capstone project so that they may adapt it as needed. The website serves as an educational advocacy tool for the movement, with a specific eye toward promoting the legislation.
- **Educational materials.** The team developed three flyers that provide information on 1) the housing problem in Brazil, 2) autogestão, and 3) collective property. The team determined that knowledge related to these three topics was essential to increasing the public’s understanding of the bill and to justifying its promotion. The educational materials are included on the website and are also downloaded and printable as brochures.





- **Documentary *Autogestão, Já!* and resident testimonials.** The 15-minute documentary, produced from over 10 hours of footage by the team, is both an educational tool and a promotional video. It tours a variety of self-managed housing projects; provides expert interviews from residents, movement members, and technical advisory professionals; and, most importantly, highlights the powerful impact that autogestão has had on its residents. The team additionally produced brief three minute resident testimonials for each housing project we visited, providing a more intimate, in-depth study of residents' stories and how autogestão has changed their lives. These videos are extremely powerful and give an essential voice to information provided on the rest of the website.
- **Interactive self-managed housing project map.** The map shows all self-managed housing projects in Brazil, distinguishing between housing built under MCMV-E, Solidarity Credit, and FUNAPS-Comunitário. The map demonstrates the success of autogestão housing under the various programs, allowing one to imagine the scale of housing that could be produced under a stable program with a reliable funding stream, which would be provided under the drafted bill.
- **Case studies.** The team conducted research into five case studies of self-managed housing in Latin America (Uruguay, Argentina, Costa Rica, Venezuela, and El Salvador). These case studies cover background and key principles, implementation and impact, financing, governance structure, and enabling legal and political frameworks. The case studies are intended to provide inspiration and normalize autogestão and collective property housing models.
- **Memorandum on Common Collective Property Models and Legislative Development.** The memo, which is not available on the website but has been given directly to

the client, examines three common collective property models: limited-equity cooperatives, zero-equity cooperatives, and community land trusts. The memo draws from real-life examples of these models to provide legislative recommendations for adoption in the bill and drafts model articles for the movement to consider. In addition, the memo considers legal opportunities to address land acquisition challenges that self-managed housing projects have previously faced amid other housing programs.

- **Support self-managed housing projects in addressing environmental preservation through the development of the Environmental Engagement Suite.** Many movement-produced project sites contain a Permanent Preservation Area (APP), which entails strict planting standards and natural preservation requirements as well as expensive and logistically challenging procedures. We worked with the Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King housing project, currently under construction, as a pilot site, assisting the members of this project in navigating the requirements of the APP and engaging with their natural landscape. The capstone team also held an on-site participatory planning workshop with members of the site's environmental commission. This workshop allowed members to discuss

and debate options for community spaces in the development, keeping in mind the requirements of the APP. Based on our work with the pilot site and results from the workshop, we developed a suite of resources that act as a starting point for any project with the need to address environmental preservation. The suite includes:

- An introduction to environmental protection laws in Brazil;
- A starter guide on designing for APPs; and
- A schematic design proposal using the pilot site as a case study.

In order to meet the requirements of the APP and create productive community spaces in this project, the movement needs additional funding. With that in mind, the team plans to apply to various sustainability, community development, and housing grants. Due to the COVID-19 pandemic, many grants have been delayed or cancelled for this year. Under these circumstances, the team continues to search for grants, but will also create a resource document with grant information that a future capstone team or the movement itself can use to apply for funding down the road.

Through this work, we hope to contribute in some small way to the efforts of these social movements and to provide housing that fits the needs of low-income Brazilians.

VIVA A LUTA!

02

INTRODUCTION

02.1

ABOUT OUR CLIENT AND PARTNERS

Brazil has a vibrant ecosystem of social movements, many working in the realm of housing. These organizations have a long history of alliance and often collaborate in mobilizing around issues relating to the wellbeing of low-income or otherwise disenfranchised Brazilians. Our partners in this project — UMM-SP, UNMP, and MST-Leste 1 — are essential actors in these struggles, representing thousands of people demanding stable, safe, and affordable housing.

UNIÃO DOS MOVIMENTOS DE MORADIA, SÃO PAULO (UNION OF HOUSING MOVEMENTS, OR UMM-SP)

In 1987, UMM-SP was founded following the end of Brazil’s military dictatorship to fight for the right to housing and urban reform, building on the social momentum that led to the creation of many other popular movements during that time. UMM-SP advocates on behalf of the residents of slums, tenements, homeless populations, and land occupations living in overcrowded or otherwise substandard housing. Work is carried out with local groups and associations, engaging municipal housing departments in collaboration with leaders of the national movement, UNMP.¹ Functioning as a network, the movement represents hundreds of neighborhood and regional organizations, altogether comprising 50,000 members across the state of São Paulo.²

UMM-SP has assisted in the production of more than 30,000 homes mostly across the urban periphery, but also via the renovation of unused or unoccupied buildings in the urban center.³

The movement also engages in legislative advocacy, organizing around housing policy and programs that benefit low income Brazilians. Individuals and families often join the movement as a response to the threat of eviction and tend to be very low-income. The majority of movement members are women of color, many of them single mothers.

UNIÃO NACIONAL POR MORADIA POPULAR (NATIONAL UNION FOR POPULAR HOUSING, OR UNMP)

UNMP emerged from the efforts of UMM-SP and associated housing movements across the country. Its formation was catalyzed in 1989 as part of an effort to pass the first Popular Initiative Bill, eventually leading to the creation of the Sistema Nacional de Habitação por Interesse Social (National System for Social Interest Housing); this system would go on to include the National Housing System, the National Housing Fund, and the Council People’s Law of 2005 (for more information, see “Housing Policy and Finance” section in Chapter 3.3).⁴ Following the creation of this system, housing movements across São Paulo and several other states partnered to form UNMP at the first ever National Meeting for Popular Housing in 1993. Today, UNMP is among the largest organized urban social movements, representing 16 states across Brazil.⁵

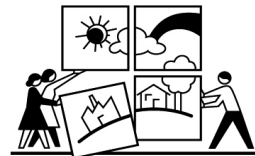
MOVIMENTO DOS TRABALHADORES SEM TERRA LESTE 1 (THE LANDLESS WORKERS OF THE EAST DISTRICT 1, OR MST-LESTE 1)

Created in 1984, MST was first formed by rural and landless workers to fight for land reform and against injustice and social inequality as a national social movement.⁶ The regional chapter MST-Leste 1, formed in 1987, advocates for the right to land and housing for low-income families in the East Zone of São Paulo including the Ferraz de Vasconcelos and Suzano municipalities.

Currently, about 3,000 families across 32 neighborhood-level associations participate in the movement. Along with affiliated movements including UMM-SP and UNMP, MST-Leste 1 promotes popular participation in housing production, budgetary decisions, and policy making. In its own words, “the movement understands housing as a human right and that, in this sense, should be the object of public policies with democratic management.”⁷



UNIÃO
DOS MOVIMENTOS
DE MORADIA
SÃO PAULO



UNIÃO
NACIONAL POR
MORADIA
POPULAR



02.2

WHAT IS AUTOGESTÃO?

INTRODUCTION

Autogestão, or self management, is based on principles of democratic participation, mutual aid (mutirão), solidarity, collective action, and capacity building. It is distinct from other models of housing production in that future residents have complete agency over each stage of the project. As it is in many countries, the production of housing for low-income housing in Brazil is typically led by a collaboration of government, private developers, and construction companies. The households that eventually live in these projects have no say over their design or management, while developers construct them in an effort to minimize costs and maximize profits. This means that units are just large enough to comply with government standards, public spaces are haphazardly designed, and there is little concern for resident needs.

Autogestão is a compelling and viable alternative to this arrangement. In keeping with democratic principles, it is the process through which families collectively manage the planning, design, and construction processes via popular participation. In autogestão, communities develop the technical capacity and political understanding necessary to realize their own housing and fight for their rights. All participants contribute their labor to the production of housing and engage in mutual aid, paying it forward to those still waiting for their own housing even after they have received their own. These contributions take several forms, including manual labor, decision making, and advocacy. Most of this labor is performed by women.

Put simply, autogestão is the construction and management of housing by and for the people that live in it. It is not a farfetched fantasy; the tens of thousands of housing units produced through self management in Brazil are well-constructed, beautiful, and aligned with resident needs and desires. When necessary, technical experts are brought in to work on projects for large-scale electrical needs, elevator installations, and plumbing.

However, this is most typical with very large projects. For smaller housing projects, housing is often produced exclusively by members of the movement with assistance from technical advisory firms. Furthermore, self-managed housing developments will remain affordable, providing security and peace of mind to their residents by removing threats of eviction or gentrification.

In order to determine how to distribute available autogestão units, the movements have developed a sophisticated participation-based point system. Under this system, members are selected based on their contributions to the movement: the more sweat equity volunteered by a member, the sooner housing will be made available to them. The movement ensures this point system is as equitable as possible, accounting for differences in ability and the time members are able to contribute. In order to do so, members are allowed to send family members or close friends as proxies to volunteer their time or labor and thereby receive participation points that will assist them in being granted an autogestão unit.

Each housing project is managed by a series of commissions. Members must join at least one commission, in which tasks vary. For instance, environmental commissions investigate the conditions of the project and to ensure adherence to legally binding environmental standards and often consider landscape architecture, pollution mitigation, and stormwater management, depending on the preferences of residents. Financial commissions seek to secure funding for the project and budget for renovations. Additional commissions vary, but can include accounting, women's empowerment, logistics coordination for meetings, labor and accident prevention,

and communications, among many others. Each month, the commissions host meetings to allow for the coordinators to exchange updates on the project status and the work of different commissions, make plans for future events, and regularly convene with one another.

More than 100,000 units have been built under three past federally and municipally funded housing programs in Brazil: the Fundo de Atendimento à População Moradora em Habitação Subnormal Comunitário (Fund for Assistance to the Dwelling Population in Substandard Housing, or FUNAPS Comunitário/FUNACOM), the Solidarity Credit, and Minha Casa Minha Vida Entidades (My House My Life Entities, or MCMV-E). These units have been consistently larger than required by law and significantly lower in cost. Autogestão units produced under these programs range from 35% to 42% larger than the minimum requirements established by MCMV-E (56.55 sq. meters to 59.69 sq. meters,⁸ compared to 42 sq. meters).⁹ In addition, autogestão construction often costs only 40% of what housing built by for-profit developers costs (see Chapter 5 of this report for further research).¹⁰ Autogestão not only produces housing of higher quality and size; it also produces housing that empowers communities and positively impacts many facets of life. As described above, principles of democracy and participation are embedded in this mode of housing, which means residents are deeply involved in the design and construction of housing projects and of their individual units. This involvement leads to empowerment, resident buy-in, and skill building, and allows units to be catered to individual needs and desires, instilling pride and dedication among residents.

Autogestão's production of more affordable housing increases access to safe, secure, and high-quality homes, but also frees up funds for residents to improve other aspects of their lives. Residents shared with the capstone team that their increased availability of income due to significantly lower housing costs has allowed them to pursue further education and

02.3

FRAMING THE ISSUE

thereby obtain better jobs, to leave dangerous or unstable housing situations, and to provide more opportunities to their children. This is extremely important for the women who represent 80% of the movement. Inadequate housing impacts the foundations of one's life — health, employment, and education, among many others. For members of the movement, therefore, autogestão does not just represent an alternative to more expensive housing, but a fundamental shift in their quality of life.

The past programs supporting autogestão, however, have faced barriers and discontinuities that have negatively impacted the scaling up of this form of housing and have proven the need for more stable federal legislation.

In 1989, under Mayor Luiza Erundina, the city of São Paulo adopted FUNACOM, the first program in Brazil to promote the production of housing under self management and joint effort. Fundamentally it transferred responsibility for the management of resources and construction of units to neighborhood associations, from which MCMV-E later drew inspiration. Furthermore, it tied funding to the well-established legal entity FUNAPS, which would serve as a credit institution for construction.¹¹ However, shortly after Erundina's tenure in office, FUNAPS was replaced by another institution, effectively destroying FUNACOM and halting funding for self-managed housing production. The death of FUNACOM showed the need for reliable funding streams that are not vulnerable to changing political tides.

Established in 2004, Solidarity Credit was the first federal program created specifically for social movements and associations. However, because “monthly payments were calculated based on the full amount of the mortgage” and not based on households’ ability to pay,¹² funding was frequently inadequate. At Condomínio Vila Patrimonial, for example, residents had to do much more manual labor than normal and to ask for complementary donations from other branches of government. As one resident recalled, participants had to grade the site themselves by jumping up and down for long periods of time, compacting the soil that would become the foundation of the housing project.

MCMV-E, launched in 2009, enabled entities to produce self-managed housing for low-income households using federal funding. MCMV-E provided better funding options than Solidarity Credit as it funded both mortgaging and subsidies. Though entities managed funding allocation within the program, MCMV-E relied on the National General Budget for its own budget allocation. This was perhaps the biggest problem with MCMV-E: because it relied on budgets passed in the legislative branch, funding was unpredictable, especially under hostile administrations like President Bolsonaro’s.¹³ Construction at Conjunto Habitacional Alexios Jafet, a housing project boasting 1,104 units, has come to a halt because the administration has not allocated any funds to MCMV-E; the units are only missing finishings but without continued support, thousands of families are forced to wait on housing as nearly completed units sit vacant.

During MCMV-E Phase I, housing projects were only recognized officially as funding recipients once they assembled all households and participants, designs, land, technical assistance, and plans. However, assembling all of these aspects is a long process, typically lasting several years. Thus, land that was found through this process frequently fell through, ultimately being sold to construction companies or other interests. MCMV-E Phase II attempted to amend this by establishing the practice of advanced land purchase: this allowed entities to access funding to purchase land prior to the assembly of all components. Nevertheless, lands that are available for entities to purchase tend to be in areas with Permanent Preservation Areas (APPs) or ambiguous land titling.¹⁴

Autogestão housing is made possible because of the strength and perseverance of the social movements and their dedicated members. For years, they have been fighting in the absence of a specific enabling legal framework, as innovative actors in the production and management of affordable housing across Brazil. UNMP is working to address this absence of governmental support with its bill establishing support and funding for autogestão at the federal level with the hopes of creating a more stable and long-lasting legal framework for the production of self-managed housing. Our clients, along with many other social movements across Brazil, see autogestão as a logical means to upgrade informal settlements, regularize land, and revitalize buildings.

02.4

OUR ROLE

The team aimed to advance self-managed housing by (1) promoting UNMP's legal framework for a Self-Management Law and (2) supporting housing projects in addressing environmental protection issues. In service of these aims, the team produced two main deliverables:

- 1. Legislative Support and Advocacy for a Self-Management Law.** In order to support the movement's efforts to establish a national framework for autogestão, we have created a series of promotional and educational materials, primarily hosted on the *Lei da Autogestão Já (Self-Management Law Now)* website. This website acts as a toolbox for legislative advocacy and community engagement, hosting a variety of products to disseminate to a wide range of audiences including educational materials, a promotional documentary, an interactive mapping platform, detailed case studies from across Latin America, and a memorandum on collective property ownership to inform the Self-Management Law. Each of these components will be discussed in detail in Chapter 5 of this report.

- 2. APP Resource Suite.** This suite of resources is a flexible guide for any self-managed housing project to address environmental protection requirements. Based on its work with a pilot site, the team developed resources on environmental protection laws and designing for APPs that are educational and approachable, but also adaptable and transferable based on a housing project's needs. This deliverable aims to lessen the burden placed on the movements to adhere to strict and often financially punitive environmental standards by laying the theoretical groundwork for how similar projects might be designed in the future.

In addition to these deliverables, as part of the research process, the team produced significant amounts of background research on relevant topics ranging from urban land policy and housing policy to the history of social movements and planning in São Paulo (see Chapter 3); visited a dozen housing projects and three technical advisory firms; and conducted 23 semi-structured key informant interviews, seven group interviews, and four interviews with external experts. This report is a compilation of the highlights of our work, ranging from research that we began in January 2020 to our fieldwork experiences in March to the completion of our deliverables in May 2020.

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03

BACKGROUND
MATERIAL

03.1

URBAN LAND USE POLICY

Urbanization in Brazil rose dramatically from 30% in 1940 to 84% in 2010, largely as a result of industrialization and international pressures relating to trade and currency devaluation.¹ This influx of urban dwellers continues to face a shortage of affordable housing, with the private for-profit market unable to provide adequate housing where profit margins for affordable housing production are too thin. These conditions ultimately converge to propagate unequal urbanization and a lower quality of life in urban areas for low-income populations: poor sanitation, the proliferation of favelas, and dramatic environmental issues.

Partly due to unequal access to land and exacerbated by speculative land markets, clientelist political systems, and elitist urban planning, Brazilian cities suffer from deep socio-spatial segregation. These inequalities are illustrated in the stark difference in average age of death between São Paulo's peripheral and central districts: for example, the average age of death in the peripheral district of Cidades Tiradentes is 57.3 years, while the average in the central district of Moema is more than 20 years higher at 80.6 years.² A major challenge for public housing programs, including self-managed housing, is the lack of affordable, centrally-located land. Without government intervention and laws dedicated to ensuring the accessibility of land, social housing is forced into the periphery, perpetuating urban segregation and spatial inequality. This section describes the trajectory of urban policies and legislation that shaped the conditions of land use in Brazil, highlighting important actors and movements.

BACKGROUND

Brazil has recognized the right to property since the country's independence from Portugal and the declaration of the Political Constitution of the Brazilian Empire in 1824. It was reaffirmed during the establishment of the Brazilian Republic in 1889 and adopted through each of the country's subsequent constitutions, continuing through the military dictatorship from 1964 to 1985.³ Tied to this right to individual property is the government's right to expropriate property with just compensation to the property owner. For most of the country's existence, this right can only be exercised for public purposes. Because the Federal Parliament omitted it from the 1916 Civil Code, the social function of property remained a mere legal principle until the Brazilian Constitution of 1934 established it as a constitutional principle. In its bill of individual rights, the Constitution established that "the right of property is protected, provided it is not exerted against any social or collective interests, in the forms determined by the law." According to Brazilian legal doctrine, the idea of "any social or collective interests" encompasses the concept of a social function of property; it thus acquires constitutional status and may be put into effect according to "the forms determined by the law." In other words, the social function becomes an external limitation that the government must impose on the exercise of property rights.⁴ It wasn't until the 1967 Constitution that the social function of land was established. The government's ability to ensure that land uses fulfilled a wider societal purpose would later

be strengthened and expanded upon in the country's civil law and later constitutions.

Until the late 1980s, all land policy and urban development plans were devised at the federal level. Although some of Brazil's larger, more progressive cities attempted to enact their own planning and zoning laws, these laws were regularly legally contested or ignored. Despite this trend of centralization during most of the country's urbanization, the Brazilian federal government lacked the comprehensive national land and urban policies, as well as the basic institutional infrastructure, to address issues related to cities and the growing urban population. The Banco Nacional de Habitação (National Housing Bank, or BNH), which was created by Brazil's military government in 1964, headed housing and infrastructure development in the country's rapidly urbanizing cities. As Brazil's first nationally coordinated planning effort, municipalities were required to create Urban Development Master Plans in order to receive federal funding.⁵ BNH, along with the Serviço Federal de Habitação e Urbanismo (Federal Housing and Urbanism Service, or SERFHAU), invested over \$100 million for planning throughout the country's cities.⁶ Though ambitious in scale, these plans were primarily agreements between municipal, state, and federal officials that prioritized the government's development agenda.

THE EVOLUTION OF URBAN LAND SUBDIVISION REGULATIONS

Brazil's first piece of federal legislation regulating the subdivision of urban land was passed in 1979 with Federal Law No. 6766, which aimed to curtail the rapid urban expansion caused by peripheral and informal developments by imposing several demands for developing land and selling plots. The new regulation introduced requirements such as a minimum plot size, a compulsory donation of land for public use, and limited land subdivisions only within urban boundaries. It also imposed new complex procedures to license and register real estate, as well as to convert rural land into urban use. Until 2000, land subdivision regulation was the principal

instrument to manage urban development, especially in the largest urban areas. While the original intent of the legislation was to ensure the creation of quality housing and adequate access to infrastructure, it also limited formal housing opportunities for low-income households as they were the most likely to settle at the urban periphery.⁷ In 1999, President Fernando Henrique Cardoso sanctioned Federal Law No. 9785, reforming the existing land subdivisions. This new regulation disposed of some of the original legal requirements, including the minimum percentage of public land donation, and it introduced procedures to expedite the regularization of informal settlements. While these changes attempted to correct the earlier law, many jurisdictions did not have comprehensive plans and were unprepared to establish their own standards and parameters for urban development.⁸

THE URBAN POLICY CHAPTER OF THE 1988 FEDERAL CONSTITUTION

After more than two decades of rule by the military regime, political and social upheaval throughout the 1980s led to the democratization of Brazil and the creation of a new government. Progressive and left-wing movements pushed for urban reform based on the idea of the right to the city in the Constituent Assembly. The Movimento Nacional de Reforma Urbana (National Urban Reform Movement, or MNRU) gathered more than 12 million signatures supporting popular amendments for urban reform.⁹ These amendments were crafted by members of various housing movements, neighborhood associations, non-government organizations (NGOs), and professional associations (e.g., architects and geographers), all under the banner of the MNRU. The MNRU pushed for the autonomy of municipal governments, the democratic management of cities, the social right to housing, the right to the regularization of consolidated informal settlements, the social function of urban property, and the need to combat land and property speculation in urban areas.¹⁰

The MNRU was able to incorporate two articles into the 1988 Constitution that addressed urban

reform. Based on the principles of democratic management of urban policy and the social function of the city and urban property, Articles 182 and 183 granted municipalities authority to enact urban policy. These articles of the Constitution also required cities with more than 20,000 inhabitants to develop master plans, promoting the democratic management of cities through an engaged, participatory process. Though it established the concepts of the social function of the city and urban property and democratic management of the planning process, the Constitution did not establish the framework for the newly empowered municipal governments to enact these ideals. The City Statute, which was not approved until 2001, serves as the enabling legislation of Articles 182 and 183. The proceeding section on property regimes will address Article 183, which establishes adverse possession and special use rights for informal dwellers living, respectively, on private and public land upon the fulfillment of certain conditions.

THE NEW LEGAL-URBAN ORDER IN THE 1990S

Promulgation of the 1988 Constitution led to many initiatives at the municipal level; however, there remained a general lack of legal regulation regarding the application of the constitutional principles by municipal authorities. This resulted in severe opposition to the new urban order and thereby the creation of the Fórum Nacional de Reforma Urbana (National Urban Reform Forum, or FNUR) in 1987, consisting of national and local social organizations and movements.¹¹ The forum's main objectives were:

- Incorporation of the social right of housing in the 1988 Federal Constitution via the constitutional amendment EMC-026 of 2000;
- Approval of a federal bill to regulate the constitutional chapter on urban policy (the City Statute of 2011); and,
- Approval of a federal bill proposing the creation of a National Social Housing Fund which originated with a popular initiative.

Following a 13-year long negotiation process for urban reform among social movements, environmental NGOs, professional organizations, the real estate sector, and municipal, state, and federal government institutions, the City Statute was finally adopted in 2001.

THE CITY STATUTE OF 2001

The 2001 City Statute was critical in establishing the fundamental legal and political role of the municipalities as formulators of urban planning guidelines and the developers of urban management processes. While the 1988 Brazilian Constitution establishes the social function of urban land and promotes democratic management, the City Statute provides the tools and guidance to put these concepts into practice. It aims to promote sustainable development and combat inequality through proper regulation and democratic management.

Following the Statute's adoption, in 2003 President Lula created the Ministry of Cities, a federal institutional apparatus to deal with matters related to urban development and a long-standing demand of the urban reform movements. The Ministry of Cities played a key role in helping Brazil's numerous municipalities implement the directives of the Statute, one being the reformulation of municipal master plans to be in accordance with the principle of popular participation in urban reform. In 2019, President Bolsonaro dismantled the Ministry of Cities; the administrative duties now fall under the Ministry of Regional Development.

The City Statute can be broken down by its two major dimensions: upholding the social function of property and the democratic management of urban policy principles, described below.

- ***Upholding the social function of property.*** The Statute ensured that municipal authorities were given the power, based on a series of legal, urban, and financial instruments and norms, to autonomously determine the balance between individual and collective interests regarding the proper utilization of urban

land. Most significantly, the Statute not only codified the conceptual framework of the social function of property, understood as “the right to urban land, housing, environmental sanitation, urban infrastructure, transportation and public services, to work and leisure for current and future generations,”¹² but it also substantiated directives, tools, and instruments to realize these ideas:

- **Parcelamento, Edificação ou Utilização Compulsórios (Compulsory Installment, Building or Use, or PEUC)** is a measure that prevents speculation of urban land by requiring owners to use underutilized land to its full potential.
- **Imposto Sobre a Propriedade Predial e Territorial Urbana (Urban Property and Land Tax, or IPTU)** upholds PEUC by permitting municipalities to progressively raise property taxation for properties not fulfilling their maximum use.
- **Solo Criado (Transfer of Development Rights)** encourages densification in certain areas of the city over others by granting additional development rights to one parcel of land in exchange for others that are of social interest to the municipality.
- **Concessão do Direito Real de Uso (Real Right to Use Concession, or CDRU)** allows families occupying public lands not only to remain on the parcels on which they have built their houses, but also to transfer this right to use to others and to apply it as collateral. Public ownership protects areas from speculation, and CDRU’s legal standing protects the rights of those occupying these areas.
- **Zonas Especiais de Interesse Social (Special Zones of Social Interest, or ZEIS)** formalize and protect the occupied land of the urban poor in the form of a zoning tool

within land use plans. ZEIS zones are delineated in master plans and municipal zoning laws to promote social interest. Occupied ZEIS zones allow existing informal settlements to benefit from urban infrastructure services, avoid the risk of eviction, and allow low-income residents to live close to city centers. All new publicly subsidized housing is first zoned as “Vacant” ZEIS zones before development.

- **Usucapião Urbana, or the adverse possession of urban property**, transfers the domain of land from the landowner to the land occupant if the latter has possessed the land for over five consecutive years, peacefully and without opposition, as long as the he or she does not own another real estate and the land property does not surpass 250 square meters.
- **The democratic management of urban policy principles.** Fundamental to the mission of the City Statute is the emphasis on public participation. In order to promote goals such as regularizing informal settlements and defending the social use of urban land, the Statute recognized the need to break from the traditionally clientelist urban policy system into a more democratized management of urban planning.¹³ As mentioned above, the Statute required cities with over 20,000 residents to reformulate their master plans in accordance with the principle of popular participation in urban reform and municipal administration.¹⁴

In addition to regulating and protecting tools laid out by both the Constitution and the City Statute, the new law went a step further by determining that these instruments could be used collectively.¹⁵ This ensures that all land regularization policies would be registered in the public registration offices and would adhere to environmental criteria.¹⁶

THE URBAN POLICY LANDSCAPE TODAY

Although the City Statute of 2001 has received substantial international acclaim for its progressive and participatory nature, many of its benefits have not yet been realized on the ground. While it has undoubtedly consolidated the constitutional order in Brazil in terms of controlling urban development processes, the actual production of practical policies and programs will depend largely on local legal-urban structures and motivation to pursue these ambitions. The City Statute is not an autonomous instrument; instead, it is one of several institutional tools to exert effective political pressure and mobilize more popular support for achieving change.¹⁷ Several popular movements have engaged with the provisions of the City Statute since its passage in 2001 to develop supporting legislation that pushes the mission further. For example:

- Federal Law No. 11079/2004 advances Public-Private-Partnerships to uphold social functions of property.
- Federal Law No. 10.931/2004 introduces free property registration as part of the regularization programs.
- Federal Law No. 11.481/2007 aims to facilitate tenure regularization processes by the municipal authorities concerned with informal consolidated settlements on land owned by the Union.
- Federal Law No. 11.888/2008 institutes the right of communities to benefit from technical assistance in the course of regularization programs.

- Federal Law No. 11.952/2009 provides a regulatory framework for tenure regularization in urban areas in Amazonia.
- Federal Law No. 11.977/2009 regulates the housing program known as Minha Casa Minha Vida (My House My Life, or MCMV) to help facilitate tenure regularization of informal settlements. MCMV was eventually revoked.¹⁸
- The Provisional Measure 759 of 2017 was converted to Federal Law 13.465, or the Land Regularization Law, and approved measures that streamline the process of land regularization in urban, rural, and Amazonian areas. This law remains highly controversial as advocates of affordable housing and land access worry that it promotes the privatization of public land, thus fueling real estate speculation, driving up housing prices, and accelerating the process of gentrification.¹⁹

The biggest ongoing challenge facing urban policy today is the lack of affordable vacant land in the city. Despite several efforts to prevent speculation, land in the urban centers remains inaccessible to the majority and has led to severe housing shortages. New urban policy needs to address the land crisis and look to new models of property ownership to meet the needs of the most vulnerable. The self-management housing bill drafted by our client recognizes the issue of land scarcity in urban centers, addressing the use of policy tools to access centrally located sites and advocating for the recognition of collective property to ensure continued affordability of social housing.



Figure 03.1 View of the city from balcony at Condomínio Vila Patrimonial.

03.2

PROPERTY REGIMES IN BRAZIL

Brazil faces many land-related issues, including extremely uneven property distribution and land conflict. Brazil has established property rights and systems in a piecemeal fashion, resulting in a system of unclear title registration, contradictory legal frameworks, and extra juridical decision-making in land conflict. Brazil has over 850 million hectares of land: 36.1% of the total land area is public land, 44.2% is private, and 16.6% is unregistered.²⁰ Private property ownership is extremely skewed: 1% of the population owns 44% of all land in Brazil, or effectively all registered private property.²¹ Land concentration is also a major issue in São Paulo, where 1% of landlords own 45% of real estate in the city.²² In contrast, nearly five million families are landless despite the Constitution's guarantee of housing as a right. Furthermore, Brazil's public lands are the frequent site of conflict, with public lands being appropriated by private economic interests. Indigenous people have secure use rights to 12% of all land in Brazil, or approximately one third of all public lands, but these rights are under threat.²³ Private economic interests also interfere with Afro-Brazilian communities attempting to assert their land rights: "of the 743 quilombo communities, only 42 have been legally recognized and 29 titled as of 2005."²⁴

A BRIEF HISTORY OF THE BRAZILIAN LAND TENURE AND PROPERTY SYSTEM

During Portugal's colonization of Brazil, it approached land management through a

centralized system called sesmarias. Though land was considered public, this system distributed the right to use large areas of land among Portuguese colonizers and acted as a means of promoting colonization. When Brazil gained independence in 1822, the sesmaria land system was dissolved. During this time, sesmaria rights holders were converted into landowners, occupied lands were titled (if they were occupied for at least 100 years), and unproductive lands were confiscated from their users.^{25,26} The First Land Law, also known as Imperial Law No. 601, was instituted in 1850 and created the concept of private property, treating it as an "individual and absolute right" in Brazil's legal system.²⁷ The First Land Law "effectively excluded people without access to capital and created various legal means for expropriating land,"²⁸ as well as "prohibited individuals from acquiring ownership of public land through adverse possession."²⁹ The law perpetuated concentration of land among landholders, prevented former slaves from claiming more land, and delegitimized quilombo land held at that time. The 1916 Civil Code only bolstered the First Land Law's establishment of private property by requiring formal deeds.

According to the former 1916 Civil Code, all "property of national dominion belonging to the Union, to the States, or to the Municipalities, is public" and all other land is private.³⁰ The Civil Code allows for the common use of public property, either "gratuitous, or for compensation, according to the laws of the Union, of the States, or of the Municipality, to whose administration they belong."³¹

The most relevant laws shaping housing and social movements in Brazil's cities today include the establishment of the social function of urban private property, adverse possession, and special use concession, all of which place external limitations on private property and inhibit property speculation. The legal bases for these rights were established more recently in the 1988 Constitution, the 2001 City Statute, and the 2002 Civil Code.

GENERAL PROVISIONS OF PROPERTY IN BRAZIL

There are two distinct property rights bundles in Brazil: the right of possession and the right of ownership. Possession pertains to the use of land as though one were its owner.³² It confers power often considered part of ownership, such as the right to maintain, recover possession, and generate rental income. Possession and the rights associated with it ceases when “power is no longer exercised over the [property],” which may occur when it is abandoned, sold, expropriated, or possessed by another third party.³³

The Brazilian 2002 Civil Code establishes the right of ownership as the exclusive right to “use, enjoy, and dispose of [one’s property], and to recover [it] from whoever may have unlawfully taken possession of [it].”³⁴ Ownership formally begins with formal registration of a deed at the Real Estate Registry in the jurisdiction in which the property is located. In the event that there are multiple deeds or registration applications on a given piece of property, the principle of priority will dictate. This means that, all else held equal, the party who first registered the property or presented deeds to do so will take ownership. Deeds that are not registered are only binding between the parties of the relevant purchase agreement and are unenforceable against third parties.³⁵

Municipal governments are empowered to seize private property for the public interest.³⁶ Owners are entitled to fair compensation, which is determined by judicial ruling called a precatório.³⁷ These valuations are often several times higher than the market value

of the expropriated land.³⁸ It is unclear why exactly these valuations are so excessive.³⁹ Some argue that judges are corrupt, while others suggest that they are unable to properly comprehend the complexity of land valuations.⁴⁰ Another theory is that these overvaluations are the manifestation of a judiciary trying to demonstrate its autonomy, independence, and concern for citizen wellbeing after emerging from an extended period of authoritarianism. Forcing government bodies to pay more expensive precatórios to seize private property can thus serve as a signal that the judiciary puts a check on the executive and respects private property rights.⁴¹

In either case, because of these lucrative values, landowners came to see these seizures as “good business.”⁴² As such, the costs that expropriations pose to governments create considerable tension between them and the courts. At the same time, judges show “remarkable difference” regarding the motives of seizure.⁴³

THE SOCIAL FUNCTION OF PROPERTY

The legal framework for the social function of property was built incrementally beginning in 1934, but its main sources of power and clarity come from the 1988 Constitution and the 2002 Civil Code. As discussed in the preceding section, the 1988 Constitution established the social function of property for all urban lands in Article 182, requiring all urban private property to perform its social function in a nature consistent with a city’s master plan (note that the social function of property for rural lands was established earlier in 1968, allowing expropriation of unproductive rural lands). In cases where urban private property owners are non-compliant, the Constitution allows enforcement tools like expropriation with just compensation (eminent domain), taxation, and compulsory subdivision or construction. The 2002 Civil Code clarified the meaning of social function, linking “the exercise of property rights to economic, social, and environmental ends.” These two sources give the social function of property legitimacy, but are also at odds

with each other. They “regularly [produce] unresolvable procedural and substantive complexity in land conflicts” in the Brazilian judicial system, forcing extralegal solutions and ultimately legitimizing the usurpation of property.⁴⁴

Three main conflicts occur in the application of the social function of property:

- The Brazilian judicial system tends to interpret the social function of property as inherent to private property itself, without consideration for alternative ownership models (like condominiums).⁴⁵
- Since the social function of property is only inherent to private property, public institutions and agents are exempt from making public property perform its social function;⁴⁶ in Brazil, public property makes up approximately 36% of the total land area.⁴⁷
- The economic, social, and environmental goals of property are frequently at odds with each other, with economic goals undermining social and environmental goals. This is especially common in rural private lands, where the 1988 Constitution explicitly protects “productive” rural lands from expropriation yet simultaneously promotes expropriation as a valid tool if not all three criteria of the social function are fulfilled.

ADVERSE POSSESSION AND SPECIAL USE CONCESSIONS

Brazil provides certain rights to households that irregularly or informally possess or use land in urban areas.⁴⁸ The law’s major distinction relates to whether the land being occupied is owned privately or publicly. In either case, making successful claims requires a high degree of organization, as well as legal and technical assistance.⁴⁹ As these communities are often impoverished and under-resourced, UN-Habitat notes that the overall efficacy of these measures is largely dependent upon provision of legal and technical support from government and other public defense organizations.⁵⁰ Otherwise,

these communities struggle to assert the rights provided to them.

PRIVATE LAND: USUCAPIÃO AND USUCAPIÃO COLETIVO (INDIVIDUAL AND COLLECTIVE ADVERSE POSSESSION)

Brazil’s 1988 Constitution establishes new rights to adverse possession. Driven by pressure from urban social movements, this was a major change from the 1916 Civil Code, which required 20 years of uncontested use.⁵¹ The new framework for adverse possession provides a pathway to households that occupied private urban land of no more than 250m² to make an ownership claim in court. Importantly, the claimant must have only used the property for residential purposes and held continuous possession, without opposition, for at least five years, and cannot own any other property.⁵²

The 2001 City Statute brought with it an additional provision, *usucapião coletivo*, or collective adverse possession. This provision empowers multiple occupants, such as the residents of a favela, to make a claim as a group.⁵³ If the group makes a successful claim, the judge can either establish a quasi condominium in which each member receives an equal fraction of the occupied land, or they can create a special undivided condominium.⁵⁴

The 2002 Civil Code reinforced the rules established by the City Statute regarding expropriation for social purposes, incorporating the idea of social and economic purposes of property into the right to private property.⁵⁵ The new Civil Code confirmed the framework for adverse possession set in the 1988 Constitution while reducing the terms for various forms of *usucapião*, though the term of urban *usucapião* for residential use remained at five years.⁵⁶

PUBLIC LANDS: CONCESSÃO DE DIREITO REAL DE USO (REAL RIGHT TO USE CONCESSION, OR CDRU)

Households that occupy public lands are unable to make ownership claims. However, the constitution provides them with certain rights of use and possession.⁵⁷ Claimants have to meet

essentially the same criteria as those pertaining to adverse possession claims. Similarly, they are also able to apply collectively.⁵⁸

If successful in court, claimants are granted their use rights through what is essentially a long-term lease that formally permits them to remain on the site in which they have been living.⁵⁹ This quasi-lease document is drafted and agreed upon by both public entities that own the relevant land and the occupant. If the public entity is noncompliant, the court can issue an order having the same effects. Notably, this right is transferable and can be used as loan collateral.⁶⁰ Once executed, this contract documenting the formal concession of use rights is then documented at the public property registry.⁶¹ That said, contracts between local governments and occupiers often are not registered.⁶²

CONCESSION OF SPECIAL USE FOR HOUSING PURPOSES, PROVISIONAL MEASURE NO. 2220/2001

The Provisional Measure of September 2001 was another key legal instrument that shaped urban policy in Brazil. The Concession of Special Use for Housing Purposes on Public Land, initially included within Section VI of the City Statute (Articles 15-20),⁶³ was vetoed by then-President Fernando Henrique Cardoso on legal, environmental, and political grounds.⁶⁴ After significant mobilization from the FNRU, Provisional Measure No. 2200/2001 was signed, recognizing “the subjective right (and not only the prerogative of the Public Authorities) of those occupying public land until that date, under certain circumstances, to be granted the concession of special use for housing purposes.”⁶⁵ The Provisional Measure remains extremely important as it codifies housing rights not only as a right of ownership but also as a right to possession and use.⁶⁶ Having all legal effects of an ordinary law, it also establishes the conditions under which municipal authorities can transfer occupiers of public land to more suitable areas when necessary. This is a measure of extreme social and political importance, but its application has required a concentrated legal, political, and administrative effort on the part of the municipalities to respond to the existing

situations in a legal manner that is compatible with other social and environmental interests.

Under the Provisional Measure, special use concession is granted “independent of gender, marital status, individual or joint holding.” This aspect of the law prevents discrimination in awarding formal titles to particularly vulnerable populations. Additionally, the measure promotes and protects collective concession of land, enabling a simplified regularization process for informal settlements. Similar to adverse possession, property that is collectively occupied will be conceded to the occupants under special use for housing purposes while the property is still owned publicly.⁶⁷

OTHER SPECIAL PROPERTY CATEGORIES

Brazil also acknowledges collective use rights of indigenous peoples on public lands and collective land rights of Afro-descendant quilombolas. However, the land titling process has many barriers: it is long, tedious, and expensive. Groups attempting to assert their land and use rights are frequently undermined by private economic interests. Beyond private and public lands, Brazil additionally acknowledges housing cooperatives and their ability to own land. While cooperatives have existed since the beginning of the 20th century in Brazil, housing cooperatives were relatively restricted. The National Housing Bank enabled housing cooperatives in 1964 and the 1971 National Cooperative Policy formalized the rights and legal framework for housing cooperatives.⁶⁸ Housing cooperatives tend to attain land tenure by either buying land from private owners, using the right to *usucapião* on private land, or renting public land from the government entity that owns it through CDRU.⁶⁹ Because collective property holds property outside of the speculative market and therefore can be a tool for providing perpetual affordability and security for low-income households, UNMP is working to advance and legitimize collective property as an option for self-managed housing production in its proposed bill.

03.3

HOUSING POLICY AND FINANCE INSTITUTIONS

Brazil is experiencing a housing crisis: the housing deficit has reached 7.78 million homes⁷⁰ while 7.9 million homes sit vacant,⁷¹ land is concentrated among private landlords, and 3.1 million Brazilian families are spending more than 30% of their incomes on rent.⁷² The country has frequently attempted to address these issues, largely through ineffective private sector solutions and subsidies that have failed to provide housing for the low-income families that need it most. Although housing policy has become more progressive in recent years – largely pushed by social movements like UMM-SP – the data make clear that these efforts are far from sufficient. One of the biggest issues facing housing policy is the discontinuity of programs across political administrations and the weak financing mechanisms for self management under the last few programs. These issues reemphasize the need for a bill to promote self management through permanent funding streams at the national level.

HISTORY OF HOUSING POLICY

Over the past century, housing policy in Brazil has undergone several periods of distinct transformation. This section provides a policy-focused overview of housing in Brazil that begins with the early pre-industrial decades of the twentieth century, increasing urbanization and industrialization, reforms through the military government, and the more recent decentralization of housing policy.

1900 - 1940: THE PREVALENCE OF RENT

In this period following the urban housing shortage of the late 19th century, housing for low-income households was supplied entirely by the private sector.⁷³ The poor infrastructure and sanitary conditions of cortiços, or slum tenements, posed health and safety hazards for residents and were an unsustainable response to the growing urban population. After Brazil's 1930 revolution, increasing industrialization led to urban migration that strained the existing housing supply.⁷⁴ The government intervened to regulate the rental housing market with stricter construction and sanitation standards and new legal protections for tenants.⁷⁵ These policies began a period of tighter rental housing controls that gave way to an era of homeownership.

1940 - 1980: FROM REGULATING RENT TO PROVIDING MORTGAGES

The 1940 Inquilinato Law froze rent rates in order to incentivize affordability. At the time, rental housing accounted for 75% of the total housing stock in Brazil, but gradually gave way to a higher proportion of homeownership and privatization over the following decades.⁷⁶ The 1946 Fundação da Casa Popular was established as the first government institution designed to stimulate new housing financing and construction to benefit low- and medium-income households – and though it operated until the rise of the military dictatorship in 1964, a lack of funding limited the number of units created through this foundation to just 18,000 in total.⁷⁷

1900 - 1940

1940 - 1980

The time between 1964 and 1985 is characterized by the military dictatorship, beginning a new era of national housing policy when it created the Sistema Financeiro de Habitação (National Housing Financing System, or SFH). The policy had two primary interests: stimulating the economy through the construction of new housing and laying the foundation for the “dream of homeownership” mindset. This cultural shift undoubtedly had powerful implications on cultural norms regarding ownership – the ratio of rental housing decreased from 75% in the 1940s to just 22% by the 1990s.⁷⁸ The BNH, as mentioned above, managed the housing system from 1964 to 1986 and financed between four to five million housing units in total. However, only a third of the units financed by the bank were earmarked as affordable for low- to medium-income earners. The system’s institutional and operational formats were not well integrated – the institutions tasked with implementation had to ensure that the system was self-financing, which made it very difficult and complicated to use.⁷⁹

1980 - 1990S: DECENTRALIZED GOVERNANCE AND THE GROWTH AND CONSOLIDATION OF INFORMAL SETTLEMENTS

When the BNH was dissolved in 1986, housing policy began to shift from a more consistent, centralized agenda to one emphasizing local responsibility. Municipal authorities gained autonomy to tailor their housing policies to local conditions. Most were critically constrained by lack of resources and the technical capacity to administer their programs,⁸⁰ but some municipalities created housing funds and comprehensive municipal housing policies in response. Meanwhile, growing urbanization compounded the problems associated with the local government’s inability to administer and fund housing programs. The lack of urban housing alternatives mainly affected the urban poor and led to a marked growth in the number and size of favelas. During this period, favelas – characterized by their irregular land occupation, precarious infrastructure, and self-construction – expanded to all major and mid-sized cities.⁸¹

The Ministério de Ação Social (Ministry of Social Action, or MAS) created a new housing scheme called the Immediate Action Program for Housing (PAIH). Nearly 500,000 new housing units were built between 1990-1994 under the main programs making use of the Fundo de Garantia por Tempo de Serviço (Seniority Guarantee Fund, or FGTS) funds.⁸² Under President Itamar, two new housing programs were created between 1993 and 1994 – Habitar Brasil and Morar Município – under the Ministério de Bem-Estar Social (Social Welfare Ministry) that provided small budget allocations (around \$100,000 USD in 1993) for municipalities to build houses for the poor under a self-build scheme, apart from the SFH system.⁸³ In 1998, the government announced a new program of “social rent”: the Programade Arrendamento Residencial (Rental Housing Program, or PAR) targets low-income earners at three to six minimum wages or less (see “MCMV Income Groups” section for explanation for wage groups), but is actually a leasing operation. Under PAR, the beneficiary only becomes a homeowner at the end of their 15-year contract period once they pay their remaining debt. Under this scheme, governments had better control of building costs and quality.⁸⁴

Housing policy was constrained through the 1990s by financial considerations that prioritized private loans to those who could afford the interest rates, rather than a more progressive policy that provided housing for the lowest-income populations.⁸⁵ The institutional vacuum left by the dissolution of the BNH in 1986 created a period of inconsistency in housing policy among the federal and local actors that lasted until the Ministry of Cities was set up in 2002.⁸⁶

2000 - PRESENT: IMPROVING INSTITUTIONAL CAPACITY

Overall, the institutional capacity of Brazil’s housing provision system improved during this period. Through a variety of programs, there was significant growth in public investments in housing throughout the 2000s – from approximately \$2 billion USD in 2002 to more than \$33 billion in 2009 (BRL 2 billion to BRL 62 billion).⁸⁷ Recent highlights of Brazilian

1980 - 1990

2000 - PRESENT

housing and urban policy include: the 2000 Constitutional Amendment making housing a positive right; the 2001 City Statute, which provides legal instruments for land access and right to housing as mentioned previously; the creation of the Ministry of Cities in 2003, establishing the federal administrative framework for housing and urban development; and the campaign for Participatory Master Plans, which called on cities with more than 20,000 residents to develop participatory municipal master plans.⁸⁸

More recently, the Acceleration Growth Program invested BRL 23.4 billion (\$12.6 billion USD) in slum upgrading projects between 2007 and 2010 while the National Housing Plan, a short-, medium-, and long-term strategy was adopted to implement a new housing plan.

2004-2005: CREATION OF THE NATIONAL HOUSING POLICY AND FUND FOR SOCIAL INTEREST HOUSING

In this time period, the Ministry of Cities elaborated the National Housing Policy in 2004.

This long-term plan enshrined the need to promote access to housing and is the backbone of Brazilian housing policy today. It outlines guidelines for local interference in the housing sector and created a strategy across Brazil for resource mobilization.⁸⁹ The National Housing Policy gave structure to the National Housing System to help facilitate resources between the federal, state, and municipal levels to alleviate the housing deficit.⁹⁰

Within the National Housing Policy, the main instrument to achieve the affordable housing goals is the National Social Interest Housing Fund, created in 2005. Its main objectives are to 1) enable low-income populations access to urbanized land and sustainable housing, 2) implement investment and subsidy programs that enable access to housing for low-income populations, and 3) support the performance of housing sector institutions.⁹¹ The National Social Interest Housing Fund unites resources from various sources for the subsidy of low-income populations, where most of the housing deficit is concentrated.⁹²

2004 · 2005



Figure 03.2 Mutirão Paulo Freire.

HISTORY OF HOUSING FINANCE

1930 - 1964

1930 - 1964: AGRARIAN EXPORT ECONOMY

The agrarian export economy of this period helped give rise to an emerging labor movement, and corresponded with a new urban industrial landscape.⁹³ At this time, housing stock was controlled by the market and consisted mostly of rental and run-down housing for workers.⁹⁴ The first state-mediated approach to addressing housing was known as the Institutes for Pension and Retirement Funds (IAPs). Although IAPs instituted a housing credit system for builders and taxpayers, at the beginning housing production responded to demands in the rental market. Eventually homeownership replaced rental in IAP mortgaged buildings.⁹⁵ The national rent control legislation went into effect in 1942, pushing the transition from rental to owner-occupied housing. This was considered monumental because it took focus away from the rental sector, effectively lowering profits while sucking investments and resources.⁹⁶ In 1946, the National Foundation for Low Income Housing was created in an attempt by the national administration to move past the previous model that had been guided by a corporatist approach. But because this new model used cross-subsidization, real estate interests often argued against it. Overall, the foundation had an ineffective start which lasted many years before becoming the National Housing Bank.⁹⁷

1965 - 1980

1965-1980: RAPID URBANIZATION AND HOUSING CRISIS

This era was characterized by the pressures of rising housing costs, growing informal settlements and urban centers, and a shrinking rental sector. The economic crisis alongside pressure for agrarian reform and the election of a center-left president contributed to the military coup in 1964.⁹⁸ Under the new developmental state, the goal was to boost political legitimacy by growing the construction industry. This sparked international recognition, boasting a newly industrialized state that was growing fast.⁹⁹

As the military dictatorship took power in 1964, the National Housing Bank (BNH) took over from the National Foundation for Low Income Housing, acting as a vehicle for the first housing policy in Brazil.¹⁰⁰ Eventually, the National Housing Bank came to be considered a failure due to loan defaults and an inability to match supply and demand with quality and location; instead, the organization was successful in creating housing for medium-income borrowers.¹⁰¹ The BNH functioned on three sources of finance, all of which depended on the health of the economy: 1) the Fundo de Garantia do Tempo e Serviço (Workers' Severance Fund, or FGTS), 2) the Sistema Brasileiro de Poupança e Empréstimo (Brazilian Saving and Loans System, or SBPE), and 3) profits from mortgage payments.¹⁰²

Subsequently, the Sistema Financeiro da Habitação (National Housing Finance System, or SFH) was established several years later and remains operational today. SFH includes two main financial sources: the first, the FGTS, played a major role in labor relations during the military regime and was mandatory for all employed workers. The second, SBPE, is an optional saving system predominantly for financing housing for middle-income populations. For low- and moderate-income families, the military government created credit for housing cooperatives via the Institutos de Orientação às Cooperativas (Institutes of Cooperative Orientation, or INOCOOPs) as well as the production of a public housing stock via municipal Companhias de Habitação (Housing Companies, or COHABs).¹⁰³

In the decade following, the Fundo da Compensação da Variação Salarial (Salary Variation Compensation Fund, or FCVS) was created as a fallback to clear debts of creditor institutions.¹⁰⁴

The early 1980s saw a general economic crisis; because all of the BNH's financial sources were tied to how well the health of the economy, this crisis in combination with the programs general finance and policy mismatch led to its bankruptcy in 1985.¹⁰⁵

1980-2000: RESTRUCTURING AND RESCALING HOUSING POLICY

This period of economic restructuring generated experimentation with housing policy: in response to these shifts, political projects addressing social-urban reform and the social function of land began to form, including the right to affordable housing, urban competition, and an upward exchange of land value.¹⁰⁶

The National Housing Bank went bankrupt in 1985, with all of its assets and liabilities transferring to its successor, the Federal Savings Bank.¹⁰⁷ The Housing and Financial System (SFH, mentioned in the previous section) was found in disarray in the years following, largely due to its operational format in the country's economic state.¹⁰⁸ In 1991, in order to “avoid non-returnable financial transfers, even when the beneficiaries are those lower income groups,” the Ministry of Social Action (MAS) was created, followed shortly by the Letter of Credit Program in 1995.^{109,110}

The National Real Estate Finance System was created in the late 1990s in response to harsh criticisms by developers regarding housing finance. This new finance system introduced a handful of innovations including mortgage markets, securitization, real-estate backed securities, and fiduciary alienation. This system also brought with it official recognition of slum upgrading projects by the federal government, where previously they had been mostly self-funded.¹¹¹

2000 - PRESENT: PROGRESS AND RETREAT ON HOUSING GOALS

Recent years can be characterized by many new business endeavors by financial investors, including a surge of initial public offerings (IPOs) and foreign investment. Legislation, public institutions, the financial sector, and

developers are converging for the first time toward similar goals in housing.¹¹² While entities have similarly mobilized during this period, there is still generally poor financing for self management under the last few programs.

President Lula continued some programs from the 1990s initiated under President Cardoso, such as Carta Crédito (funded by FGTS) and Programa de Arrendamento Residencial (PAR). Lula's Crédito Solidário (Solidarity Credit) program used the Fundo de Desenvolvimento Social (Social Development Fund, or FDS) money as subsidy, financing housing for low-income earners organized in groups, like neighborhood associations. This is considered “joint effort,” an integral value in self management. In 2005, Congress approved a bill proposed by the urban reform movement under popular demand, establishing the Sistema e Fundo Nacional de Habitação de Interesse Social (Social Housing National Fund and System, or SNHIS and FNHIS) to house families representing the lowest-income levels.¹¹³ Also initiated by Lula is the Programa de Aceleração do Crescimento (Growth Acceleration Program, or PAC) to encourage economic growth.¹¹⁴

The 2008 Law of the Free Technical Advisory Program ensures the right of low-income families to technical advisory in the design and construction of housing of social interest, free of charge. Technical advisory firms, like the ones we met with on our trip (see Chapter 4.2), provide invaluable support to the movements through expertise in land use, architecture, public policy, and social work. This law ensured technical advisory support as a permanent service offered by the government; however, due to a lack of legal support and land regulation that allows for the utilization of this program, the application of this program is quite difficult.¹¹⁵

1980 - 2000

2000 -
PRESENT

SISTEMA E FUNDO NACIONAL DE HABITAÇÃO DE INTERESSE SOCIAL (SOCIAL HOUSING NATIONAL FUND AND SYSTEM, OR SNHIS AND FNHIS)

In 2005, Federal Law 11124 established the Social Housing National Fund and System (FNHIS and SNHIS). By organizing and funding housing construction, informal settlement upgrading and land regularization, these programs aimed to secure access to housing for the lowest-income groups.¹¹⁶ The FNHIS operated at the national level with the goal of developing a country-wide and long-term housing strategy. These funds became accessible to non-profit entities, cooperatives and associations in 2007 after the approval of Law 11.578.¹¹⁷

PROGRAMA DE ACELERAÇÃO DO CRESCIMENTO (PAC)

PAC was started by President Lula in 2007, aiming to encourage economic growth through infrastructure development such as roads, telecommunications, and power (as opposed to other programs that focused on housing).¹¹⁸ This program can be seen as having two parts: the first focuses on infrastructure investment while the second part is made up of institutional measures including tax system relief, encouraging credit, financing, and investment.¹¹⁹

MINHA CASA, MINHA VIDA (MY HOUSE, MY LIFE)

Minha Casa, Minha Vida (My House, My Life, or MCMV) launched in 2009 with the goal of increasing the supply of affordable housing for low- to middle- income households while also generating new jobs and income through the construction sector.¹²⁰ The organization had an original goal of producing one million new housing units for low-income families. While the program aims to provide housing for those who cannot afford it, it has been

criticized for prioritizing economic stimulation and job creation above all else.¹²¹ MCMV has provided a steady boost to GDP, and as of 2013 had delivered 1.5 million housing units to beneficiaries.¹²²

Following the criticism that the MCMV program biasedly promotes housing for the middle-income population and advocates for an ownership tenure model, the MCMV-Entidades (Entities, or MCMV-E) subprogram was launched to cater specifically to the homeless and families in the lowest-income bracket (0-3 minimum wages) by setting aside funds for housing to be coordinated by organizing entities, including social movements, as explained below.

MINHA CASA, MINHA VIDA- ENTIDADES (MY HOUSE, MY LIFE- ENTITIES)

The inclusion of social movements in MCMV-E was made possible by their advocacy: movement leaders met with President Lula in order to promote the importance of autogestão and the ability of social movements to engage in housing production. MCMV-E was the first housing program in the country completely managed by social movements. Movements control and supervise allotted government funds, land acquisition, project scope, construction, and selection of families.¹²³ Eligibility is restricted to families earning 0-3 minimum wages. Housing units are allocated based on member families' contribution to the projects, primarily through construction labor and committee participation. Since its inception, 7,800 units have been completed in Brazil and 12,500 have been approved. However, because the most recent administration in the federal government has withheld funding, these approved projects now remain unfinished. Nonetheless, MCMV-E program has given many homeless and underprivileged families optimism to realize their housing dreams.

Group 1 (0-3 minimum wages)

- Up to R\$1,395
- 91% of need
- MCMV 1: Target of 40%
- MCMV 2: Target of 60%
- Typically located at the peripheries of urban areas

Group 2 (3-6 minimum wages)

- R\$1,395 - 1,860
- 6% of need

- MCMV 1: Target of 40%

- MCMV 2: Target of 30%

- Typically located in more central areas or in urban areas

Group 3 (6-10 minimum wages)

- R\$2,325 - 2,790

- 3% of need

- MCMV 1: Target of 20%

- MCMV 2: Target of 10%

- Typically located in more central areas or in urban areas



Figure 03.3 Projeto Barra do Jacaré.

03.4

KEY SOCIAL MOVEMENTS

The struggle for democratization in the 1980s coincided with the start of the urban reform movement, fueling activism and grassroots efforts to redress regressive policies with the goal of reclaiming the right to the city. Since then, housing movements have fought the political system by representing the underrepresented, advocating for slum upgrading, land regularization, tenure security, and self-managed, publicly subsidized housing production. The social movements pursue two types of strategies to achieve their goals: direct and indirect. Direct strategies require a positive dynamic with the state and are suitable to strategically affect policy decisions from within the government framework. Typically, well-established, influential social movements or Civil Society Organization (CSOs) with strong government ties employ direct strategies. Indirect strategies involve the use of tactics such as mobilizing, advocacy, and occupation to pressure authorities to address the demands of the masses.¹²⁴ The types of strategies adopted by social movements vary depending on the political climate, relationship with the state, ideologies, and the scale of policy redress. The following section brings to the fore the struggles and prolonged battles several exemplary social movements in Brazil endured in pushing forward the urban reform agenda, promoting the social function of urban property, the right to housing and urban infrastructure for the very poor in the city.

Brazil's social movements embody the notion of a Right to the City, constantly steering urban

reform by challenging the status quo and revisiting the legacy of the 2001 City Statute – a legal framework to provide equitable access to land and housing for all citizens regardless of their socio-economic status. The City Statute contradictorily interacts with the embedded neoliberal urban development paradigm that favors the image of a global capital over the needs of all citizens, particularly those in the lowest income bracket. In 2014, the housing shortage among populations earning 0-3 minimum wages (see MCMV Income Groups section) accounted for an alarmingly high 84% of the 7.8 million national housing deficit. The unwarranted population increase in “informal” housing tenures – favelas and cortiços – in the peripheral city is evidence of the socio-economic and spatial segregation triggered by systemic exclusion of the low-income social class. As a result, low-income residents have inadequate access to quality housing, transportation, jobs and education, directly violating the 1988 Constitution that encompasses “right to housing” for all Brazilians.¹²⁵ Though the period under President Lula (Partido dos Trabalhadores, or Workers’ Party) witnessed efforts to coordinate leftist social reform policies, the promise of an inclusive city remains undelivered.

To this day, the movements are still leading legislation and policy innovation. Despite such excruciating social and political circumstances now facing Brazilians, the nation’s social housing movements are the “leaders of the struggle for land reform”; they fight against the lucrative real

estate system and demand their constitutional right that land must fulfill a social function.¹²⁶

OVERVIEW OF KEY SOCIAL MOVEMENTS IN BRAZIL

In tandem with our clients UMM-SP, UNMP, and MST-Leste 1, three organizations in particular represent a new era of co-management as Brazil underwent rapid urbanization. Together, these organizations – UNMP, the Confederação Nacional das Associações de Moradores, Movimento Nacional de Luta pela Moradia, and Central de Movimentos Popular – pioneered Brazil’s modern housing movement by engaging the state through Conferences of Cities, advocating in favor of the 2001 City Statute, and having their members serve as representatives on the National Council of Cities along with developers and NGOs. Their efforts often focused on the elaboration of affordable housing policy, basic sanitation, transportation and other urban issues to be considered in Congress. Descriptions of these key movements, along with others that contributed to the movement for the right to the city, are listed below.

- **Confederação Nacional das Associações de Moradores (National Confederation of Inhabitants’ Associations, or CONAM)**

CONAM’s focus is on anti-eviction activism, bringing together over 500 housing justice organizations across Brazil. This movement pushes state and local governments to enact “Zero Eviction” legislation, which has caught on as a global phenomenon and inspires anti-eviction action across the world.¹²⁷

- **Movimento Nacional de Luta pela Moradia (National Struggle for Housing Movement, or MNLM)**

MNLM is a squatters’ rights movement, largely represented by women and is most visible in Belém, Porto Alegre, and Belo Horizonte.¹²⁸ Similarly to FNUR, MNLM began as a fight for urban reform leading up to the adoption of the 1988 Constitution.¹²⁹ The movement was integral to the incorporation of housing as a human

right and the acknowledgment of the social function of land in the Constitution (Articles 182 and 183). MNLM additionally advocates for safe drinking water, equitable mobility, sanitation services, tenure security, and land regularization of informal settlements. One of the organization’s most common practices is the occupation of vacant buildings, and it has overseen the transfer of deeds to over 50,000 of its constituents across 26 states.

- **Central de Movimentos Populare (Popular Movements Central, or CMP)**

The CMP was founded in 1993 with the goal of furthering cohesion and relationships between the different urban movements from women’s rights to rural land issues to health and education.¹³⁰ Thus, different urban movements participate in CMP, such as housing, health, women, the black movement, youth, LGBT, and grassroots associations, among others. Today, CMP is present in 16 Brazilian states, fighting for rights and public policies.¹³¹

- **Movement for the Defense of Favela Residents (MDF)**

Three guiding principles shape the work of MDF: solidarity, resistance, and presence.¹³² Originally, MDF sought to accomplish four goals: 1) create representative committees in each favela; 2) legitimize itself through formal registration as an organization; 3) coordinate the alignment and improvement of favelas; and 4) promote land ownership for favela residents.¹³³ Today, MDF’s primary focus is in improving favela conditions, first coming to prominence in the mid-1970s and continuing its work through the present day. This is done through conducting surveys with favela residents on living conditions, then advocating on their behalf through government channels.

- **Movimento Passe Livre (The Free Fare Movement, or MPL)**

Through civil disobedience and disruptions like the blocking of traffic, the Movimento Passe Livre seeks to draw attention to

transportation inequities and advocate for high-quality public transit. Starting in 2013 in response to fare hikes, the movement has overseen mass demonstrations and garnered attention worldwide.¹³⁴

- **Fórum Nacional de Reforma Urbana (National Forum for Urban Reform, or FNRU)**

FNRU began as an effort to advocate for urban reform in 1988. Its members now include representatives from trade and labor unions, non-governmental organizations, and academics.¹³⁵ FNRU was instrumental in the success of lobbying efforts to include the right to housing in the most recent iteration of the country's Constitution, as well as in the ratification of the City Statute in 2001. Under President Lula, FNRU was instrumental in the creation of the Ministry of Cities. In their advocacy work, FNRU highlights connections between the shortage of housing available to low-income residents and the underlying causes of these shortages (e.g., power dynamics, allocation of resources, etc.). FNRU has advocated for the acknowledgment of the social function of land, progressive taxation policies, and the right to the city more broadly.¹³⁶

- **Comunidades Eclesiais de Base (Christian Base Communities, or CEBs)**

After the 1964 military coup, churches suddenly became the only institutions permitted to operate free of government authority or oversight.¹³⁷ Their ability to act as outlets for grassroots political activism, paired with their communitarian ideals of solidarity and equality, situated them as incubators and leaders of social movements in Brazil. In the years following the National Brazilian Conference of Bishops (CNBB), the church produced educational materials on CEBs through the late 1960s and eventually gave rise to the Movimento de Educação de Base (MEB).¹³⁸ Paulo Friere, an MEB leader and author of *The Pedagogy of the Oppressed*, led the charge in steering its political and theoretical trajectory (and

was briefly imprisoned by the military government after it came to power). Theology scholar Dr. Kjell Nordstokke notes the complexity of identities embedded in the MEB movement in stating

“The fact that the development of CEB is rooted in both internal ecclesial and external sociopolitical factors is shown by its name, comunidade eclesial de base. Comunidade refers to the local community; it contains both a territorial and a social element of belonging and acting together. It should therefore not be limited to its religious character; its first reference is rather the communal life, either in a small village (povoado) in rural districts or neighborhood (bairro) in urban areas. Eclesial expresses its belonging to the church.”¹³⁹

To this day, the Catholic Church in Brazil is considered one of the most progressive iterations in the world, likely due to the ways in which MEB influenced the activities and politics CEBs engaged in throughout.¹⁴⁰

- **Movimento dos Trabalhadores Sem Teto (Roofless Workers' Movement, or MTST)**

The Movimento dos Trabalhadores Sem Teto (MTST) is a national social housing movement that emerged from the 1997 Landless Workers Movement (Movimento dos Trabalhadores Sem Terra, or MST). MTST is a housing reform movement that defines housing beyond “physical shelter” to incorporate vital elements of everyday life such as food, transport, jobs, education, and healthcare.¹⁴¹ MTST demonstrates collective resistance by openly confronting the regressive neoliberal policies through land occupations as a form of demanding new social movement-led, publicly subsidized housing projects. They identify vacant and underutilized properties to mobilize families from other peripheral neighborhoods for land occupation. As a result of this pressure tactic, stakeholders of the occupied land engage in negotiations to provide formal housing.¹⁴²

TIMELINE OF KEY EVENTS VIS-À-VIS SOCIAL MOVEMENTS

The National Conference of Brazilian Bishops (CNBB) is created.

1952

Following the military coup and in association with the CNBB, Christian Base Communities (CEBs) become prominent political outlets for grassroots organizing.

1964

The Movement for the Defense of Favela Residents first becomes active.

1970s

UMM-SP is founded to fight for the right to housing and urban reform in the city of São Paulo.

1987

The *Caravanas à Brasília* (or Marches to Brasilia) begins, representing the start of a coherent expression of housing demands in the capital city. FNRU is established to advocate for urban reform.

1988

The First National Popular Housing Seminar, organized by the Brazilian National Bishops Council, plants the seeds for the National Social Housing Fund.

1990

The National Movement for Popular Housing (UNMP) is established.

1993

The Roofless Workers' Movement (MTST) emerges from the Landless Workers Movement.

1997

National Popular Housing Fund is created in order to support low-income housing via subsidies in recognition of the social function of property.¹⁴³

2004

Minha Casa, Minha Vida (My House, My Life, or MCMV) is launched.

2009

The Free Fare Movement (MPL) is established, initiating the now-famous Confederation Cups riots in protest of fare hikes, police brutality, and corruption.

2013

03.5

SÃO PAULO

Brazil's largest city is also its financial center. There is a stark contrast between the quality of life and economic well-being in the central city and the poverty of the peripheral informal settlements, as evidenced by an alarming difference in life expectancy of more than 20 years.¹⁴⁴ The City has struggled to implement housing policies and programs that adequately address the need in these peripheral areas. We focus on São Paulo because of its housing crisis, as well as its large and active housing movements. Some of the most influential people advancing autogestão on a national level can be found here. This relatively singular focus should not be interpreted as our ignoring other parts of the country. Rather, our experience here provided us with a deeper understanding of self management that can be broadly applied.

BACKGROUND, HISTORY, AND ECONOMY

São Paulo emerged as a major coffee hub in the late 1800s, a time when coffee was one of Brazil's primary commodities. The city's proximity to the large port in Santos and the presence of many national and international banks firmly situated it as an economic center. In the 20th century, changes in domestic policy related to the coffee trade and international markets led to an import substitution strategy. The policy changes positioned São Paulo to become a major manufacturing and financial center in Brazil. By the 1970s, manufacturing accounted for 40% of São Paulo's economy. Countless migrants from Brazil's rural northeast region and immigrants

from rural Europe and Japan moved to the city to access these manufacturing jobs.¹⁴⁵

In the 21st century, São Paulo's economy has become increasingly centered on the service sector. Multinational firms are attracted to the city's robust science and technology ecosystem, as well as its large and accomplished universities. This shift toward a service-based economy has led to a decline in manufacturing in the São Paulo Metropolitan Region (SPMR) and a related increase in informal economic activity, as those who relied on São Paulo's manufacturing jobs are forced to find employment elsewhere.¹⁴⁶ The growth in the informal economy is reflected in development and population trends in the SPMR: for the past three decades, the population in the central core has decreased while the numbers in the periphery have rapidly grown.¹⁴⁷ These peripheral settlements largely comprise low-income populations, many of whom live in informal settlements (see Figure 03.4 and Figure 03.5).

CONTEMPORARY SÃO PAULO AT A GLANCE

The Municipal Human Development Index (MHDI), which measures well-being based on income, health, and education is 0.805.¹⁴⁸ As demonstrated in Figure 03.6, this score has been steadily increasing for the past three decades, indicating the growing well-being of São Paulo's citizens as a whole. This increasing MHDI hides an important reality of São Paulo: the stark inequality between the wealthy,

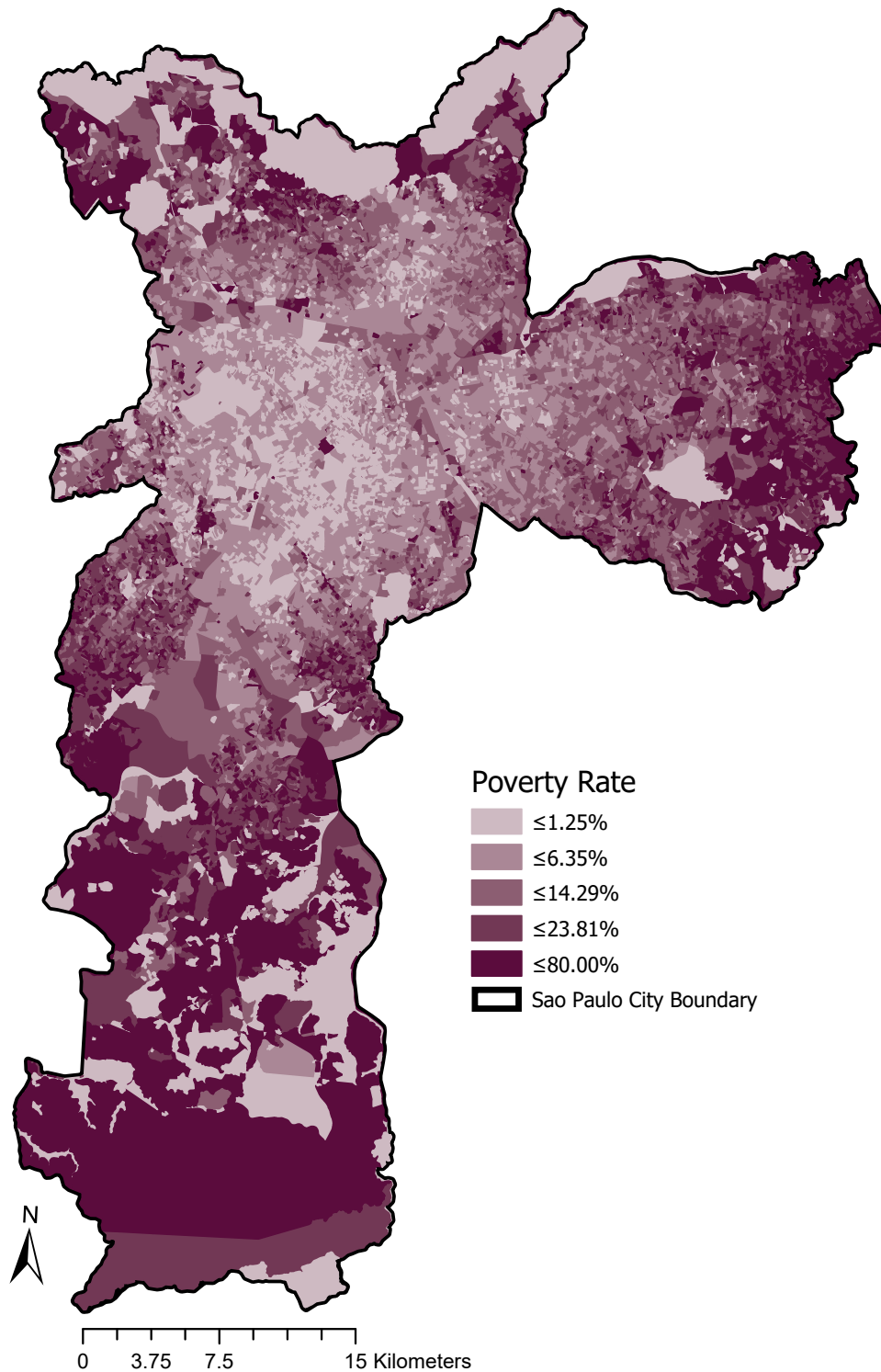


Figure 03.4 Percentage of households situated in favelas, by district (2016)

Source: Nick Van Mead and Niko Kommenda, "Living on the Edge: São Paulo's Inequality Mapped," *The Guardian*, November 27, 2017, <https://www.theguardian.com/cities/ng-interactive/2017/nov/27/living-edge-sao-paulo-inequality-mapped>.

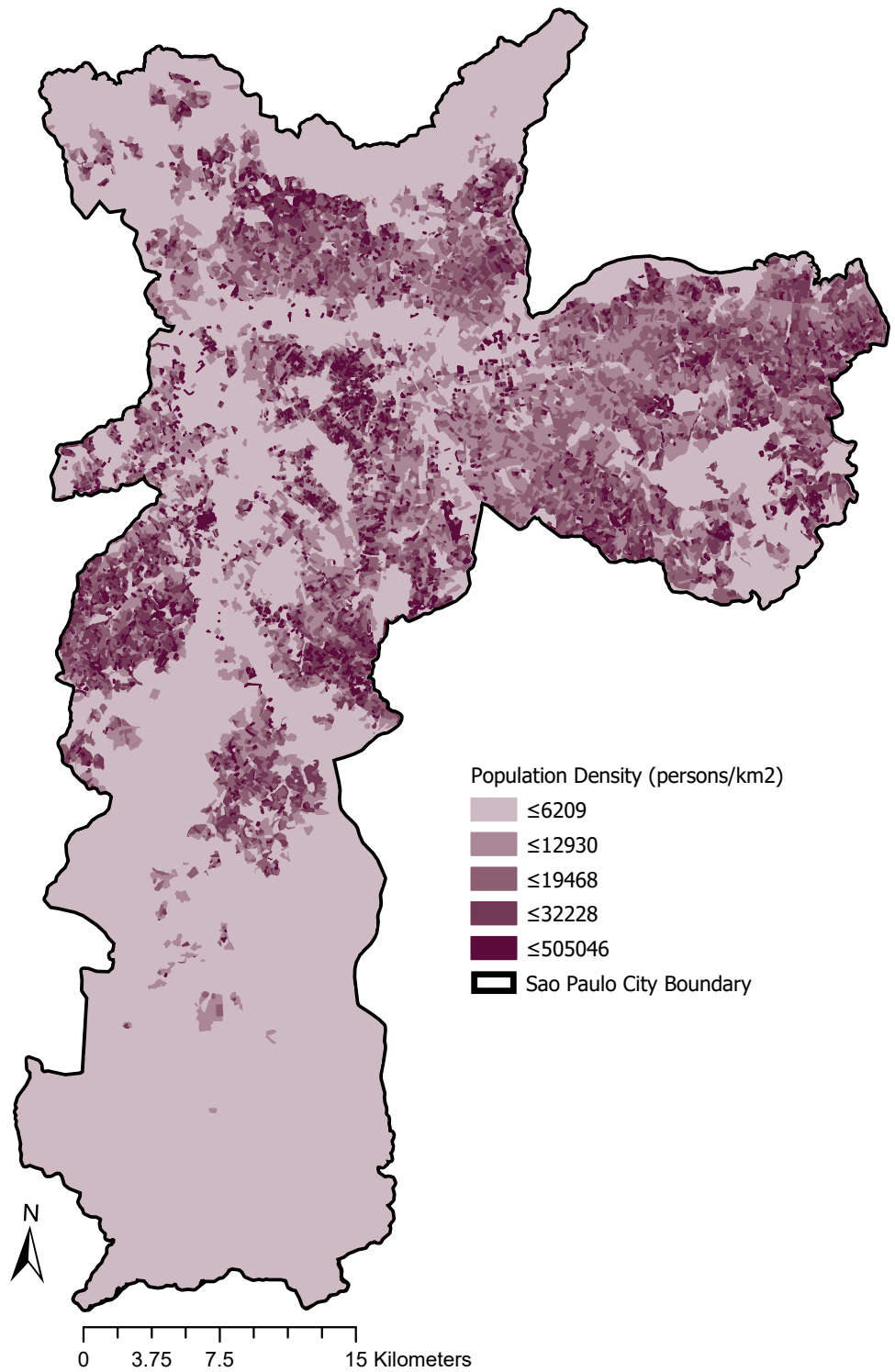


Figure 03.5 Annual population growth rates for São Paulo districts.

Source: *The Cities Alliance, "Social Housing in São Paulo: Challenges and New Management Tools," ed. Tereza Herling and Elisabete França (Washington, DC: The Cities Alliance, 2009): 21.*

center city neighborhoods and the low-income, peripheral settlements. A 2007 HDI survey in São Paulo found that the top five wealthy districts – Moema, Pinheiros, Jardim Paulista, Perdizes and Itaim Bibi – all had HDI levels above 0.95, comparable to places like Canada and Sweden. The bottom five districts in the study – Marsilac, Parelheiros, Lajeado, Jardim Angela and Iguatemi – all scored between 0.7 and 0.75, scores comparable to places like

Azerbaijan and Guyana.¹⁴⁹ Data from 2016 confirms this trend, finding that life expectancy in peripheral districts is much lower than that of central districts. Life expectancy is more than 20 years lower in the peripheral districts of Jardim Ângela (55.6 years), Anhanguera (56.4 years), and Cidade Tiradentes (57.3 years) than in central districts like Jardim Paulista (79.4 years) (see Figure 03.7).¹⁵⁰

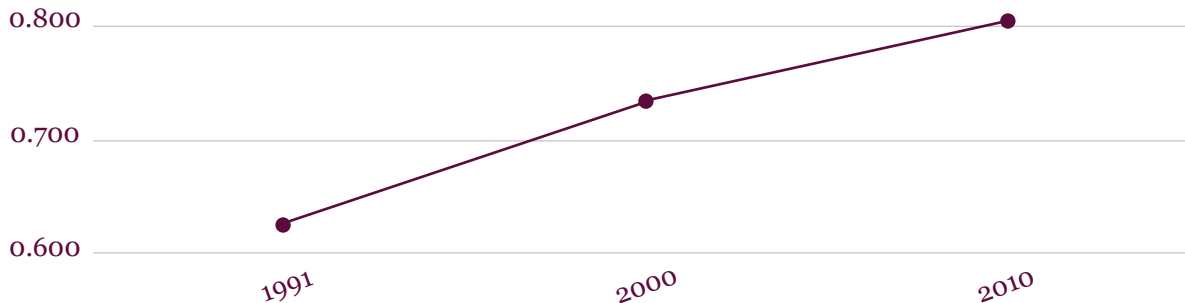


Figure 03.6 São Paulo Municipal Human Development Index (MHDI), 1991-2010.

Source: IBGE “São Paulo.”

SEGREGATION AND INEQUALITY IN SÃO PAULO

The postwar period from 1950 to the end of the 1970s represents a time of rapid growth and economic diversification for all of Brazil. Industrialization and economic growth without accompanying political or economic reforms (such as agrarian, social, and tax reforms) led to massive income concentration. The GINI coefficient for Brazil, which measures income inequality, increased from .50 in 1960 to .59 in 1979. This inequality worsened in the 1980s as Brazil experienced a foreign debt crisis, massive inflation, growing unemployment and subsequent growth in poverty and informality. The GINI index peaked at .64 in 1989. This growth in inequality began to slow in the 1990s as hyperinflation ended, the Constitution of 1988 recognized social demands, and the economy stabilized. Beginning in 2003, the government began to institute new social and economic policies, including a guaranteed minimum wage, though neoliberal policies prevented large-scale redistribution efforts. Between 2001 and

2010, poverty declined from 48% to 30% of the population, and the GINI coefficient decreased from .59 to .53.¹⁵¹

Despite the progress made since the early 2000s, there remains a stark contrast between wealth and poverty in the city, with most areas of poverty and favelas developing on the periphery of the city. These peripheral developments are characterized by inadequate infrastructure and high levels of insecurity. This segregation has been described as “de facto socioeconomic separation”¹⁵² and further exacerbates the megacommutes that periphery residents must make to access central city opportunities.

HOUSING POLICY AND SPECIAL SOCIAL INTEREST ZONES (ZEIS) IN SÃO PAULO

CONSORTIAL URBAN OPERATIONS

Consortial Urban Operations have been employed in São Paulo since the 1990s to guide processes of urban renewal and affordable

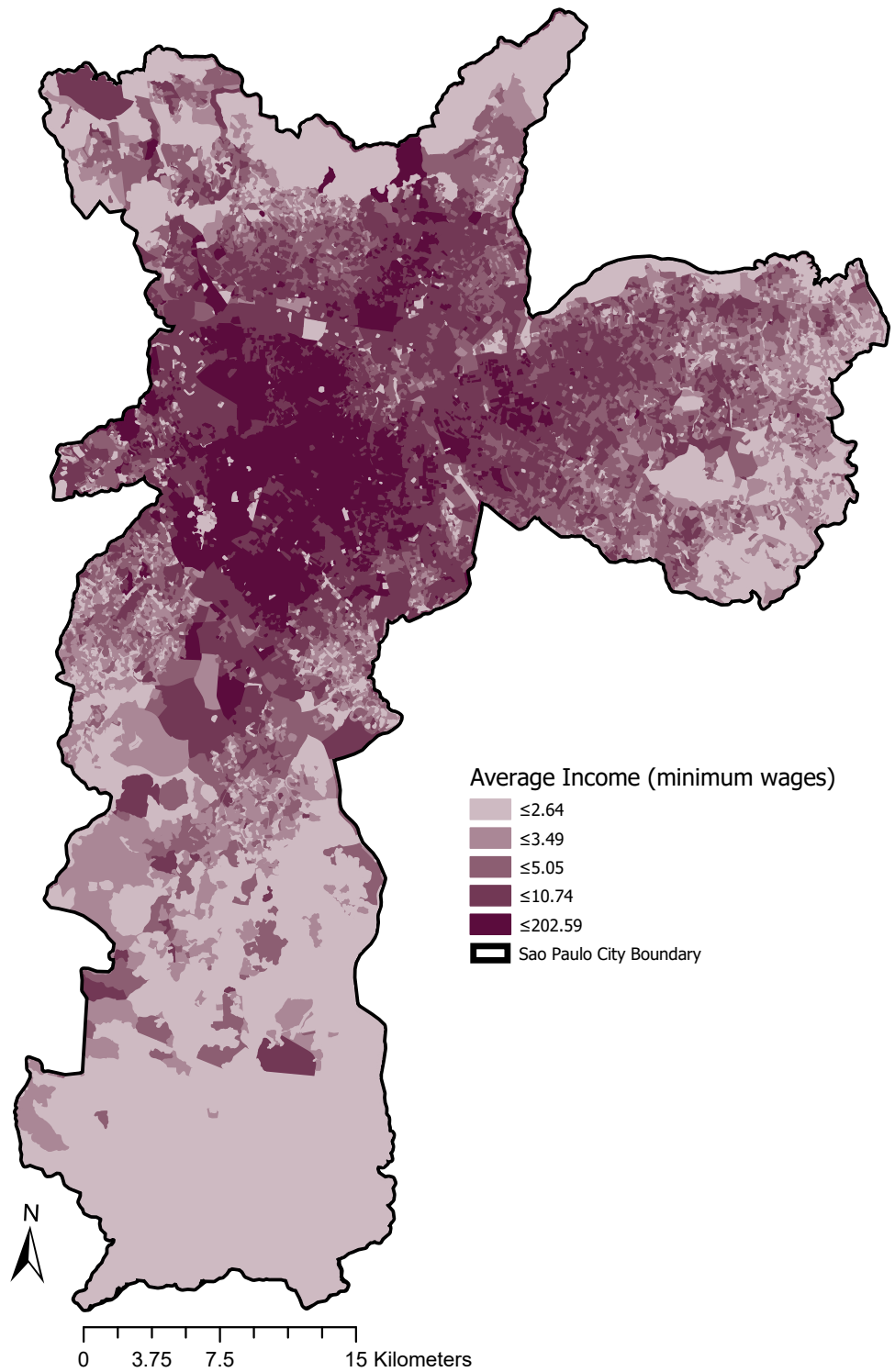


Figure 03.7 Average age of death by district (2016).

Source: Nick Van Mead and Niko Kommenda, "Living on the Edge: São Paulo's Inequality Mapped," *The Guardian*, November 27, 2017, <https://www.theguardian.com/cities/ng-interactive/2017/nov/27/living-edge-sao-paulo-inequality-mapped>.

housing development. This tool requires urban plans to identify structural interventions for the improvement of an area and describe the projects and improvements that can be funded with the surplus revenue captured by the improvement. These surplus funds are kept separate from the municipal budget and earmarked specifically for improvements in the same urban area as the originating intervention.¹⁵³ It should be noted that the Consortial Urban Operations, like many urban renewal projects based on public-private partnerships in the Global South, displace more informal dwellers than allocate ZEIS and build housing for those in need. Research found that in 2014 less than 10% of investments from Operations were dedicated to affordable housing.¹⁵⁴ Consortial Urban Operations have produced very little Social-Interest Housing (HIS) in ZEIS areas. In addition, the housing that has been constructed has been found to be low quality and insufficient in quantity. Lastly, compensation or relocation measures for low-income families displaced by this policy is inadequate.¹⁵⁵

FUNAPS AND FUNACOM

Up until the 1970s, the main source of funds for financing housing policy was from the federal level, with funding from the Fundo de Garantia por Tempo de Serviço (Seniority Guarantee Fund or FGTS) and the Sistema Financeiro de Habitação (National Housing Financing System, or SFH), which, through the Banco Nacional de Habitação (National Housing Bank, or BNH), defined the financing rules, agents and programs. In the late 1960s, Companhias de Habitação (Housing Companies, or COHABs), the municipal arm of the SFG, was created. However, their role was largely limited up until the 1970s-80s, at the onset of the housing crisis.¹⁵⁶ With growing pressure from social movements and grassroots organizations, the Fundo de Atendimento à População Moradora em Habitação Subnormal (Fund for Assistance to the Dwelling Population in Substandard Housing, or FUNAPS) was created in 1979 (Law 8,906/1979) as a financial instrument for low-income households and informal settlements.¹⁵⁷ With a distinct FUNAPS Council tasked with

program approval and fund allocation, the fund was relatively autonomous. FUNAPS played a critical role in shaping municipal housing policy, and each new government established programs and initiatives to expand or redirect the way these funds were used.¹⁵⁸

In the mid 1980s, with a new administration, FUNAPS became a part of the purview of the Secretaria da Habitação (Secretariat of Housing, or SEHAB) via the Superintendência de Habitação (Superintendency of Popular Housing, or HABI). HABI was tasked with overseeing FUNAPS programs and assigned to act particularly in favor of social housing. In 1989, with the election of Mayor Luiza Erundina, the program increased spending in popular housing programs at the periphery of the city.¹⁵⁹ FUNAPS Comunitário (FUNAPS Community, or FUNACOM) was a unique and innovative agreement between housing movements/associations and the municipality (HABI/SEHAB) to build housing under joint effort. Fundamentally it transferred responsibility for the management of resources and construction of units to neighborhood associations, and expanded the role of FUNAPS to serve as a credit institution for construction.¹⁶⁰

FUNACOM's success can be attributed to its strong legal and institutional basis:

- It used legally established FUNAPS tools, including the authorization to sign agreements with any public or private entity (here, the neighborhood associations), to address the housing deficit;
- The funding stream was reasonably autonomous with a guaranteed source;
- Monitored and managed by HABI regional actors, the decentralized program was more effective on-ground;
- Direct links to higher commands via SEHAB and the FUNAPS Council provided oversight to the program; and finally
- It institutionalized a regional forum and platform for participation with resident groups and popular housing movements.¹⁶¹

Eligible Participants: The program catered to families between 1 and 5 minimum wages (a ceiling of approx. R\$1,800) and affiliated with the housing movement or neighborhood association. Each entity required a minimum of 20 families and a maximum of 200 families to qualify. Towards the end of the Erundina administration, a new financial instrument was set up where families could decide the amount of income they could commit and select a payment plan that was most suitable to their household (payment amounts could not exceed 25% of household income and could not be lower than 10% of the minimum salary).¹⁶²

Funding. FUNAPS made up 4% of the municipal budget – 1% went towards FUNACOM. In the first phase of FUNACOM, nearly R\$460,000,000 (two-thirds of total funds) were allocated by 1992. Land was acquired through expropriation by HABI/SEHAB, purchase by neighborhood associations or movement, or obtained via municipally-owned properties (COHAB) or donations.¹⁶³

Actors. HABI central and regional bodies oversaw the management of FUNAPS resources. FUNAPS Council approved projects and monitored funds. In addition, entities or associations acted as a legal representative and council for approval of plans and release of funds. Technical advisory firms offered personnel, construction and management support to the residents.¹⁶⁴

FUNACOM played a crucial role in establishing a framework for autogestão housing in Sao Paulo. It established social movements as legitimate financial agents to manage and construct social and affordable housing.¹⁶⁵ In addition, it promoted participation in the framework of housing production, created higher quality public housing with lower development costs, and empowered families and communities through education and training in collective production of housing.¹⁶⁶

The FUNAPS law remained in effect until 1994 when it was replaced with the new Fundo Municipal de Habitação (Municipal Housing Fund, or FMH).

SPECIAL SOCIAL INTEREST ZONES (ZEIS)

Special Social Interest Zones, or ZEIS, is a zoning tool created in Brazil with the intention of providing access to land for those who are priced out of market-based housing. The tool began as a way to recognize informal settlements, but evolved to designate areas as underutilized, unused, or upon which no improvements have been made. A “vacancy ZEIS” designation mandates that development of affordable housing be prioritized for improvements on the site; specifically, 40% of each site must be used for Habitação de Interesse Social (Social-Interest Housing, or HIS) and 40% must be used for Habitação do Mercado Popular (moderate-income housing, HMP). Developers receive incentives such as free building rights and density bonuses to build in ZEIS zones. This zoning tool seeks to reverse a historical zoning trend in which land is reserved for the elite and lower-income groups are pushed to precarious peripheral settlements.¹⁶⁷

In São Paulo, the use of ZEIS as an effective tool to create affordable housing has been criticized. Between 2002 and 2014, very few affordable housing developments were created in vacant ZEIS areas, which can be in-part attributed to lack of political will and to a mayoral decree that provided developers with similar density bonuses in non-ZEIS zones. In general, housing production increased beginning in 2009 due to the Minha Casa, Minha Vida program, but a parallel increase in minimum wages at the time distorted the eligibility for residents in ZEIS zones, making housing in these areas available to the middle class rather than the low-income families it was designed to help. In 2013, it was determined that 42 km² of land would need to be designated as ZEIS in order to meet housing demand, but only 8 km² were ultimately zoned under this designation.¹⁶⁸

A new approach to ZEIS was established under São Paulo’s Municipal Housing Plan (2009–2014). For one, two new categories of vacancy ZEIS were created: “grassroots ZEIS,” which required that 60% of the floor area be built for HIS, and “market-rate ZEIS,” which required a larger percentage built for HMP and

would therefore be more appealing to private developers. The intention was that housing in grassroots ZEIS zones would be developed by the public sector since these projects would not be profitable for developers; however, lack of public resources to do so led to a freeze in any development in these areas.¹⁶⁹ The City also attempted to merge ZEIS with mechanisms included in the federal City Statute so that it could pressure property owners to make land available for housing under the social function of property. Although 505 properties have been found to be non-compliant with the social function of property since 2014, by the end of 2018 only 189 owners had requested project approval and only 20 had given use to their property (and not all of these were for housing). In Brazil, enforcement tools to encourage compliance with the social function of property do not require that projects' land uses be evaluated, hindering the ability to ensure that projects are being developed for the public interest.¹⁷⁰

As demonstrated in Figure 03.8, ZEIS in São Paulo are divided into five categories. ZEIS-1 are areas occupied by low-income people, including informal and social housing settlements; ZEIS-2 are areas of unbuilt or underutilized land suitable for urban development; ZEIS-3 are degraded areas situated in areas where infrastructure, services, and jobs are available; ZEIS-4 are unbuilt areas in headwater or environmental protection areas that are suitable for urban development; and ZEIS-5 (a designation added in São Paulo's 2014 Master Plan) are the market-rate areas discussed above, where the focus is attracting development for HMP.¹⁷¹

SÃO PAULO MUNICIPAL LAW FOR SELF-MANAGED HOUSING

Law 16.587, which establishes a self-management housing program in the municipality of São Paulo, was signed in December 2016 by Mayor Fernando Haddad. The law was crafted by Councilman Nabil Bonduki with the goal of both combating the criminalization of self-management housing projects and providing resources for them. In the wake of the defunding of MCMV-E, the

municipal law has filled gaps and enabled the continuation of the production of self-managed housing, if on a smaller scale.

The law defines self management in housing as, “a constructive process in which the participating families, represented by an association or housing cooperative, with the help of a specialized technical advisory, participates in the stages of conception, development and implementation of housing projects and social work, carrying out all the activities of management of the work and definition of the post occupation.” Notably, this law includes both associations and housing cooperatives, defined as “civil entities with no lucrative purpose, duly registered in the form of the law, headquartered in the city of São Paulo, with minimal performance in the area of housing proven by report of relative activities.”

Key guidelines for the development of self-management housing under the law include:

- Respect for the autonomy of housing cooperatives and associations
- Guarantee of access to decent housing
- Participation of families in all stages of the process
- Valuation of social control of public resources
- Appreciation of social work

Eligible participants. Any resident of the Municipality of São Paulo that has not been previously included in other federal housing programs and whose income does not exceed the parameters defined as HIS1 or HIS2 in Municipal Law 16.050/2014 (Strategic Master Plan) is eligible to participate. The law established that 80% of the units developed under programs regulated by this law must be reserved for residents whose incomes do not exceed the HIS1 parameters. The law is regulated by resolutions of the Municipal Housing Council (CMH), which are carried out every two years. Certifications from the CMH are valid for four years.

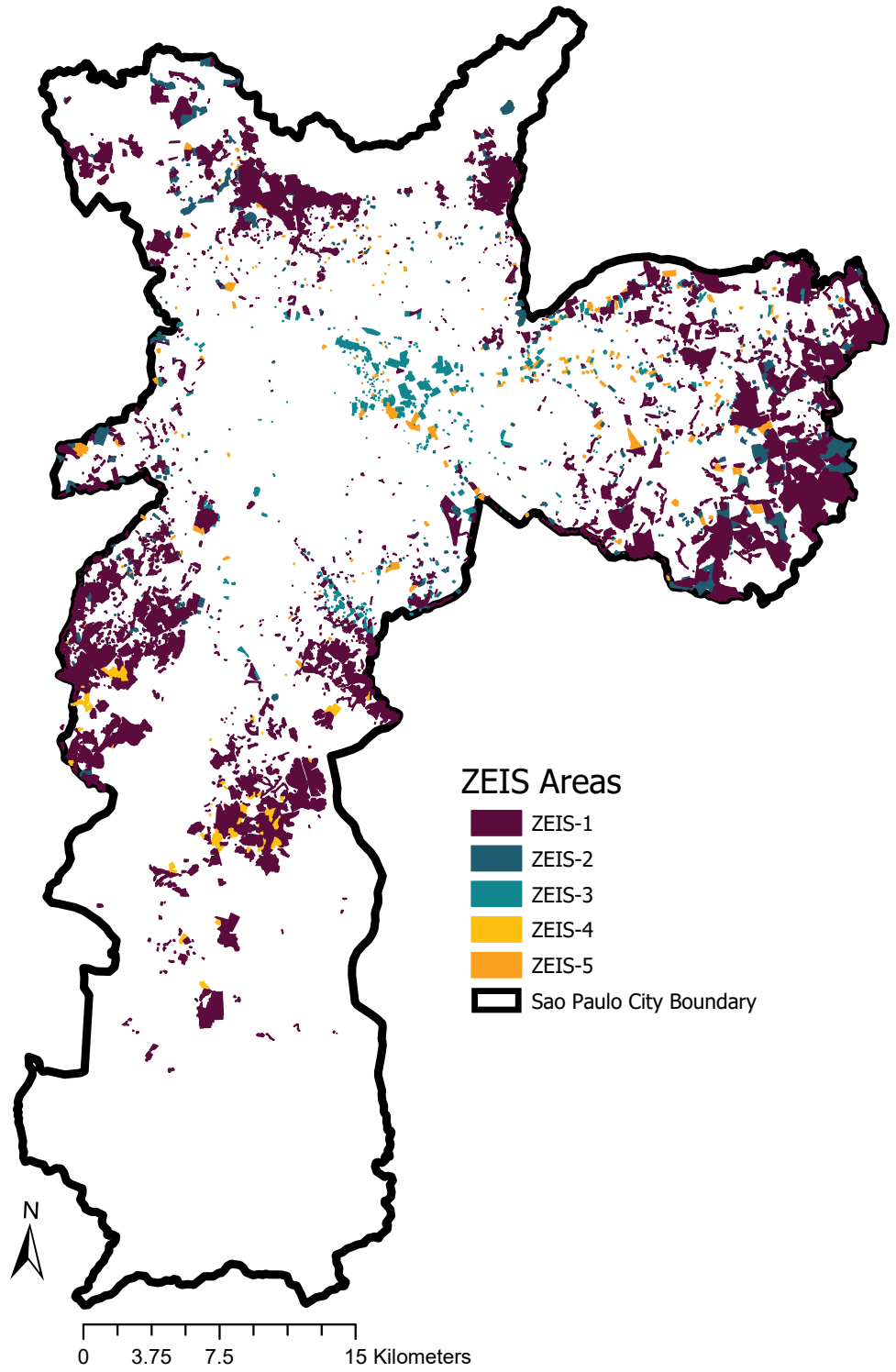


Figure 03.8 ZEIS in São Paulo (as of 2014).

Source: Silvio Cesar Lima Ribeiro, Marcelo Nakano Daniel, and Alex Abiko, "ZEIS Maps: Comparing Areas to be Earmarked Exclusively for Social Housing in São Paulo City," *Land Use Policy* 58 (2016): 451.

Funding. The self-management housing program is funded with resources from the Municipal Housing Fund, complemented by other public or private sources when necessary. The law mandates that at least 25% of funds allocated to the Municipal Housing Fund annually shall be allocated to the self-management housing program. The law further states that at least 30% of resources acquired through Article 340 of the Strategic Master Plan shall be allocated to the municipal program of self-management housing.

Funds provided for the program may be used for: acquiring land, paying for technical services, preparing and monitoring technical projects, construction of housing (and related equipment), implementation of basic or public infrastructure, formulating and implementing social technical project, and payment of other direct costs, such as legal costs and registration costs.

Program actors. Key actors involved in the self-management housing program set forth in this law include: the Municipal Housing Secretariat, the Metropolitan Housing Company (COHAB SP), housing associations and cooperatives, and promoting agents (as available).

ADDRESSING INEQUALITY AND SEGREGATION THROUGH PLANNING: SÃO PAULO'S MASTER PLAN

São Paulo's Master Plan, published in 2014, sets the goals and planning instruments for the next 16 years of city development. The overarching goal of the Master Plan is to "humanize and rebalance the City of São Paulo," by bringing housing and jobs closer together and facing "socio-territorial inequalities," appearing to speak directly to the major issues of inequality and segregation in the city.

Specific strategies are outlined to achieve these goals. These include fighting vacant land that fails to comply with its social function; implementing progressive housing policies; incorporating the environmental agenda; improving urban mobility; guiding growth near

public transportation; improving urban life in neighborhoods; promoting economic and social development; reordering metropolitan dynamics; preserving heritage and enhancing cultural initiatives; and strengthening public participation in decisions about the future of the city. A number of the elements of the Master Plan are directly focused on housing and development. These elements are briefly described below.

SOCIALIZING GAINS FROM CITY DEVELOPMENT

The plan asserts that developments with a floor area ratio of 1.0 will be onerously assessed and that associated revenues will be channeled to The Fundo Municipal de Desenvolvimento Urbano (Urban Development Fund, or FUNDURB). At least 30% of the FUNDURB is dedicated to social housing development. This finance mechanism serves to leverage development to benefit the city more broadly. The plan also provides tools to discourage the underutilization of land and vacancy. The plan provides timelines for the owners of such property to develop and better utilize their properties. If the owners do not comply with the defined timeline, the City can charge a Time Progressive Tax. If this goes on for five or more years, the City is authorized to expropriate the property.

IMPLEMENTING HOUSING POLICIES FOR THOSE WHO NEED THE MOST

The plan also doubles the size of ZEIS areas. Sources of funding include: the FUNDURB (at least 30% of resources are dedicated to purchasing well-located land to develop social housing and subsidizing housing programs), the Consortium of Urban Operations or Urban Intervention Areas (at least 25% of the resources will be dedicated to promoting social housing within the intervention area, with a particular focus on purchasing land), and the newly introduced "Solidarity Share" (all developments larger than 200,000 m² must donate 10% of the built area to affordable housing; 10% does not count toward total development rights).

IMPROVING URBAN LIFE IN NEIGHBORHOODS

The plan seeks to control densification with height and development limits while incentivizing new central areas in peripheral neighborhoods. It also encourages mixed-used development in these more distant areas, potentially mitigating job-housing imbalances and increasing economic opportunities for low-income populations.

In addition to housing-related policies, a number of other elements in the plan are designed to address the spatial inequalities in São Paulo. These include investment in public transit improvements, guiding growth near public transportation, targeting Urban Intervention Projects in the “macro area of metropolitan restructuring” to improve municipal connectivity and provide social and economic upgrades, spreading employment opportunities along designated development axes, and strengthening public participation and democratic control.¹⁷²

Although the Master Plan outlines an expansion of resources and mandates for social housing, it did not provide for land reserves in the

specific areas identified or mandate exchange of construction rights for the production of social-interest housing. The result is that social-interest housing will continue to be produced in peripheral areas of the city. While the plan offers instruments for the production of social-interest housing, it also provides more economically attractive options for developers, thus making it easy for developers to avoid social-interest housing production.¹⁷³

LAND ACQUISITION IN THE SÃO PAULO METROPOLITAN REGION

One of the greatest barriers for the creation of affordable housing in the São Paulo Metropolitan Region is land acquisition. The issue is twofold: first, centrally located land that provides good access to urban amenities tends to be extremely expensive. Private developers producing housing in these more central locations charge profit-maximizing rents, making market-rate housing in these central areas well beyond the means of lower-income households. The São Paulo municipal law for self-managed housing provides funds for land acquisition, but does not include provisions for



Figure 03.9 Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King.

the acquisition of land through mechanisms like eminent domain. It is difficult to leverage this program to produce housing through this in central areas of São Paulo.

The second issue involves the preservation of biologically sensitive land throughout the region. The Brazilian Forest Code establishes Permanent Preservation Areas (APPs), defined as “protected areas (covered or uncovered by native vegetation) with the environmental function of preserving water resources, the landscape, geological stability and biodiversity, facilitating the gene flow of fauna and flora, protecting the soil and ensuring the well-being of human populations.”¹⁷⁴ These APPs are prevalent throughout São Paulo due to the presence of the Atlantic Forest, a major conservation priority in the region.¹⁷⁵ While APPs serve an immensely important environmental function, they also impose major barriers for the development of housing with stringent restrictions on development and expensive requirements for planting and preservation. This means that it is both difficult to find land for affordable housing, and, once this land is acquired, it can be quite burdensome to meet the costs necessary to

comply with the Forest Code.

The São Paulo Master Plan also prioritizes the maintenance of green spaces throughout the city, supported by a municipal fund created specifically to ensure the implementation of green and open spaces. The Master Plan proposes the creation of 167 new parks, forbids new land subdivisions in the “Macro-area of Urban Restriction and Sustainable Use,” and creates “Special Zones of Environmental Protection” for lands designated as future parks.¹⁷⁶

The preservation of the biodiversity of the Atlantic Forest and of green, open spaces throughout the city poses unique challenges for the production of centrally located and affordable housing. These challenges highlight the need for national legislation that provides more support and funding for the production of self-managed housing. More stable funding and mechanisms for land acquisition would allow for significant scaling-up of self-managed housing, and would begin to meaningfully address the severe housing crisis in São Paulo and throughout Brazil.



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04

METHODS +
FIELDWORK

04.1

METHODOLOGY

The capstone team used a variety of approaches in conducting our research. To develop contextual understanding of our project, we conducted a literature review, developed case studies, and interviewed experts in the field. We also conducted intensive fieldwork research in São Paulo from February 28th through March 13th, 2020 including site visits; semi-structured key informant interviews and group interviews with leaders of the social movements, landscape architects, and residents of the housing projects;

and observations of and participation in social and political events. Lastly, we conducted legal and policy research to inform our final recommendations for the drafted bill.

BACKGROUND RESEARCH

Prior to our fieldwork in São Paulo, we conducted a thorough literature review on Brazil's housing policy, land use policy, property systems, and social movements, as well as an in-depth examination of urban planning issues within São Paulo (see Chapter 3). As part of this effort, we conducted an interview with Benedito Barbosa, a community leader and lawyer with Centro Gaspar Garcia de Direitos Humanos, to better understand the complex legal and political landscape within which self-managed housing is embedded. In addition, to better understand the global context of affordable housing innovation, the team researched well-known alternative housing frameworks across the globe and conducted an interview with Mónica Hernández, Regional Programme Coordinator of Housing and Habitat at WeEffect, a global organization focused on alternative housing frameworks, including self-management housing and cooperatives. WeEffect has been instrumental in providing the technical assistance that allowed autogestão housing models to proliferate across Latin America, as outlined in our case studies.

FIELDWORK RESEARCH

Our fieldwork consisted of a wide variety of meetings, people, and settings in order to



Figure 04.1 Team Meeting with the staff at Usina CTAH, discussing APP regulations.

better understand the people and progress of the movement. This included site visits at housing projects and technical advisory firms; semi-structured key informant interviews and unstructured group interviews with social movement members, housing project residents, and technical advisory firm experts; and observation of and participation in social and political events. Throughout these events, our team documented what we were witnessing in order to produce educational and promotional materials based on first-hand accounts of the work being done by the social movements.

SITE VISITS

Housing Projects

- Conjunto Habitacional Alexios Jafet
- Condomínio Iracema Euzebio
- Condomínio Marisa Letícia
- Condomínio Vila Patrimonial
- Edifício Dandara
- Mutirão Paulo Freire
- Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King
- Mutirões Florestan Fernandes e José Maria Amaral
- Projeto Barra do Jacaré
- Projeto Bosque da Barra
- Residencial City Jaraguá
- Vila Verde

Technical Advisory Firms

- Ambiente Arquitetura
- Peabiru Trabalhos Comunitários e Ambientais
- Usina CTAH (Centro de Trabalhos para o Ambiente Habitado)

UMM-SP arranged for our team to visit 12 self-managed projects throughout the São Paulo Metropolitan Region. These projects were in various phases, from initial planning (like Projeto Bosque da Barra, which has not yet broken ground), under construction, near completion, or completed (like Paulo Freire, which was completed more than two decades ago). We also visited three technical advisory firms, which are funded through the government to provide technical expertise in supporting autogestão projects in their vision for self-designed homes. The team had 3-4 designated note takers at a minimum for each site visit, as well as 2-3 videographers and photographers documenting sites visually, and held regular debriefing meetings each day.

INTERVIEWS

The team conducted 25 semi-structured key informant interviews with 26 housing project residents, social movement members and leaders, and technical advisory firm experts; as well as group interviews with residents at over half of the housing projects visited. Professor Ana Paula Pimentel Walker led these interviews in Portuguese, relaying interviewee's responses in English. All interviews were documented by a group of dedicated note takers and recorded by audiovisual devices. On average these interviews lasted 10-12 minutes, though some interviews were shortened based on interviewee availability while others lasted over 20 minutes. Many of these interviews were further reviewed for additional content analysis during regular debriefing meetings. These interviews served a dual purpose: not only did they form the foundation for our data collection and research process, but many interviews also served as audiovisual materials for educational videos and the promotional documentary.

Interviews with Self-Management Participants

Participants in the self-management process include those who have already procured housing through self management, as well as those on the waiting list, participating in the planning and construction stages. The aim of these interviews was to better understand the experiences of people involved in self

management and how it has affected their lives. By recording these interviews, we hoped to share participants' stories about their contributions to the struggle to obtain affordable, adequate housing, educating others about the opportunities provided by self management. The capstone team conducted 15 interviews with 18 participants, including three joint interviews with two participants from the same self-management project responding together. Interviews took place at the interviewees' homes or at the project sites. Interviews were semi-structured, with planned questions giving way to specific topics of interest.



Figure 04.2 Interview with Fernanda Kelly, resident of Conjunto Florestan Fernandes e José Maria Amaral and member of MST-Leste 1 joined by architect Ricardo Gaboni from Ambiente Arquitetura.

Interview questions included:

- Before self management, what were your living conditions, including financial situation?
- When did you join the housing movement?
- What is the history of the self-management project?
- What is self management?
- What is the role of women in self management?

Interviews with Social Movement Leaders

Interviews with social movement leaders focused on our clients UMM-SP, UNMP, and MST-Leste 1. Conducted at the offices of UMM-SP, these interviews focused on social movements' historical involvement in self management and their current role in the self-management process. Interviewees included coordinators and consultants for UMM-SP, UMM-SP's Secretary of Women, and a lawyer with UNMP, and provided insight into the movements' operations.

Interview questions included:

- What are some key moments in the history of the movement?
- What is the history of self management?
- Why is there a need for a self-management law?

Interviews with Technical Advisory Professionals

We conducted four interviews with technical advisory professionals, including three architects with technical advisory firms and one social worker. Half of the interviews took place at the offices of two of the firms, while the remaining two interviews took place at project sites where the technical advisory professionals were assisting.

Interview questions included:

- What is the history of your technical advisory firm?
- What is self management?
- What are the benefits of self management?
- What is the role of collective property in self management?

Roundtable Discussion and Group Interviews with Housing Residents

At most of the self-management housing sites that the team visited, representatives of the project set up group interviews with residents and movement leaders. Some sites also had roundtable discussions covering topics like the challenge of producing housing in the downtown area, organizing and mobilizing for housing, and how to produce large-scale self-management housing. The conversations were informal and largely unstructured. Interviewees spoke at length about their experiences with *mutirão* and the history of their housing projects.



Figure 04.3 Interview with Donizete Fernandes Oliveira, coordinator with UMM-SP.



Figure 04.4 Interview with architect Wagner Germano of Usina CTAH.

Though typically one person spoke at a time, other participants would often join in to offer explanations and add quick comments on the subject. The team took notes of the translated answers, with the conversation recorded for further review. Unlike the individual interviews, these conversations were recorded only for internal use, informing our research and providing critical information about the sites for the deliverables.

PARTICIPATION IN SOCIAL AND POLITICAL LIFE

During our visit, we also observed and participated in a number of social and political events. We attended Carnaval with young leaders in the movement and learned to play an array of musical instruments from the youths of the movement, building relationships over drinks and music. We participated in the Women's March with the movement and observed a political debate within the local Partido dos Trabalhadores (Workers Party, or PT), learning about how housing issues have translated to local political and activist issues. Though we did not formally document these experiences as we did with our interviews, the relationships and memories we built through these events deepened our understanding of our research and our role within the movement.



Figure 04.5 Group interviews at Barra do Jacaré.



Figure 04.6 Group interviews at Condomínio Vila Patrimonial.

LEGAL RESEARCH

The team conducted in-depth research on law enabling self management programs and policies in Argentina, Costa Rica, El Salvador, Uruguay, and Venezuela and on laws enabling collective property globally, resulting in five case studies of alternative housing frameworks in Latin America and a memorandum on collective property. The team additionally consulted research experts on U.S. law and comparative law at the University of Michigan to understand approaches to legal research.

CONCLUSION

We combined a variety of research methods to better understand the context in which we were working and to develop appropriate recommendations and tools for the client. Through our background research, fieldwork, and participation in cultural events alongside movement members, our team further developed our knowledge around issues affecting low-income Brazilians while bringing more nuanced insights into the development of our deliverables.

04.2

FIELDWORK + NOTES FROM SÃO PAULO

This section recalls our visits to nearly a dozen housing project sites and technical advisory firms, as well as our experiences sitting in on UMM-SP meetings, marching arm-in-arm in protest, and attending other events with members. We recorded dozens of interviews and took countless photographs of these experiences, with the hope of documenting the various self-management projects throughout the São Paulo Metropolitan Region and the ongoing efforts of the social housing movements.

We planned our visit to be as productive as possible and arranged to stay in a centrally located hostel that was a few minutes from a well-connected subway station. This allowed our group of 11 members to reach virtually all of our site visits using São Paulo's robust public transit system. Most sites were located in the urban periphery, but were not concentrated in any particular area. For example, we made several visits to the Mutirões Dorothy Stang, Jerônimo Alves, and Martin Luther King project, which lies in the far east of the city, near the border of the municipality of Mauá. However, we also visited sites in the far northwestern side of the city, such as the Alexios Jafet site. While some of these journeys took upwards of two hours each way, this time was seldom wasted as we were able to work on small logistical details during them. More importantly though, by travelling this way, we were able to better understand how different regions of the city connected with one another, and what it would be like to commute from these different sites. Most commutes included metro and bus and the team was able to observe the changes in the built environment as we passed through various districts. Most

importantly, these trips highlighted the ways in which disparate levels of access to the urban center — and thereby, economic opportunity — affect populations living across the metropolitan area, where it can often take up to two hours to reach downtown areas.

SITE VISITS

HOUSING PROJECTS

From projects still in the conceptual phase to those that have been occupied for nearly a decade, each project offered a unique insight into the benefits and challenges of this housing model. What was consistent across visits, however, was the hospitality shown to us by the movement members, their enthusiasm



Figure 04.7 UM capstone team eating with Movimento Habitacional e Ação Social at Condomínio Vila Patrimonial.



Figure 04.8 Wemerson Ramos in his home at Condomínio Dandara in downtown São Paulo

for the process, and their optimism that self management was the best path forward.

Site visits to completed projects allowed us to see completed, lived-in units and gave us an opportunity to document the quality of the units developed under this housing model. Second, it allowed us to understand how projects evolve over time through democratic decision-making processes. For example, residents at Paulo Freire decided to replace its initial plumbing system despite the fact that it would be a costly endeavor for every household. Another example is the Condomínio Iracema Euzebio project, where residents collectively decided to lease the building's common space to an outside entity in order to keep monthly expenses low for the residents. This is a critical component of self management that speaks to the model's ability to sustain over time; even after residents move in, the democratic process and shared sacrifice remain intact, giving hope that projects will continue to thrive long into the future.

Visits to projects under construction showed

how self-managed projects come together and the challenges found in the construction phase. These visits allowed a first-hand look at the all-hands-on-deck mentality that is required to advance self-managed projects. While construction is one obvious contribution to the process, our visit to Alexios Jafet showed that members can contribute in many ways. Our weekend visit was a workday, so you could easily find folks working on landscaping and grading, in the kitchen cooking for the group, or in the community room looking after children. Each is considered a contribution to the project and allows members with differing capabilities to contribute in the best way they can.

An evening visit to the Mutirões Dorothy Stang, Jerônimo Alves, and Martin Luther King project was an opportunity for our team to witness the work of commissions. Each project is organized by a series of commissions, decided on by movement members through a democratic process. Examples of commissions vary, but often include:

- Environmental commissions, tasked with investigating the conditions of the project and to ensure adherence to legally binding environmental standards, among other tasks.
- Financial commissions, which seek to secure funding for the project.
- Relationship management commissions, working with lenders, construction experts, and other contributors to the project to ensure efficient coordination.
- Women’s commissions, which consider the needs of women residents and plan for childcare and organizing efforts.
- Additional commissions vary, but can include accounting, logistics coordination for meetings including cooking, labor and accident prevention, and communications, among others.

allow for the coordinators to exchange updates on the project status and the work of different commissions, make plans for future events, and regularly convene with one another. The commission coordinators plan mutirões for manual labor and organize assemblies where decisions are made on important aspects such as financing and procurement. Lastly, our visit to Projeto Bosque in the city’s West Zone allowed a glimpse into a project in the conceptual phase. While Projeto Bosque had yet to begin construction, members of the collective and the technical advisory firm assigned to the project warmly welcomed us to the site as they explained the existing conditions, the proposed site plan, and the process whereby they procured surplus government land. Even at this stage in the development process, the self-management process was on full display as members of the security commission explained that they remain on site 24 hours a day to ensure that unauthorized parties do not occupy the land and that any purchased materials are not stolen.

Each month, the commissions host check-ins to



Figure 04.9 Touring Conjunto Florestan Fernandes e José Maria Amaral.

Our site visits also allowed us to see the kinds of environmental challenges that many of the housing projects face and experience trade-offs that movements are forced to make. At Conjunto Florestan Fernandes e José Maria Amaral, we saw the immense size of the Permanent Preservation Area (APP) and learned about how regulators for the Forest Code follow up to ensure that plants are being maintained two years after construction is completed. At Condomínio Vila Patrimonial, in order to meet the tree planting requirement, the movement was forced to sacrifice 12 housing units, forcing 12 families to look elsewhere for housing.

Ultimately, our site visits would have been incomplete without the people involved in the project. Each site visit, regardless of the project's status, began with a roundtable discussion or informal group interview. These discussions allowed members of the collective to share how their journey has led to self management and the significance of the movement in their lives. This was also a chance to break bread and speak candidly about their experiences. The insight shared during these discussions were as critical as our interviews in enhancing our understanding of self management. As we came to understand how precious time is to these projects, with volunteers spending countless hours contributing to projects, we were moved by the generosity of residents in sharing their experiences with us so freely.

TECHNICAL ADVISORY FIRMS

Through our visits with the technical advisory firms, we had a sneak peek at how urban

planners could support movement-led housing and facilitate truly participatory decision making. In their design process, for example, they showed us cut-out pieces of furniture and appliances in homes that they used to see how residents would ideally design their homes. Our visits with the technical advisory firms was especially important for learning about the technicalities of APP regulations. Our team met with environmental planning experts several times over the course of our stay in Brazil.

INTERVIEW FINDINGS

This research provided us with a detailed understanding of the different sites and the people that live on them or one day hope to. Virtually everyone that we spoke with had personally experienced the instability and unaffordability of traditional, market-led housing. Most self-management projects involved continuous and protracted struggles to access both land and funding. However, through the movement, members have been able to access much more than just housing. Many have found education, employment, stability, and community because of the strong social ties that the movement creates through practices of solidarity and mutual aid. Those who have received housing through participation in the movement explained to us the impact it has on their children — the profound benefits and sense of pride they had from their safe, stable housing. Another important theme we learned was the important role of women, who account for some 80% of the movement. The women we spoke with told us about the empowerment they

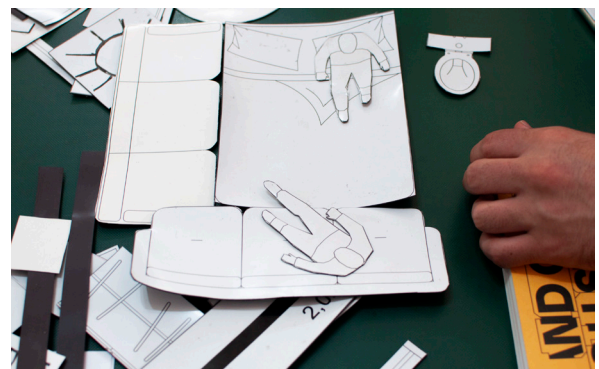


Figure 04.10 Design toolkit at Usina CTAH.

felt working on their own homes and learning to do things they never thought possible through their roles on various resident committees. As one interviewee explained, she no longer felt intimidated to lobby politicians and other officials for support because of all she learned while working on a coordinating committee at her site.

SEMI-STRUCTURED INTERVIEWS WITH HOUSING RESIDENTS

From these interviews the team learned about the experiences of residents before, during, and after the self-management process. Interviewees often expressed gratitude for the opportunity to participate in self management, with many unable to afford an equivalent housing unit otherwise. Interviewees also expressed pride in their homes, the work they put into the project, and the expertise they gained through their participation in self management. Interviewees discussed at length on the variety of benefits of self management: many cited it as a securing anchor and experience having inspired them to pursue more education;



Figure 04.11 Interviews with residents, movement leaders and technical advisory professionals

others discussed how self management helped them see their true selves, their power and their worth. All interviewees discussed the importance of the movement in self management and the continued need to fight for housing for those who lack it.

SEMI-STRUCTURED INTERVIEWS WITH MOVEMENT LEADERS

The team learned more about the political struggles involved with implementing self management and its importance in the fight for adequate housing. Interviewees discussed the importance of the Uruguay FUCVAM model for self-management housing in influencing the establishment of the practice in Brazil, starting in São Paulo. They also discussed the need for a federal law on self management to prevent sudden cuts to funding, as the most recent political administration has been apt to do.

SEMI-STRUCTURED INTERVIEWS WITH TECHNICAL ADVISORY PROFESSIONALS

Technical advisory professionals carefully explained the various stages of the development process. According to technical advisory professionals we spoke to, self-managed housing had better outcomes than developer-led social housing. Interviewees elaborated that units tend to be larger and higher quality because “the movement measures success based on quality, not profit” (field notes, 2/29/2020) and due to

residents’ active role in designing communal spaces and units. The technical advisory professionals we interviewed especially noted that resident-led designs preferred higher-quality materials, frequently offset in cost by the use of self-construction methods. In addition to the recorded interviews, the team held separate meetings with two of the social architects to discuss the EEP site assigned to us by the client, particularly issues involving the requirements for setbacks on APP designated land.

GROUP INTERVIEWS

Group interviews gave valuable insight into the operations and history of various self-management projects around the city. The flexibility of these interviews granted team members the opportunity to ask residents and movement leaders specific questions about the site and the self-management process. In these interviews particularly, we witnessed what was less apparent in individual interviews: the deep sense of community inherent to these projects, and the ways in which the very act of self management supports social cohesion.

SOCIAL AND POLITICAL EVENTS

SOCIAL RITUALS AND GATHERINGS

During our time in Brazil, we attended Carnaval with young leaders of the movement; learned to dance the forró with people in the movement and technical advisory professionals; sang our hearts out at karaoke in Liberdade, São Paulo’s Japantown; enjoyed music played by the youth of the movement; and more.

Making and enjoying music with the youth of the social movements was one of the most fun, rewarding experiences of our trip. Language barriers were significant during the whole trip, but somehow, this experience seemed to transcend our limitations in communication. Rhythm and beats connected us, as the kids played several songs and demonstrated their musical expertise. Later, the kids taught us how to use the instruments through bodily expression and we rose to the challenge with curiosity and excitement.



Figure 04.12 Making music with youth in the movement.

While we worked hard on research, we also had a lot of fun, thanks to the hospitality and kindness of those in the movement. Our shared experiences deepened our ties to one another, as well as to our friends in the movement, and helped fortify us in returning to a very different world.

WOMEN'S MARCH

On Sunday, March 8, our team met dozens of movement members in downtown São Paulo to participate in the city's International Women's Day protest. The event was marked by both frustration and hope, reflecting the mounting challenges affecting women in São Paulo and across Brazil, especially under the current administration. Despite heavy and unrelenting rain, thousands of people attended, bringing enormous banners, speakers, and drums. A huge array of social movements and civil society organizations were present, beyond those that focused on housing. UMM-SP marched with a few large banners while members of each housing project grouped together under smaller pink signs, giving a sense of the



Figure 04.13 Team members attending the women's march in downtown São Paulo.

interconnectedness and uniqueness present across the movement.

Women's issues are of utmost importance to the movement, particularly because a majority of UMM-SP and UNMP members are women. The movement has a women's department that fights femicide and educates people about domestic violence, especially as these issues affect women of color. Furthermore, the movement actively subverts gender roles: while market-led construction sites are typically male, the movement defies this norm and self-constructs with its mostly female members.

UMM-SP LEADERSHIP MEETING

Members of UMM-SP invited the capstone team to sit in on a meeting of movement leadership at the movement's offices. Coordinators and representatives from all around the city attended to make decisions about the future of the movement and organize around upcoming events such as the Women's March. Many members presented to the group, with ample discussion and debate on each topic. Voting was held to make final decisions, exemplifying the democratic processes that the social movements promote as a central tenet of their mission.

PARTIDO DOS TRABALHADORES HOUSING DEBATE

Members of the capstone team attended a housing debate held by the local Workers Party (Partido dos Trabalhadores, or PT). Held at the São Paulo Plastics and Chemical Workers Union building in the Liberdade neighborhood, this event featured eight political candidates discussing housing issues in São Paulo and their proposed policy strategies. The event was well attended, with over 150 people in the audience. Topics included the importance of transportation access, the overall shortage of affordable housing options, and the lack of minority and female representation among the candidates. Attendees expressed enthusiasm for proposals they agreed on and the recognition of the need for political action. During this event, the team witnessed local political engagement around housing issues and the support for government action to address them.



Figure 04.14 Meeting at UMM-SP's office in the Liberdade neighborhood in São Paulo.

CONCLUSION

Our range of fieldwork helped give us a more complete understanding of how UMM-SP and its members operate, what they prioritize, and how their work gets done. This provided nuanced details needed to better inform our deliverables. More importantly, the sheer number of projects we were able to visit and the accompanying interviews allowed us to better understand the broader picture of how the movements are contributing to the material needs of residents.

05

SUPPORTING THE
BILL

05.1

INTRODUCTION TO THE DELIVERABLE

Housing is a constitutional right in Brazil. Despite this, the housing deficit affects 7.78 million households, with 84% of this burden being shouldered by extremely low-income households (represented by households earning 0-3 minimum wages, or R\$2,900 per month).^{1,2} While the government subsidizes private developers to produce low-income housing, this tends to result in poorly constructed homes in order to minimize costs and maximize returns for investors. Self-management, on the other hand, is a proven and scalable method. For three decades, UNMP has successfully produced housing through this process of democratic and participatory design, construction, and management. During our time in Brazil, we not only witnessed this ourselves during our fieldwork, but we also collected significant qualitative and quantitative data illuminating the effectiveness and importance of self-management housing.

Housing programs like MCMV-E (explained in more detail in Chapter 3 as part of our background research) made huge breakthroughs in housing policy, though were often short lived and insufficiently funded. This pattern, wherein housing programs provide inconsistent funding and support for social movements, is seen over and over again: inconsistent housing policy and the changing tides of political administrations make it extremely challenging for entities like UNMP to complete housing projects and scale up their solutions to meet the magnitude of the housing crisis, despite popular support and the technical expertise to do so.

NEED FOR THE BILL

In response to these challenges, UNMP has crafted the Legal Framework for Self-Management Law through a democratic and participatory process inclusive of its members. The bill, which is currently being drafted and revised, would create a regulatory framework for self-management at the national level in Brazil.



Figure 05.1 Urban landscape of São Paulo.

Specifically, the bill establishes, among other things:

- Key principles of self-management in housing and relevant definitions (Ch. 2, Art. 2-3);
- Income levels that qualify for the program to ensure housing provision is prioritized for low-income populations (Ch. 3, Art. 4);
- Levels of qualification for organizations to participate and provide housing through this program in order to ensure legitimacy and quality of housing providers (Ch. 3, Art. 6);
- Processes for selecting housing providers and projects (Ch. 3, Art. 7-9);
- Funding sources that may be used to execute projects under the program, and the direct and indirect costs associated with the program (Ch. 3, Art. 10-14);
- A collective property ownership structure, and the transferability of collective property (Ch. 4, Art. 15 and 18); and,
- Rights and obligations of residents of a housing project (Ch. 4, Art. 16-17).

The bill would allow a significant scaling up of the program, provide programmatic security and stable funding, and establish clear qualifications and processes for the provision of housing. The bill also protects housing produced via self management from changes in municipal, state, and federal governments. In short, the legislation legitimizes third-sector organizations as social housing producers in Brazil. Lastly, the bill provides an alternative to for-profit housing through a model of collective property and self management that protects housing production from commodification, ensuring long-term affordability and security of tenure.

STRATEGIES TO SUPPORT THE BILL

In order to support this law, our role as a capstone team is threefold:

1. Develop a toolbox for legislative advocacy and community engagement via an interactive website and educational materials (see subsection titled “Toolbox for Advocacy”);
2. Provide detailed case study research to normalize autogestão and collective property as a feasible means of housing production and demonstrate its success across Latin America, especially under stable housing policy regimes (see section titled “Case Studies”); and,
3. Assist UNMP with further development of the bill, in particular the collective property section, and identify recommendations to strengthen the connection between the proposed self-management housing program and land acquisition policies (see section titled “Collective Property Research and Memo”).

Along with all of the team’s deliverables detailed in the following sections, the bill itself is posted on the team’s website, *Lei da Autogestão Já*. Viewers are able to comment on the bill or send a message with feedback directly to UNMP.



Figure 05.2 Vila Patrimonial, a self-managed housing site completed in 2013.

05.2

TOOLBOX FOR ADVOCACY

I. EDUCATIONAL MATERIALS

The successful passage of policy takes time and often hinges on widespread and vocal public support. In practice, this means the public must be educated on and inspired by relevant issues. In order to support UNMP's drafted self-management bill, the team sought to increase public understanding of three main topics: the housing deficit in Brazil, autogestão, and collective property. To that end, we researched, synthesized, and developed three educational flyers in order to share information in a digestible and visually appealing manner. These flyers are included on the website, and are also downloadable so that they can be easily printed and distributed as part of a tri-fold brochure, which has a QR code to link people back to the website. A brief description of each of the three flyers is included below, with copies of the flyers to follow.

UNDERSTANDING THE HOUSING DEFICIT

Highlighting the severity of the housing crisis in Brazil, this flyer details the growing deficit and the crisis's particularly harsh impact on low-income families. It also points to the factors contributing to the crisis: the commodification of housing, the speculative land market, developers' profit motives, and the failure of the government to provide its citizens with their constitutionally guaranteed right to housing. The flyer notes how the housing crisis impacts other sectors, including health, education, and the economy, and advocates for the support of UNMP's proposed self-management bill as a means to begin redressing this severe housing crisis.

CLICK



WHAT IS AUTOGESTÃO?

This flyer outlines the underlying principles and key values of autogestão housing and what it looks like in practice: self management by and for residents. It highlights the failure of the for-profit market to provide adequate housing for much of Brazil's low-income population, and details how autogestão has proven successful in providing higher quality and more affordable housing. It stresses the need for stable legislation at the national level to provide permanent programmatic and financial support for autogestão housing, enabling it to scale up and continue to fill the gaps left by the for-profit market.

COLLECTIVE PROPERTY

The collective property flyer provides a description of collective property structures and seeks to normalize this form of ownership, detailing its widespread and lengthy adoption by societies all over the world. The flyer also works to dispel common myths about collective property and discusses its importance in the wake of the severe housing crisis caused by profit-motivated developers in Brazil.

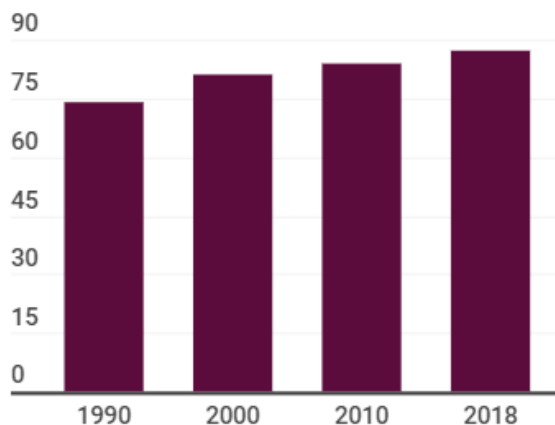
The team hopes that these flyers will provide the information necessary to educate and inspire action among website visitors, and to demonstrate an optimistic alternative to the normalized structure of exploitative, for-profit housing development.

As of 2014, 84% of the housing deficit is shouldered by extremely low-income households (defined as less than 3 minimum wages, or approximately 2900 reais/month or 1,090 USD/month).



WHY IS HOUSING IMPORTANT?

1. Housing is both a basic need and a human right, and is constitutionally protected in Brazil.
2. It is important for health, education, and economic sectors.
3. Inadequate housing may lack access to clean water or proper sanitation, increasing the risk of disease, and poor health outcomes. Overcrowding in homes further increases the likelihood of disease transmission within households.
4. Poor living conditions negatively impact educational attainment. Inadequate electrical, water, and sanitation infrastructure reduce the time that children have to study.
5. Overcrowding also contributes to a distracting environment.
6. Unaffordable housing forces people to choose between a roof over their heads or food on their tables.
7. Providing housing for people who experience homelessness increases stability, autonomy, and participation in job training or school. It also decreases hospitalization use and emergency room visits, with an estimated cost savings of \$31,545 over the course of two years.



Brazil has experienced dramatic urbanization and this trend is continuing.

(Source: World Bank Data)

WHY DOES THIS PROBLEM HAPPEN?

Despite being a constitutional right, our society still treats housing as a commodity. Thanks to speculation on property and land, 7.9 million dwellings of inadequate living conditions lie vacant as of 2015. This exceeds the size of the housing deficit. Private market developers cannot provide for high-quality low-income housing due to their profit motive. Although the government can subsidize private developers to produce low-income housing, this tends to be poorly constructed in order to minimize costs and maximize returns for investors.

The most infamous example of this is in Mexico. HOMEX and other private developers “reaped enormous profits” by producing faulty, inadequate, decaying homes for low-income households through a program costing the government over \$100 billion. Low-income homeowners were left responsible to pay for crumbling, deteriorating homes without adequate water, sewage, or electrical access, homes they were ultimately forced to abandon due to extremely poor living conditions.

We can start solving the housing problem immediately by supporting a bill that would provide stable funding and support for housing produced outside of the private market.

Join the fight!

WHAT

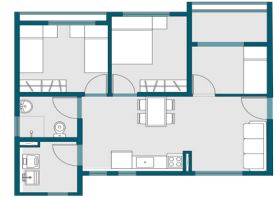
Autogestão is:

- The self-management of housing by and for residents.
- An alternative for those who have been excluded from or priced out of market housing
- The production and management of high-quality, beautiful, and secure housing.
- A path toward upgrading informal settlements, regularizing land, and revitalizing buildings.
- Based on the principles of:
 - Democratic participation: residents are engaged throughout the planning, design, and construction processes.
 - Mutual aid (mutirão) and solidarity: every resident contributes work for the good of the larger housing project.
 - Collective action and capacity building: through the process of Autogestão, residents and communities develop the political understanding and technical capacity to fight for their rights and become protagonists of their housing projects and neighborhood plans, becoming the experts in planning their cities and rural communities.

WHY

- The market has failed to provide adequate housing for a huge portion of the population:
- An estimated 48 million of Brazil's population, or close to 25%, live in inadequate housing or lack housing altogether (2017).
- The housing deficit reached 7.78 million households in 2017

- 7.9 million homes remain vacant while millions of low-income residents cannot access adequate housing (Fundação João Pinheiro, 2015)
- 3.1 million Brazilian families are spending more than 30% of their incomes on rent (Fundação João Pinheiro, 2015)
- Historically, 80% of the housing deficit is concentrated in the lowest income bracket, which includes families earning up to three minimum wages per month (or approximately less than 580 U.S. dollars per month). The private sector is unable to provide affordable and adequate housing for low-income families. Developers produce housing for profit, maximizing their profit with higher income sectors. In order to make a profit-producing affordable housing for the lowest-income sectors, a developer will build at large scale and with lower-quality materials. As a result, the working class is forced into informal and inadequate conditions.
- Landlord ownership is common in Brazil:



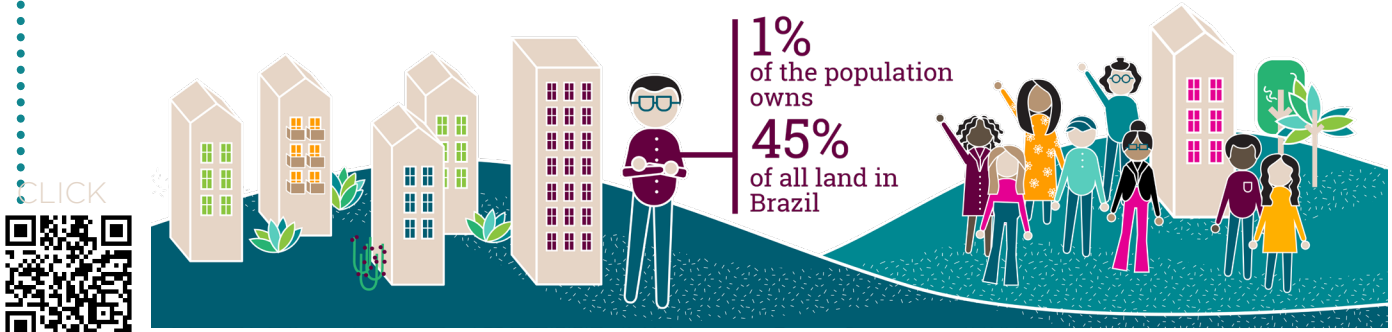
58 sq. m.
Autogestão Housing



42 sq. m.
State-subsidized +
Market-led Housing

Private property ownership is extremely skewed: 1% of the population owns 45% of all land in Brazil, or effectively all registered private property. Land concentration is also a major issue in São Paulo, where 1% of landlords own 45% of real estate in the city.

Autogestão shields affordable and adequate housing developments from the profit-motivated market and ensures that this housing stock will remain permanently affordable,



providing security and peace of mind for its residents.

- Housing produced via autogestão is often two- to three-times more affordable than market-rate housing and always of a higher quality.
- Autogestão is not an unattainable dream, but a proven solution
- Since 1989 UNMP alone has produced 30 thousand housing units. In the 2000s, two federal programs established the possibility of autogestão. In total, associations have built over 100 thousand units via self-management, which remain desirable places to live.
- State-subsidized and market-led housing averages 42 sq.m while Autogestão averages 58 sq.m. Design is suited to the needs of residents: unit layouts, materials, and design are all produced through resident-led processes.

WHO

- UNMP provides support to associations that want to build housing projects through a methodology of self-management, which has been effective in delivering high-quality, affordable homes for over three decades.
- The methodology of autogestão includes a system of suggested resident-run commissions and a joint system for participation.
- This methodology has proven to institute fairness, empowerment, and efficiency in the process of producing zero- to low-income housing.
- Women have taken leadership roles in autogestão, they form 80% of the movement, representing their households in housing via self-management-- and providing intergenerational housing security, as children often take over their parents' units.

HOW

- Autogestão is made possible through an interdependent tripod of services. When one element is missing, the triangle is unable to stand.
- Financial and programmatic support from the government through programs like Minha Casa Minha Vida, Entidades (MCMV-E) were important, but permanent programs must be established, like in UNMP's proposed legislation
- Technical expertise through social architecture firms such as Ambiente and USINA and Peabiru
- Autogestão via mutirão



UNMP is drafting legislation that would enable and fund autogestão produced housing at the national level-- and UNMP wants to hear from you! Visit the website to view and comment on the legislation!

WHERE

UNMP is leading autogestão-produced housing across Brazil, with 15 member organizations in 16 Brazilian states. UNMP needs your help! Visit our website to review and comment on the bill, and please spread the word! The movement is strongest in numbers.

WHEN

Autogestão is providing real solutions to the nation's housing crisis NOW, and you can get involved!

Don't wait! Join the movement!



- Collective property is a type of property owned by a group of people. Collective forms of property are prolific across the globe. Collective property regimes exist in countries in the Global North and Global South, in rural and urban settings, and under a wide variety of political structures. This form of property has existed for hundreds of years and remains common today for many cultures, from advanced social democracies to indigenous communities.
- Property collectively owned is not an alternative to the norm: it has existed far longer than private property systems. Collective property is widely supported by governments and organizations across the world, such as in Sweden, Uruguay, Canada, India, and the United States. União Nacional por Moradia Popular (UNMP) is working to normalize and scale up the choice of collective property in Brazil through its Legal Framework for Self-Management Law.
- In Brazil, the laws for tenure regularization in informal settlements already foresee the option of collective usufruct rights and collective adverse possession titles.
- Collective property has the potential to provide high-quality, permanently affordable housing for those who need it most. It acts as a gateway to more opportunities, higher quality of life, and better neighborhoods.

Collective ownership of property removes property from the speculative housing market, enabling permanent affordability and lowering the cost of investing assets in housing.

Since low-income housing developments receive government subsidies, it is fair with the taxpayer that the property will remain permanently affordable, protected from future commodification under the regime of collective ownership.

For housing that is built via self-management and mutual aid, collective ownership is the most suitable property regime because the common effort of sweat equity is shared by everyone.

It can also act as a low-risk means to build wealth for the pursuit of other educational or entrepreneurial opportunities.

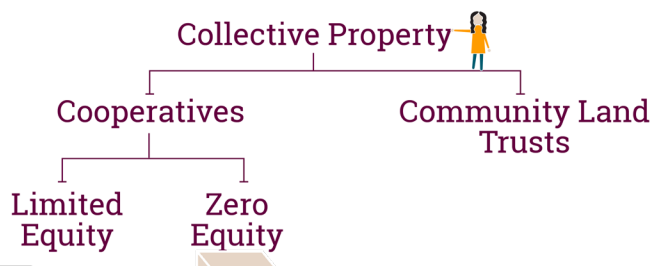
All residents have a stake in the property, and all residents benefit equally from the property. Because liability of the property is shared, households have more security in maintaining the property.

Many residents use income freed up by affordable housing provided through collective property structures to attend college and eventually achieve higher-paying jobs. Collective property represents an opportunity for social mobility that would not be possible in the private housing market.

Residents frequently cite how collective forms of ownership make physical improvements in neighborhoods and contribute to a sense of security, neighborliness, and neighborhood pride.

COLLECTIVE PROPERTY CAN TAKE SEVERAL DIFFERENT FORMS

As demonstrated here, collective property can be in the form of: Cooperatives, Limited Equity, Zero Equity and Community Land Trusts.



COLLECTIVE PROPERTY MYTHS

MYTH	TRUTH
Collective property is common space accessible to everyone, meaning residents don't have privacy.	This does not mean that the property is public. "Collective" refers to the fact that ownership, decision making, and management of the property is shared and that there is no single person who owns the whole property. Collective property does not necessitate co-living arrangements.
Since the property is owned collectively, residents don't have individual autonomy or decision-making powers.	Residents make decisions through democratic processes that give everyone an equal voice. Individuals reserve the right to leave the project if they desire to do so.
Property and housing held outside the market will lack the quality that is driven by profit in the private market.	Collective property ownership has proven to provide higher quality housing than the private market. Housing produced through collective property provides more security, since it remains affordable and residents do not need to worry about being priced out. Furthermore, it provides a support network for its members and, thus, a better quality of life.
Residents of collective property housing developments risk losing time and money investments if they choose to leave.	Collective property housing projects ensure residents get their investments back if they choose to leave the development. The only difference is that, unlike housing in the private market, residents cannot make a market rate profit off housing. However, residents can recoup a portion of profit from their own investments, thereby building wealth.

WHY COLLECTIVE PROPERTY MATTERS

Collective property can offer perpetual housing affordability and security for low-income households because it holds property outside of the speculative market. The private housing market -- which is mired in exploitation and speculation -- has failed to provide sufficient or adequate housing for low-income families across Brazil. As the housing deficit grows for low-income families, millions of homes sit vacant. To learn more about the housing problem in Brazil.

Collective property fulfills the social function of property, provided in the Constitution: "education, health, nutrition, labor, housing, leisure, security, social security, protection of motherhood and childhood, and assistance to the destitute, are social rights." (Brazil Constitution, Title II, Ch. 2, Art. 6 (1988)).

Private property ownership is extremely skewed: 1% of the population owns 45% of all land in Brazil, or effectively all registered private property. Land concentration is also a major issue in São Paulo, where 1% of landlords own 45% of real estate in the city.

HOW CAN WE ENABLE COLLECTIVE PROPERTY IN BRAZIL?

UNMP's proposed Legal Framework for Self-Management Law provides an alternative to for-profit housing through a model of collective property and self-management that protects housing production from commodification, ensuring long-term affordability and security of tenure.

Visit the [website](#) to view and comment on the law!

II. AUDIOVISUAL STORYTELLING VIA DOCUMENTARY + INTERVIEW VIDEOS

In visiting self-managed housing sites around São Paulo, we were moved by the stories we heard and learned a great deal from the perspectives of residents. Photos, videos, and interviews were collected to inform our work, now memorialized across the website and in the documentary. These materials were key components to our fieldwork. See the report Appendix for a comprehensive list of the people we visited and their movement, professional, and/or project affiliation.

VIDEO AS A TOOL FOR EDUCATION AND ENGAGEMENT

The team prioritized video documentation of these interviews for further use in educational and engagement content. Video is a highly effective educational tool, evidenced by studies that have found that video has a positive impact on learning and engagement.³ Additionally, spoken word is a culturally significant means of communication in Brazil, so portraying the movement via video was a particularly important priority for the team and our partners. Video

is increasingly accessible, particularly with the increased use of smartphones and social media in Brazil. A survey by the Pew Research Center found that 70% of adults in Brazil reported that they use the internet, while 73% are on social media.⁴ While there are technical and cost barriers that limit access to the internet for low-income families and individuals, 47% of individuals earning less than one minimum wage, 66% of individuals earning one to two minimum wages, and 79% of individuals earning two to three minimum wages have access to the internet. An even higher percentage gain access to the internet through other means, for example through publicly available Wi-Fi or through borrowed devices.⁵

The website provides opportunities to disseminate video material both within and outside the movement. The client will now also have access to around 10 hours of unedited footage for the production of additional content. Additionally these interviews enriched our understanding of the self-management process, providing valuable information to the team for the production of our deliverables.

At each self-managed housing project we visited, we recorded video interviews with residents

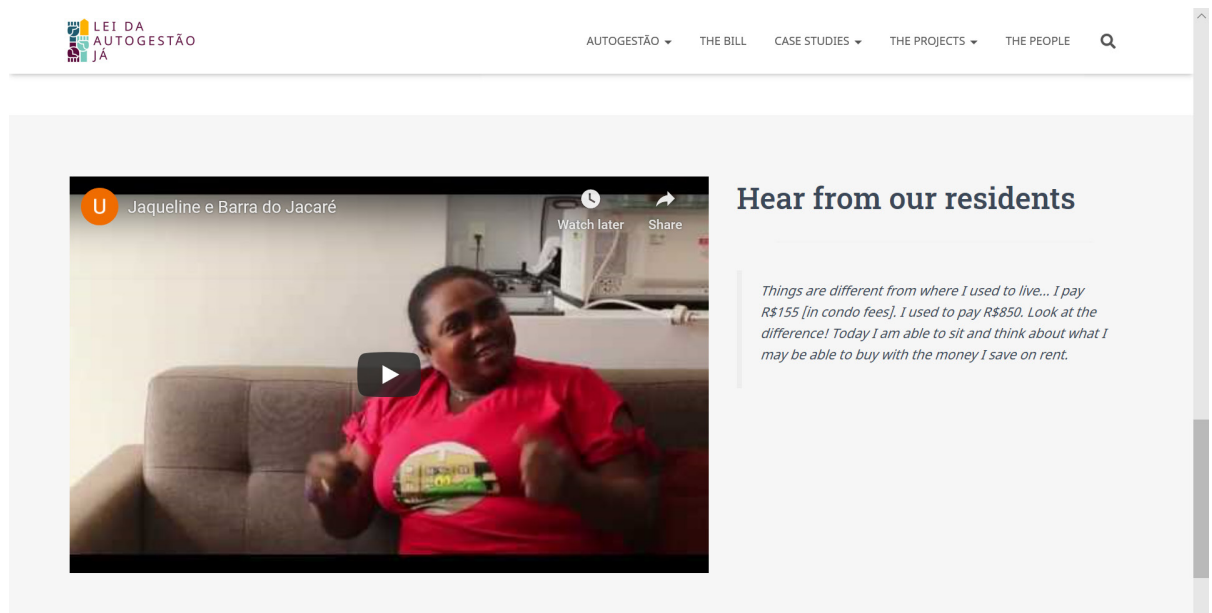


Figure 05.3 Resident interview from Barra do Jaccare.

This short documentary contains film taken by students of the University of Michigan’s Taubman College of Architecture and Urban Planning during a trip to the São Paulo metropolitan region in March 2020. The documentary characterizes the housing crisis in Brazil and explores how autogestão housing can provide a hopeful alternative to for-profit, developer-led housing.



Figure 05.0 Documentary: Autogestão, Ja!

to learn about the history of the project and their personal experiences with the movement. Totalling more than a dozen projects, we toured condominium-style projects in the São Paulo city-center and apartment blocks in various stages of construction through completion in every direction of the city’s periphery.

Together, these interviews with residents provide a vital storytelling component to our project and help highlight the diversity in backgrounds and experiences of movement members. Even more, they serve as a testament to the profound benefits of autogestão and the high-quality housing that residents secure through this process.

DOCUMENTARY AUTOGESTÃO, JA!

The aim of this short documentary, hosted on the homepage of our website, is to introduce Brazilians and people from around the world to the concept of self management. The video focuses on self management in the Brazilian

context, using a mix of narration, interviews, and animations to increase audience awareness of the principles of self management and the people that have received homes through the process. Each section of the documentary covers a different aspect of self management, establishing an introductory understanding of the topic. Animations assist in the explanation of key concepts, reinforcing the narration through visual cues. Interviews with participants and social movement leaders throughout the documentary ground the topic, contributing evidence to the effectiveness and popularity of self management. The narration conveys facts about self management and the issues surrounding it, including data about Brazil’s housing deficit and the average size of homes built through self management compared to the minimum required by developers through Brazil’s housing programs. At 15 minutes, the documentary is substantial, but still succinct enough to engage and hold the attention of audiences.

III. MAPPING AUTOGESTÃO'S SUCCESS

WHY MAPPING?

Too often, mapping projects related to low-income populations focus on negative metrics such as poverty rates, evictions, crime, and environmental hazards. The map our team developed for this project is unique in that it focuses on positive achievements, highlighting the successes of a nationwide movement for better housing conditions. The map and related project pages serve as a testament to the scale and impact of the autogestão housing movement. It demonstrates that the production of autogestão housing is feasible on a large scale and is a strong and viable alternative to market-led models of housing production. Additionally, the map plays an important narrative role, visually telling the stories of the hundreds of thousands of people who have benefitted from the stable, affordable housing achieved through

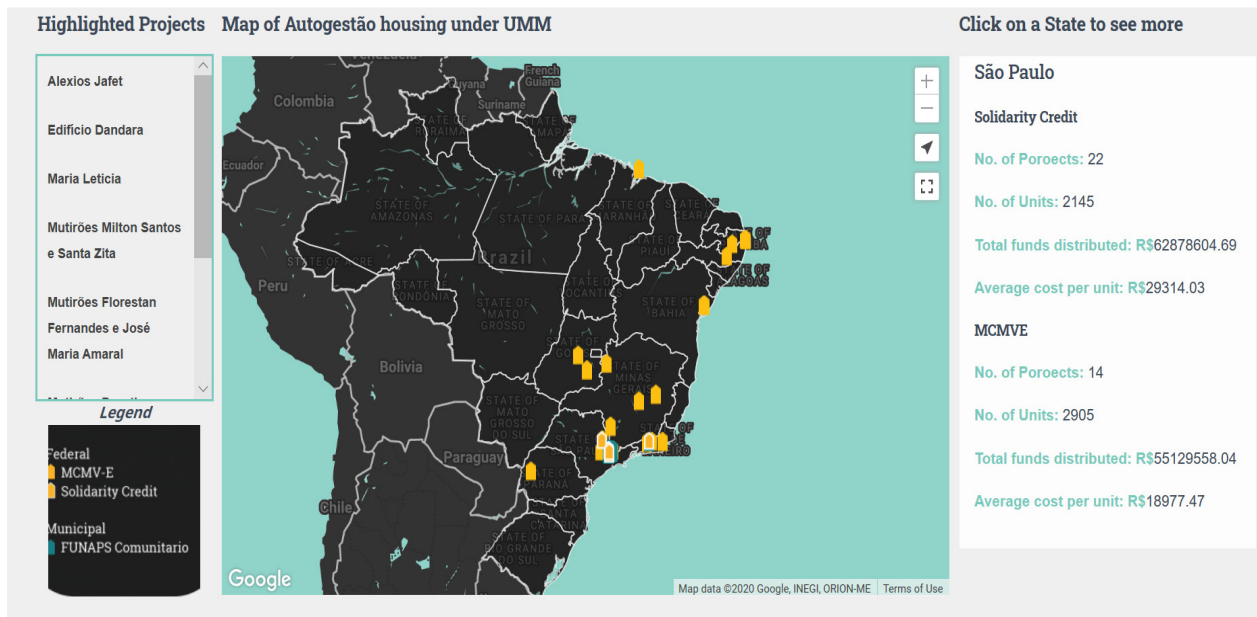
autogestão. Finally, the map highlights the diversity of stories in self-management projects and provides detailed site information and statistics like funding source, unit count, and development cost.

METHODS

To collect data for the map, we drew from two primary sources: “Mutirões Autogestionários” (“Self-Managed Joint Efforts”), a document detailing the projects completed with funding from São Paulo’s municipal FUNAPS Comunitário program; and “Revista da Produção de Habitação em Autogestão” (“Magazine of Self-Managed Housing Production”), which catalogues self-managed projects produced with federal MCMV-E funding.^{6,7} Each document also contains, among other things, detailed information about funding, cost, unit count, and completion dates. Using the mapping platform, we geocoded the addresses of autogestão projects from each document to make the point



AUTOGESTÃO ▾ THE BILL CASE STUDIES ▾ THE PROJECTS ▾ THE PEOPLE 🔍



Click on a plan to see details about the project

Figure 05.5 The interactive map highlights selected projects, replete with unique details, statistics, and anecdotes in a pop-up window and interviews from residents on project pages.

data for the map and included the additional information in the pop-up screens for each project within the interactive map.

ANALYSIS OF HOUSING POLICY VIA MAPPING AND STORYTELLING

The map represents a selection of autogestão housing affiliated with UNMP that was funded and built via three different housing policies: FUNAPS Comunitário (FUNACOM), the Solidarity Credit Program, and MCMV-E. By doing so, it highlights the important role that supportive policies and funding play in making these projects possible and emphasizes the need for federal legislation that would make this support more stable.

Through a simple analysis of the projects in our sample, we found that each policy created self-managed housing that was well above the minimum unit size requirements. Autogestão units produced under these programs range from 35% to 42% larger than the minimum requirements established by MCMV-E (56.55 sq. meters to 59.69 sq. meters, compared to 42 sq. meters). Total land area for these housing complexes vary from 923 to 466,423 square meters, with anywhere from 1 to nearly 500 housing structures, either as apartments or small vertical condominiums. We also see that these policies helped develop housing with significantly lower total costs.

These figures reflect the reality that autogestão construction often costs only 40% of housing built by for-profit developers.⁸ Comparing the total time taken to get the project approved and constructed, we see vast differences across each project: while on average projects take anywhere between 12-24 months for approval, a significant number of projects have had to wait 36-48 months. These variances can be attributed to shifting administrations and loss of institutional knowledge within regulatory bodies, the biggest challenge facing these housing policies. Projects like Mutirões Milton Santos e Santa Zita in São Paulo are currently stalled because of funding cuts and the current political adversity to social housing.

In total, we catalogued 119 housing projects in Brazil, representing near 20,000 housing units built via self-management. Each project displayed on the map displays quick figures about project costs, number of units, development time and current status, among others, via a pop-up. Users can click around the map to view details about the projects, or click on a state to see how many projects were developed under the various Federal Housing Policies with summarizing statistics. With a focus on São Paulo, the map examines how a few highlighted projects were developed under each housing policy, providing an in-depth analysis of its funding sources, cost distributions and process of development.

	SOLIDARITY CREDIT	MCMV-E	FUNACOM
AVERAGE DEVELOPMENT COSTS	R\$4,391,893	R\$11,632,965	R\$9,191,976
COST/UNIT	R\$44,010	R\$65,256	R\$69,650
COST/SQ.M	R\$778	R\$1,176	R\$1,160

Figure 05.6 Comparing development costs across housing policies for UMM's autogestão housing

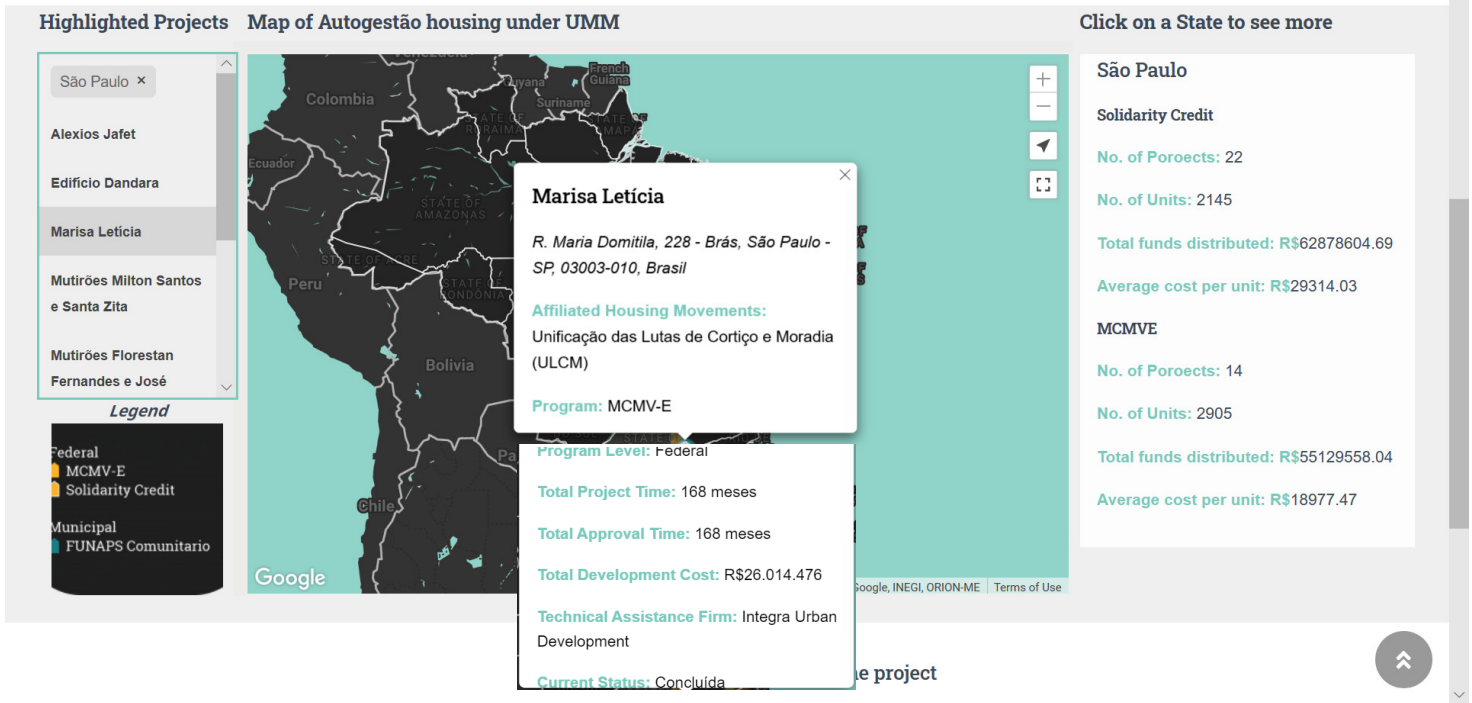


Figure 05.7 Marisa Leticia project represented on the interactive mapping platform.

EXAMPLE HIGHLIGHTED PROJECT: BARRA DO JACARÉ

The website’s highlighted project pages showcase the impressive achievements of the autogestão movement. The pages are filled with rich details about unit counts and budgets, but they also offer a more personal experience by inviting the user into the homes of residents. The high-quality finishings, spacious floorplans, and residents’ sense of pride are all readily apparent in these pages through pictures and video.

An example of one such highlighted project page is available below. Projeto Barra do Jacaré was almost entirely completed in June 2019, offering 592 units to its new residents. This beautiful and expansive development offers an immense number of units while making efforts to preserve green spaces and native vegetation, seamlessly integrating the development into the surrounding natural landscape. An airy central courtyard provides space for children to play, as parents and grandparents look on from their windows nearby.

The top of each highlighted project page has a short description and a self-scrolling slideshow of photos that showcase the quality of the project and individual units. Where information is available, this section also describes the self-managed decision-making processes that went into the design and construction of the site. Just below these descriptions are rich graphics with additional information about building statistics, site features, financial sources and uses, and site plans. These details show the diversity in autogestão housing and highlight the important role that public subsidy plays in making them possible.

Finally, all of the highlighted project sites that we visited include a short video interview with current residents. The interviews are especially important for the storytelling aspect of the website: the autogestão movement is made up primarily of women of color, and this kind of storytelling is a significant form of empowerment and resistance.⁹ These resident perspectives help contextualize the benefits of autogestão housing and the ways

CLICK



that self management empowers and benefits communities. These housing projects do more than improve the lives of their residents: they revitalize neighborhoods, empower women and their families, and demonstrate that a better world is possible.

The power of this interactive mapping and storytelling platform is clear. Website visitors will have the opportunity to understand housing policy through this dynamic and visual tool, but also to explore autogestão via the people and stories that give it its strength.

IV. WEBSITE AS A TOOL FOR ADVOCACY

INTRODUCTION TO LEI DA AUTOGESTÃO JÁ

The 2020 Integrative Fieldwork Experience Capstone developed a website to publicize and promote the narrative of autogestão housing and disseminate UNMP's proposed Legal Framework for Self-Management. The website, *Lei da Autogestão Já*, debunks myths and misinformation around autogestão housing and collective property and promotes the incredible success seen by autogestão housing projects around Brazil. Housing the rich content seen throughout this section, the website acts as a one-stop resource for a range of audiences. Fully branded and with curated content, the website is available in both Portuguese and English, is compatible with all devices (laptop, tablet, and mobile), and optimized for different data and internet speeds.

The team designed the website with long-term sustainability in mind, and chose the web development platform and development language based on our client's preferences. Along with the website, the team provided a data manual with in-depth documentation of the tools and services that went into the back-end development. The manual is a reference for our client to use in the future when new content is added and existing content is updated.

In addition to the various technical benefits, the website is a great tool for storytelling. As a multimedia platform, it allows us to

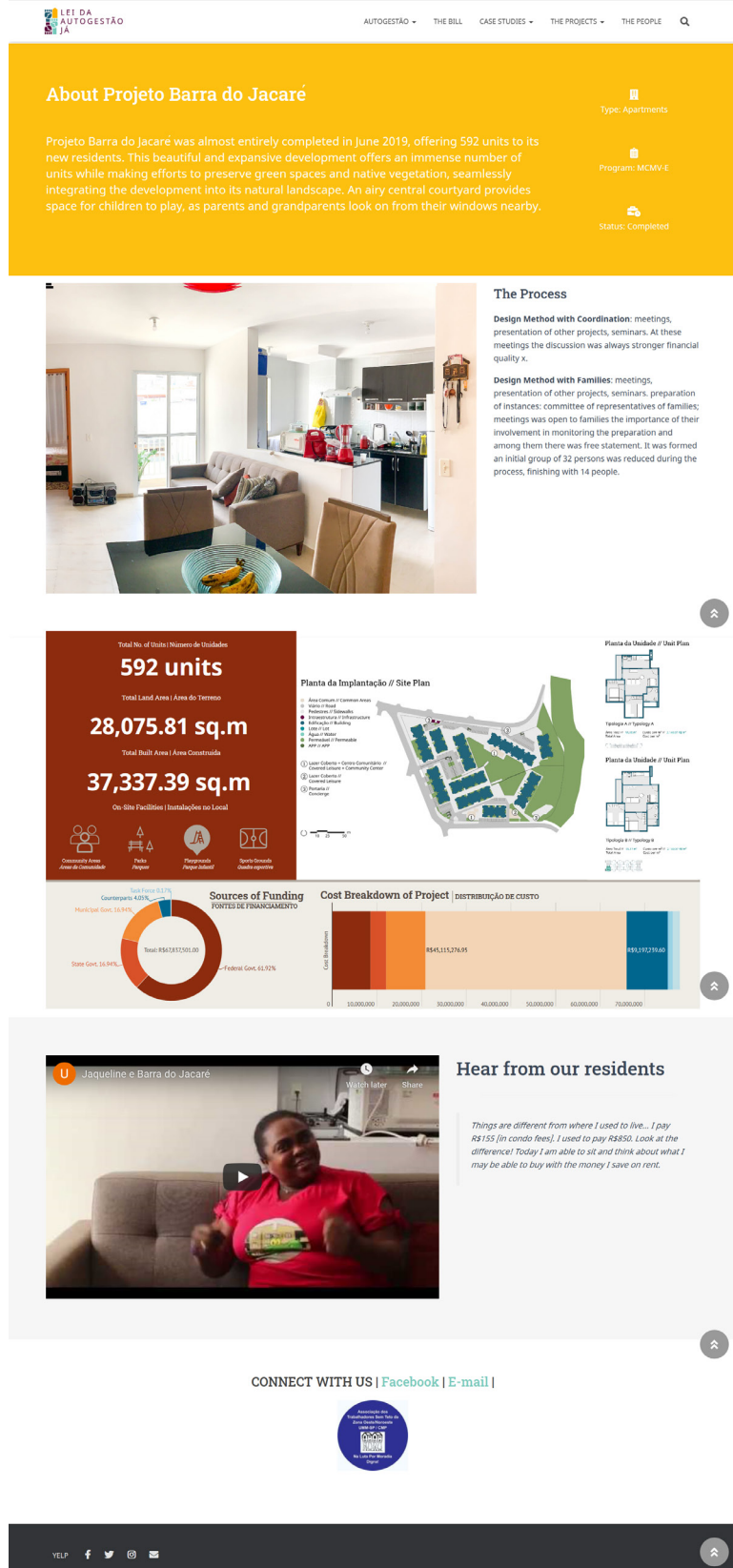


Figure 05.8 Example of highlighted project page on the website

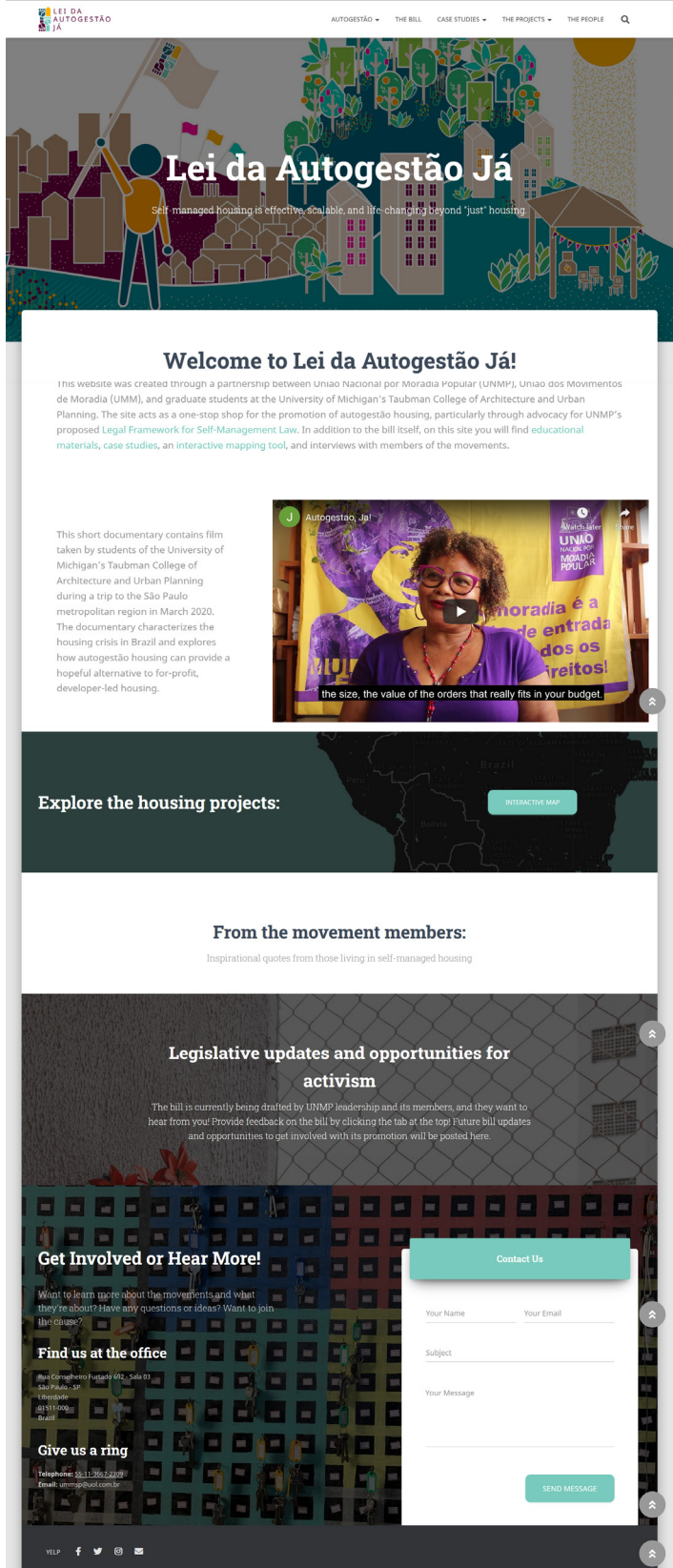


Figure 05.9 Homepage of the website

Home Page

- Autogestão mini documentary
- Contact form to get involved with a movement or hear more

The home page hosts links to lead the user into the rest of the website. The focal point of this page is the mini documentary, *Autogestão Já*. In order to maximize dissemination potential, this documentary is available to stream directly on the page or available to share with a YouTube link.

Autogestão

- Understanding the Housing Deficit
- What is Autogestão?
- Collective Property

This section of the site aims to familiarize the user with key principles of self-management and collective property, and to frame the housing crisis in Brazil. Each of these pages is structured in an easy-to-digest format, with call-outs, infographics, and bolded text. These considerations allow the user to quickly understand the issues covered in each tab. Each section also includes a downloadable PDF brochure version of the content on the webpage. These PDFs are designed to be viewed on the web as well as in printed brochure format, allowing users to share this information in a format that works best for them.

The Bill

The Bill page hosts UNMP's drafted bill. It is broken down by chapter in collapsible headers, allowing the user to efficiently interact with the content. An important aspect of this page is the comment function that allows users to provide feedback to UNMP on the draft legislation. This functionality aligns with the principles of self management by allowing for a democratic and open forum to discuss and formulate the bill. This page also allows users to send a direct message to the movement rather than posting a publicly available comment.

Case Studies

Detailed case studies from Uruguay, Argentina, Venezuela, Costa Rica, and El Salvador ground the bill and the concept of collective property, and demonstrate the success of self-managed housing across Latin America. Each page is dedicated to one of these case studies with detailed, linked references for further research needs. This research will be described in more detail in a subsequent section.

The Projects

- Interactive Mapping Platform
- Highlighted Projects
- Additional Projects

The online interactive mapping page acts as a landing page for the housing projects. A timeline at the top of the page connects housing projects to the past housing policies under which they were built. The interactive map, as described before, is a database of autogestão housing developed under UNMP across Brazil. A few highlighted projects provide a more in-depth look into the process of self management; these are hosted on individual pages and have additional information on its funding and process, photos of the projects, site and unit

plans, a short video testimonial from residents, and information about the social movement.

The People

- National Movements
- São Paulo Movements
- Technical Assistance Firms
- Support

This page connects the user with the different groups of people involved in self management, providing a list of all the movements throughout Brazil, with a more detailed list of those in São Paulo. Further, technical assistance firms and organizations that support self management are included with links to their sites. The page paints a picture of the breadth and reach of autogestão and its support systems, and works to provide easy connections between interested users and the relevant entities. At the bottom of all the pages are links to the movement's socials, so users can choose to get involved at any time.

As illustrated in this section, the website is a particularly useful and adaptable tool to communicate the strength and reach of Brazil's housing movements, and is able to host the entirety of the advocacy toolbox in an accessible and user-friendly way.



AUTOGESTÃO ▾ THE BILL CASE STUDIES ▾ THE PROJECTS ▾ THE PEOPLE 🔍

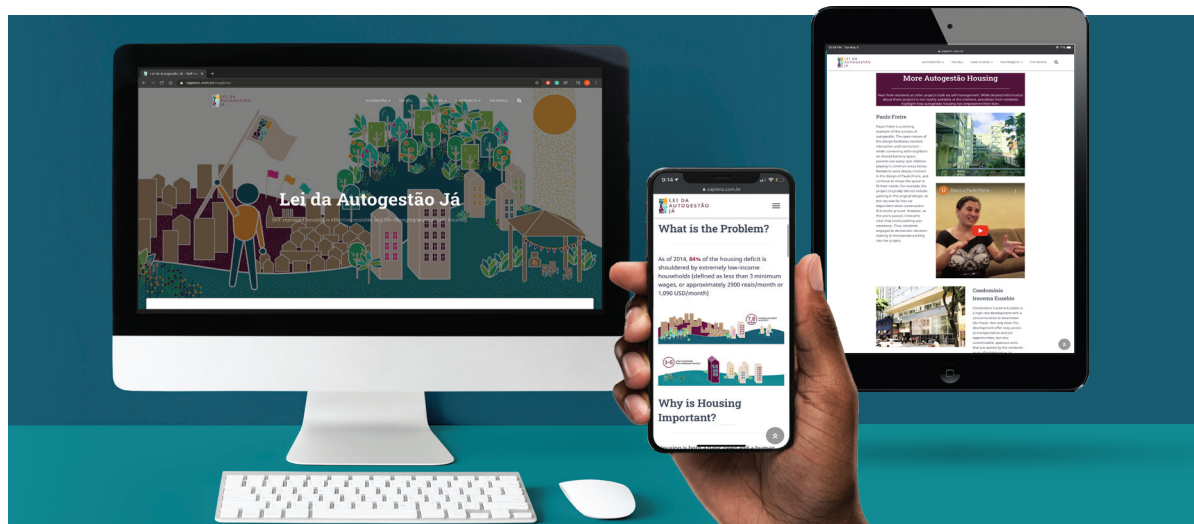


Figure 05.10 Website design



05.3

CASE STUDIES

Across the world, people in need of housing look to alternative models as antidotes to developer-led or privately-owned housing, which is often unaffordable, low quality, and therefore unsuitable and inadequate for vast numbers of the population. Globally, approximately 1.8 billion people lack adequate housing, 15 million people are forcibly evicted every year, and 150 million people are homeless. These numbers reflect a deep failure by the for-profit private sector to meet the demand for housing, especially for low-income people worldwide.¹⁰

Laws and policies enabling alternative means of housing production and management — from self-management to collective property — exist in myriad nations and in all parts of the world. These models allow for safe, stable, and perpetually affordable housing in response to an unforgiving commodification of the housing sector. As evidenced by Brazil’s nationwide housing deficit — approximately one in five urban households live in inadequate housing — the developer-led market is incapable of providing sufficient or adequate housing because of its focus on profit.¹¹ Low-income families suffer accordingly.

In contrast, self-management, collective property ownership, and other alternative housing models have produced high-quality housing for the lowest socio-economic strata of the population that the private, for-profit sector does not reach. In Latin America, there are several outstanding examples of government housing subsidies where low-income households, rather than the developer, managed both the planning and construction processes. Argentina, Costa Rica, El Salvador,

Uruguay, and Venezuela are among these cases, where successful programs of self-managed housing have increased the availability of safe and affordable housing.

As part of our legislative advocacy work, the team developed detailed case studies of self-managed and other alternative housing models across Argentina, El Salvador, Venezuela, Costa Rica, and Uruguay. We analyzed the context and basic principles of each housing model, which typically were products of underlying ideologies, political contexts, and unique housing needs. We also looked at the implementation and impact, how projects are financed, managed, and governed, as well as the legal frameworks that enable them.

Overall, Costa Rica and El Salvador illustrate how social movements have produced high-quality, successful housing from the ground up, with the significant cooperation of governmental agencies. Argentina, Uruguay, and Venezuela demonstrate how legislation that fully establishes self-management as a tool for housing production can further enable this model, making high-quality housing more widespread and available for more low-income households. These laws, especially Uruguay’s, serve as models for UNMP’s proposed Legal Framework for Self-Management Law. Our detailed case studies, which are posted in their entirety on the website, are included in the sections below.

BUENOS AIRES, ARGENTINA: LAW 341 AND PROGRAMA DE AUTOGESTIÓN DE VIVIENDA

In its housing self-management program, the city of Buenos Aires funds and enables associations and cooperatives to provide housing. The program symbolizes a new era of social housing programming and can form the basis for transforming the country's approach to solving its housing deficit. Limitations for scaling up include difficulties securing land and lack of government experience running self-managed housing programs.

informal settlements, *piquetero* groups, and others have long advocated for the urban poor and the right to housing — especially in the urban core — since the 1980s. MOI's "mission of cooperation, self-management, collective ownership, mutual aid, and the use of local assistance including loans to individual households" translated to negotiated ordinances in housing policy in the 1990s with Ciudad Autónoma de Buenos Aires (Autonomous City of Buenos Aires, or CABA). The economic downturn of the 1990s and subsequent depression of 1998-2001 exacerbated the



Figure 05.11 Monteagudo Complejo, initiated and completed by Movimiento Territorial de Liberación.

Source: *Moderna Buenos Aires, un programa de CPAU*

BACKGROUND AND KEY PRINCIPLES

Like Brazil, Argentina has a strong history and network of civil society actors and social movements. Social movements like Movimiento de Ocupantes e Inquilinos-Central de Trabajadores de la Argentina (Squatters' and Tenants' Movement, now formally integrated with the Argentine Workers' Central Union, or MOI-CTA), a labor union of non-traditional workers including the unemployed, informal sector, sex workers, neighborhood associations,

housing deficit, increased housing informality, and weakened the country's previously stable and robust middle class.¹²

In December 2000, the social movements' acts of protest, resistance, and advocacy came to fruition in CABA with the passage of Law 341, an unprecedented legal recognition of housing rights. The law facilitated access to capital for collective organizations and associations involving low-income populations for the creation of self-managed and emergency housing

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Figure 05.12 Member-Workers from Movimiento Territorial de Liberación Construct their Future Homes.

Source: *Moderna Buenos Aires, un programa de CPAU*

and created the *Programa de Autogestión de Vivienda* (Self-Management Housing Program or PAV) in the Instituto de Vivienda de la Ciudad (City Housing Institute, or IVC; formerly known as *Comisión Municipal de la Vivienda*), ushering in a new era of social housing programming in CABA.

As of the 2010 Census, Argentina suffers from a housing shortage of 2.5 million homes, including both units that need to be built or renovated for quality.¹³ Law 341 and PAV demonstrate a potential pathway for the country to improve its housing conditions and close its housing gap.

IMPLEMENTATION AND IMPACT

According to the CABA Ombudsman's Office, as of 2014, 22 projects have been completed thus far, successfully housing 699 households. Furthermore, an additional 40 projects have been initiated and are expected to house another 793 households.¹⁴ The Ombudsman's Office notes that project initiation and approval more or less came to a full halt in 2008 due to changes in leadership at the IVC as the administration changed, as the administration changed, though multiple initiated projects were completed beginning in 2009.^{15, 16}

Monteagudo Complejo

The Monteagudo Complejo (Monteagudo Housing Project) highlights how implementation and financing takes place.

Movimiento Territorial de Liberación (Territorial Liberation Movement, or MTL), a *piquetero* (picketeer) group formed by unemployed workers and activists,¹⁷ which is also part of CTA, formed the Emetele housing cooperative of formerly homeless families and initiated the Monteagudo Complejo project. Monteagudo represents one of the largest projects funded through PAV and Law 341 to date.¹⁸ The housing project is built on 4,000 square meters of land and includes retail units, communal areas, childcare facilities, and a community radio station, in addition to one-, two- and three-bedroom housing units.¹⁹ Construction was completed in just under 30 months and reflected resident-led decisions around design and needs. The cooperative's construction arm built the 326 housing units, but cooperative members who participated in construction were not necessarily recipients of housing units. The cooperative allocated housing units to members who best met criteria including but not limited to political activism, level of need, and ability to pay.²⁰ The project leveraged technical accessory firms to support the cooperative's legal, social, architectural, and financial decision making and self-management processes. Lastly, the cooperative established a technical training center and formalized itself as a construction company, creating permanent jobs for over 400 previously unemployed cooperative members.²¹

PROJECT FINANCING

The housing projects are funded 80-100% by CABA.²² Between 2000 and 2010, PAV budget allocation ranged from 1.8 million pesos in 2002 to 76 million pesos in 2009; however, PAV rarely used its full budget in years with higher allocations. Between 2004 and 2013, PAV budget used ranged from 2% (12.8 million pesos) of total IVC budget used in 2013 to 17% (40 million pesos) of total IVC budget used in 2010.

The Monteagudo project received 16 million pesos (or around \$5.3 million USD) for housing construction and associated fees, and additional funding was obtained for communal facilities. Residents of Monteagudo repay the loan at zero interest over 30 years, and then will receive title

to the property and tenure on a condominium basis, where each household owns its individual unit.²³

SELF-MANAGEMENT AND GOVERNANCE STRUCTURE

Though the law and program encourage and elevate self-managed housing and cooperatives, a self-management or governance structure is not prescribed explicitly in the law. In addition, social movements tend to organize around principles of mutual aid, collective property, and housing as a means to a more equitable democracy, while ad-hoc housing cooperatives that formed specifically to qualify for the program tend to see the cooperative process as a means to housing itself.²⁴ Thus, governance structures may vary depending on the social movement and the housing cooperative itself.

In Montegudo Complejo, the cooperative chose to self-manage, but did not self-construct or leverage future residents' sweat equity to build the project. Its associated social movement, MTL, is organized through geographic zones. Within each zone, members participate in commissions ranging from health, housing, youth, education, as well as executive committees, all of which ensure that the social movement operates, organizes, and proceeds smoothly.²⁵

ENABLING LEGAL AND PROPERTY FRAMEWORK

Argentina's 1994 constitutional reform declared Buenos Aires an autonomous city. As an autonomous city, CABA has its own executive, judicial, and legislative branches, thereby allowing CABA to create, pass, and enforce its own laws. CABA passed several key laws related to housing rights, housing policy, and land use in the 2000s, including Law 341, Law 964 (amending Law 341), and Law 1251.

Law 341 establishes the legitimacy of cooperatives as recipients of state funds and state land for housing redevelopment and construction, and self-management as a mode of housing provision.²⁶ Furthermore, Law 341 specifically targets low-income households,

which was previously uncommon in the history of housing policy in Argentina more broadly, and opened the opportunity for participatory decision making in the allocation of PAV budget. The law clearly delineates steps that participating entities need to follow in order to qualify for PAV. In addition, it recognizes technical advisory firms as critical parts to self-management, requiring the use of these technical bodies to be eligible for project approval. Law 964 passed in 2002, amending law 341: the amendment both improved problematic parts of the law as well as rescinded some aspects of law 341. While it increases the maximum cap of government funding per household unit from 30,000 to 42,000 pesos, the law generally returns power back to the ICV that had been (briefly) shared with social organizations. For example, social organizations' capacity to participate in the PAV commission is restricted to strictly observatory roles, whereas before it was left vague. In addition, the amendment reserves ICV's right to approve technical advisory firms used by housing projects. Other administrative-level directives also re-concentrate power with ICV.²⁷

Law 1251, passed in 2003, establishes a system for rights in cooperatives and attempts to create the CABA land bank, with a special focus on identifying lands suitable for transfer to the IVC for use in housing projects. However, by 2014, such an institution had still not been established in a satisfactory manner. In tandem with the above laws, Law 1251 theoretically makes land in central urban areas even more accessible to cooperatives and self-managed housing projects.²⁸ The CABA Ombudsman's Office identifies the challenges of establishing the land bank due to high land values and lack of procedures. The lack of a land bank prevents or delays slows the initiation and momentum of a potential housing project.²⁹

COSTA RICA'S FUNDACIÓN PROMOTORA DE VIVIENDA (FUPROVI)

A prime example of self-management, this Costa Rican nonprofit produces 1,000 units of housing each year. Low-income communities organize themselves and receive support from FUPROVI to effectively design, build, and ultimately own the housing that they desire.

BACKGROUND AND KEY PRINCIPLES

Costa Rica is a relatively well-off Latin American country: 98% of the country's five million inhabitants have access to improved drinking water, and GDP per capita comes in at \$17,000 per year.³⁰ The majority of the country's population has been urbanized since 1990.³¹

Nonetheless, this country still has its share of housing challenges. Recent economic crises have hurt households across the country, and housing instability has risen as a result. Around 30% of households live in poor conditions and illegal settlements.³²

Fundación Promotora de Vivienda (FUPROVI), the Foundation for Housing Promotion, was founded in 1987. At this point, Costa Rica had a total accumulated deficit of housing units of 26%.³³ It focuses on assisting the organization and construction of housing for low-income families in urban areas, and has evolved to

incorporate community development into its mission. FUPROVI has facilitated the production of over 15,000 housing units, and is currently producing around 1,000 units per year.³⁴ Importantly, it develops this housing in line with three primary objectives:

1. Promoting the development of housing through assisted self-help construction and mutual aid,
2. Promoting the improvement of low-income families' economic conditions by increasing their ability to generate income, and,
3. Bringing about a greater degree of organization, participation, and involvement in the community and encouraging participation and democratization in local policymaking processes.³⁵

FUPROVI has a proven track record of efficiently producing high-quality housing through self-management.

IMPLEMENTATION AND IMPACT

FUPROVI projects draw upon the tripod of self-management. Here, the government provides financial subsidies, FUPROVI technical staff provides construction and management expertise, and the community provides labor. Community groups are responsible for self-organizing and initiating their projects with



Figure 05.13 FUPROVI self-managed housing project "Linda Vista" in the Goicoechea region of San José

Source: FUPROVI



Figure 05.14 FUPROVI self-managed housing project in the Goicoechea region of San José

Source: FUPROVI



Figure 05.15 FUPROVI self-managed housing project in the León XIII region of San José

Source: FUPROVI

FUPROVI. This requires a considerable amount of individual initiative and investment. This aligns with FUPROVI's overall approach of making communities responsible for the success of their projects. While difficult, this arrangement confers empowerment and community self-determination.

At the same time, FUPROVI provides expertise and facilitation. Before construction starts, FUPROVI plays an essential role in property acquisition and legalization. From there, the organization provides administrative and construction training to families involved with the project. Critically, FUPROVI works as a facilitator, involving families in the design, budget, and construction planning of their project. FUPROVI also works as a credible and trustworthy intermediary between the government and families, facilitating logistics around land formalization, financing, permitting, and other details.

Families are responsible for the construction of the housing itself and the supporting infrastructure, while FUPROVI provides the necessary engineering expertise and project management skills to ensure success. This promotes skill building while empowering families. Each household within a project community contributes about 30 hours of labor each week.³⁶ Families hire contractors for specialized work such as development of water treatment facilities. If the community's budget is large enough, portions of the construction labor is sometimes contracted out.³⁷

As of February 2020, FUPROVI is responsible for 132 different housing projects across Costa Rica.³⁸ This includes some projects specifically targeting immigrants and refugees. FUPROVI has trained nearly 40,000 people in its community strengthening techniques, and has won more than 20 national and international awards for its work.³⁹

PROJECT FINANCING

When a community group reaches out to FUPROVI for support, the organization first takes stock of the group's financial situation. Initial land legalization and construction is financed with a loan from FUPROVI's revolving fund. These loans are contingent upon FUPROVI's evaluation and approval of households' ability to repay. As such, this model provides housing to low-income workers, who would otherwise lack this kind of access to credit, and includes workers in the informal sector. However, FUPROVI programs typically do not provide for the poorest in Costa Rican society.⁴⁰ Data from 1996 shows that only 20% of FUPROVI households earned below one minimum salary and 80% earned below two.⁴¹ While FUPROVI does enormous good, other mechanisms are needed to provide housing for the poorest Costa Ricans.

FUPROVI provides the initial bridge loans needed to finance communities' housing projects, and households start making payments on these loans once their project is fully legal and complete. These repayments take the form of a government-subsidized mortgage. Payments on that mortgage pay for the housing costs, repay FUPROVI's loan, as well as a fee amounting to roughly 12% of the total project cost.⁴²

FUPROVI-assisted projects construct housing at roughly 60-65% of the cost of equivalent projects produced by private firms.⁴³ This is largely due to two factors: the lack of a profit margin as well as the reduction in labor cost due to households' participation in construction. Because of its consistent success and financial independence, FUPROVI has a good reputation with government institutions and with private banks. In light of this, the federal government



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regularly elects to use some of its housing subsidy budget to fund FUPROVI's housing development programs.

SELF-MANAGEMENT AND GOVERNANCE STRUCTURE

Compared with other examples of self-management, the technical assistance firm, FUPROVI, takes a fairly central role here. While communities are empowered throughout a given project, it is less clear how community groups organize themselves and work to develop a relationship with FUPROVI. This is especially important, as that relationship plays a critical role in the access to funds and the overall housing development process. Further, while construction of a project is underway, households do not know if they will receive a unit or not. FUPROVI makes this determination once construction is finished by ranking households in order of how much they contributed to the project.⁴⁴ Going down the ranked list, households are able to choose their home from the remaining available units.

Here again, FUPROVI is central. It is unclear if communities are able to amend that allocation process, or opt for other allocation mechanisms altogether, such as allocation to households with the greatest need.

ENABLING LEGAL AND PROPERTY FRAMEWORK

At the request of Costa Rica's Housing Ministry, the Swedish International Development Agency (SIDA) helped design and finance what would become FUPROVI.⁴⁵ Today the program is self-financed.⁴⁶ The Costa Rican Housing Ministry has and continues to play a critical role in helping FUPROVI access clean and legalized property titles.⁴⁷ Overall, the federal government of Costa Rica supported FUPROVI's success: its legal, political, and financial support have gone a long way in creating and sustaining such a high capacity organization. Its subsidy of mortgages to low-income families provided credit, and in turn homeownership, to families that would otherwise be excluded.



Figure 05.16 FUPROVI self-managed housing project “Linda Vista” in the Goicoechea region of San José

Source: FUPROVI

EL SALVADOR'S FUNDASAL AND FESCOVAM

Many successful mutual aid and self-managed housing projects have been produced across El Salvador, inspired most prominently by the FUCVAM model of Uruguay. Originally intended to help revitalize historic downtown centers, cooperatives like ACOVICHSS and ACOVIVAMSE prove that this alternative model can improve not only the lives of residents by filling a gap in market-led housing, but also the neighborhoods in which they're produced.

BACKGROUND AND KEY PRINCIPLES

Similar to many neighboring nations, El Salvador is experiencing a housing shortage that disproportionately affects low-income communities.⁴⁸ The deficit is currently approaching one million units with no signs that this trend might reverse soon.⁴⁹ Complications related to land legalization limit access to adequate housing for vast swaths of

the population, while segregation and violence continue to drive instability for many families. In San Salvador, the country's capital, many households face poverty and social exclusion. Before 2001, 29% of the city's population lived in informal settlements where people experienced not only housing insecurity due to risk of eviction but also poor, unhealthy living conditions due to a lack of basic services, overcrowding, and poor sanitation and waste disposal.⁵⁰

In order to promote democratic housing production and confront a failure of the for-profit housing market, cooperatives throughout El Salvador build upon the FUCVAM model that was first pioneered in Uruguay. At the helm of this effort is Fundacion Salvadoreña de Desarrollo y Vivienda Mínima (FUNDASAL, or the Foundation for Salvadoran Development and Affordable Housing). FUNDASAL is a private non-profit aid organization dedicated to sustainable and equitable development, supporting local efforts in the production of



Figure 05.17 ACOVIVAMSE cooperative housing project in the historic center of San Salvador

Source: ACOVIVAMSE cooperative housing project in the historic center of San Salvador.

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Figure 05.18 ACOVICHSS cooperative housing project in San Esteban

Source: ACOVICHSS cooperative housing project in San Esteban.

self-managed housing.⁵¹ In adopting Uruguay's FUCVAM model, cooperatives engage in mutual aid and democratic governance practices, use sweat equity to save on labor costs, promote long-term affordability, and encourage residents to more deeply engage in the design, maintenance, and promotion of these projects. These practices highlight the success and potential of the struggle for democratic and self-managed housing in El Salvador and beyond.

IMPLEMENTATION AND IMPACT

The goals of these housing projects, which provide a welcome alternative to market-driven solutions, are clear: to protect families by providing opportunities in historic city centers; to resist the threat of eviction for vulnerable populations; to revitalize these city centers through artistic, educational, and cultural activities and thereby improve the larger community; and to mitigate the expansion of informal settlements, which tend to concentrate in the urban periphery.⁵²

FUNDASAL modeled its approach to producing mutual aid housing on FUCVAM's approach and partnered with the Federación Salvadoreña de Cooperativas de Vivienda por Ayuda Mutua (Salvadoran Association of Cooperative Housing for Mutual Assistance, or FESCOVAM) and the local community in order to produce the first mutual aid housing cooperatives.⁵³

Two of the first housing cooperatives, La Asociación Cooperativa de Vivienda por Ayuda Mutua del Centro Histórico de San Salvador (ACOVICHSS) and Asociación Cooperativa de Vivienda por Ayuda Mutua del Barrio San Esteban (ACOVIVAMSE), assembled land in the historic center of San Salvador by acquiring plots from the government at a low cost and purchasing plots from private property owners. Using designs inspired by the historic features of the neighborhood, ACOVICHSS and ACOVIVAMSE replaced or renovated aging or dilapidated buildings in the city center with new construction, complete with shared public and commercial spaces. In keeping with the aesthetic of the historic downtown, the cooperatives built colorful, multi-story blocks with central courtyards to maximize natural light, ventilation, and opportunities for increased social cohesion. Furthermore, the cooperatives initiated various social programs for the benefit of residents, including cooperative-led orchards in the city center to provide local, healthy, and affordable food and workforce development programs to help residents find better employment. Beyond providing a dramatic upgrading of housing for the families who now inhabit these housing projects, San Salvador's municipal government further improved the neighborhood by constructing an adjoining plaza.⁵⁴ This holistic approach to enhancing the urban fabric of these projects demonstrates the potential of self-managed housing to improve upon existing neighborhoods.

By 2013, five cooperatives had established themselves in San Salvador's historic center. Between ACOVICHSS and ACOVIVAMSE, 61 homes were built across three neighborhood blocks, housing approximately 240 people. More than two-thirds of these were women-headed households, often living on very low incomes and working in the informal economy. By 2017, a total of 13 mutual aid housing cooperatives had formed to facilitate the production of housing in San Salvador's historic center, and FESCOVAM represented 21 housing cooperatives across El Salvador.⁵⁵

PROJECT FINANCING

Self-managed and mutual aid cooperatives in El Salvador face myriad challenges in financing the construction of housing. However, FUNDASAL has seen many successes in raising funds in order to provide cooperatives with technical assistance in the design and construction of these projects.⁵⁶ For instance, it developed a revolving loan system wherein repayments from one project are used to finance the next. ACOVIVAMSE was funded through this method with additional financing from a German government-owned development bank. Catholic organizations and other NGOs further support these projects by contributing funds for research. We Effect, an international NGO providing aid to nations across the world, donated funds to establish educational programs and technical assistance for members of the cooperatives in the construction of their new homes.

Many of the cooperatives are often funded via a hybrid of these actors, with the most common support deriving from FUNDASAL, international development or aid agencies, the government (both at federal and city levels), and buy-in from future tenants. In 2017, as a testament to the housing cooperatives' successes thus far, the federal government of El Salvador allocated \$10 million USD toward self-managed housing production to provide new homes for approximately 1,300 more people.⁵⁷ This support, though largely in response to the collective advocacy efforts of the cooperatives and the networks which support them, signals an important step in self-managed cooperatives being conceived of as a legitimate source for safe and perpetually affordable housing.

Finally, and most importantly, these projects rely on the sweat equity of its future tenants: by volunteering 24 hours of labor per week,



Figure 05.19 ACOVIVAMSE cooperative housing project in the historic center of San Salvador

Source: ACOVIVAMSE cooperative housing project in the historic center of San Salvador.

residents are estimated to save 40% in building costs.⁵⁸ This contributes to the long-term affordability of the housing units by saving on labor costs while promoting a deeper investment in the housing on the part of future tenants.

SELF-MANAGEMENT AND GOVERNANCE STRUCTURE

As with the FUCVAM model, housing cooperatives operating in tandem with FUNDASAL and FESCOVAM are collectively owned and democratically governed. Member-residents oversee all decisions, with committees forming to provide guidance on the design and construction of their homes. Participation in these committees encourages the creation and nourishment of social ties between residents, FUNDASAL provides technical assistance throughout these processes, while FESCOVAM continues to advocate for the right to housing via self management, nurturing public support for mutual aid and alternative models of housing more generally.

ENABLING LEGAL AND PROPERTY FRAMEWORK

The success of El Salvador's mutual aid and self-managed housing cooperatives, coupled with the regeneration of San Salvador's historic center, have undoubtedly brought greater legitimacy to the movement for alternative models of housing. This legitimacy manifests in official policy documents, including the Five-Year Development Plan (2014-2019) and reforms to Articles 7 to 12 of the General Law on Cooperative Associations, which establish the different types of cooperatives (including housing) and outline relevant principles like democratic control and participation.⁵⁹ Finally, building on the momentum of the successes of the self-managed cooperatives, the Salvadoran government adopted the FUNDASAL-proposed National Policy on Housing and Habitat in 2015, which establishes a mechanism for producing long term housing solutions.⁶⁰

Figure 05.20 ACOVIVAMSE cooperative housing project in the historic center of San Salvador

Source: ACOVIVAMSE cooperative housing project in the historic center of San Salvador.



URUGUAY'S FEDERACIÓN URUGUAYA DE COOPERATIVAS DE VIVIENDA DE AYUDA MUTUA (FUCVAM)

The most famous example of a successful self-managed housing in Latin America, and perhaps the world, is Uruguay's Federación Uruguaya de Cooperativas de Vivienda de Ayuda Mutua (FUCVAM). Embracing principles of solidarity, democratic participation, self-management, mutual aid, and collective ownership, this model demonstrates the potential for the proliferation of third sector housing that is high quality, perpetually affordable, and democratically managed.

BACKGROUND AND KEY PRINCIPLES

Few cooperative housing models have seen the success and scale of the Federación Uruguaya de Cooperativas de Vivienda de Ayuda Mutua (FUCVAM) model, which was founded in Uruguay in 1970 based on the doctrines of self-management, collective ownership, and mutual aid.⁶¹ Now encompassing over 500 mutual assistance housing cooperatives and around 100,000 people across Uruguay, FUCVAM has been a leading force of organizing and education around housing justice and has garnered significant political and social influence.⁶² Similar models have since proliferated across Latin America, Africa, Europe, and beyond, building the international self-management movement in support of low-income housing needs.

The FUCVAM model demonstrates that, although large-scale production of housing via cooperatives is challenging and financing continues to be a barrier, self-management practices are successful in providing high quality construction, increasing social cohesion, and providing fiscal stability for its residents.

FUCVAM was founded according to five principles:⁶³

- *Solidarity: supportive communities, shared responsibilities, and the cultivation of mutual trust.*
- *Democratic participation: engaging residents in the planning, design, and*

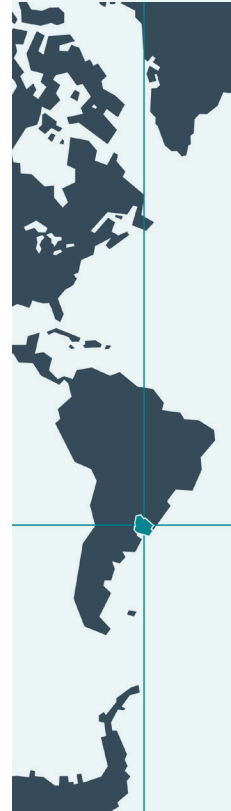
construction processes.

- *Self-management, or autogestión: cooperatives are their own decision-makers.*
- *Mutual aid, or Ayuda Mutua: every family who is part of the cooperative contributes work for the good of the common property.*
- *Collective ownership: to uplift the idea of “cooperative” while challenging speculative practices.*

Cooperatives are required to have anywhere from 10 to 200 members and to be registered with the Housing Ministry. Each member is expected to contribute sweat equity and, under FUCVAM, cooperatives engage in direct democracy – each member has voting power, responsibilities within the cooperative, and the same rights as every other member. Units are rarely sold, and thereby never engage with the private housing market; in this way, its members do not hold equity in the units (e.g., they cannot use the unit as collateral in mortgage financing, etc.). When members leave the cooperative, they are given back their contribution in exchange for use rights.

IMPLEMENTATION AND IMPACT

Early cooperatives founded in the interior of the country in the 1960s developed enviable housing solutions for low-income Uruguayans. These early models provided the basis for Article 10 of Act 13.728 (or “The Housing Act”), passed in Parliament in December 1968.⁶⁴ One of FUCVAM's early projects is Nuevo Amanecer, which lies on the periphery of Montevideo. Built in 1975, Nuevo Amanecer contains a multitude of housing typologies across over 400 units to house approximately 1,500 residents. Another example is Covireus al Sur, a cooperative of 182 units located in central Montevideo built on previously publicly owned land.⁶⁵ This particular cooperative was a deliberate effort on FUCVAM's part to incorporate cooperative housing in urban areas (as opposed to peri-urban areas). One final example is COVIRAM (short for *Cooperativa de Vivienda Rambla*), a cooperative in the historic center of Montevideo financed by a Ministry of Housing loan in the



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Figure 05.21 Residents socialize in the Nuevo Amanecer neighborhood

Source: *Producción Social del Hábita*

early 2000s. This cooperative includes 18 units within a dilapidated but historic building once built by the city's elite, but eventually abandoned and recuperated by the state.⁶⁶

Cooperatives are always built with local contexts in mind, including the needs of the community or potential risks (e.g., many projects are seismically sound to prevent damage from earthquakes) while implementing traditional construction techniques. Active participation throughout the project, from inception to execution, means that members are empowered to invest in their future housing.

PROJECT FINANCING

The National Housing Agency of Uruguay, under Law 13.728, disperses public financing in the form of grants to enable housing cooperatives. In order to contribute to the financial health of the cooperatives, members make monthly payments that go towards maintenance and loan repayment. Members of the cooperatives often

oversee expansions to their homes as families grow and their needs change. While funding is indeed a barrier to greater proliferation of the model, 100% of Uruguayan cooperatives under FUCVAM have paid off their loans.⁶⁷

FUCVAM's work is deeply concerned with the financing of cooperatives outside of Uruguay, made successful through the organizing and network-building expertise of the organization.⁶⁸ Its alliance with We Effect, a Swedish NGO providing aid to nations across the world, has been fruitful throughout FUCVAM's existence. We Effect continually provides financial support and technical assistance in propagating FUCVAM's model in Uruguay and beyond while encouraging governments to recognize housing as a human right.⁶⁹ Most of We Effect's assistance in propagating this model involves financing to support collective ownership, thereby discouraging practices that lead to overwhelming issues of debt. The organization also supports the "start-up activities," including organizing the umbrella organizations (which resemble FUCVAM across other countries), overseeing land accumulation, and providing initial financing through their Regional Program on Housing and Habitat in Latin America (VIVHA).

SELF-MANAGEMENT AND GOVERNANCE STRUCTURE

Embedded in FUCVAM's model is another type of social support, wherein members share experiences in accessing services and economic opportunities.⁷⁰ Oftentimes, this means reaching beyond housing to incorporate supportive infrastructure and amenities into the cooperatives, such as libraries, cultural centers, parks, or notaries facilitated by the larger FUCVAM body.⁷¹ Members contribute sweat equity and exercise the cooperative model of democracy through voting and the distribution of responsibilities.

ENABLING LEGAL AND PROPERTY FRAMEWORK

As mentioned above, FUCVAM and cooperative housing in Uruguay more generally was first enabled by the Housing Act ("Ley de Vivienda"),



Figure 05.22 Aerial view of the old Nuevo Amancer cooperative

Source: *Autogestión Vecinal*

or Law 13.728 of 1968. This legislation allows for self-managed cooperatives to engage in collective ownership, practice mutual aid, and apply for public funding.⁷² The law itself promotes the right to housing and remains to this day, prompting the state to provide housing for all.⁷³

Underlying the FUCVAM model is the idea that housing is not meant to be owned privately; rather, it's part of a larger commons meant to serve all people equally. In abiding by its core principles (mentioned in the above introduction), residents of FUCVAM properties promote democracy, solidarity, and the public management of land in providing housing for Uruguayans.

VENEZUELA'S GRAN MISIÓN VIVIENDA VENEZUELA (GMVV)

Venezuela's Gran Misión Vivienda is a state-run and state-financed housing program that seeks to discourage the privatization of property and increase the social productivity of land. The program has produced three million homes for low-income populations since its creation in 2011. GMVV promotes resident participation in the planning, construction, and decision making of its housing developments.

BACKGROUND AND KEY PRINCIPLES

Like many countries in Latin America, Venezuela faces a severe housing deficit: in 2011, the deficit hit 2 million units, with 3.1 million people living in inadequate housing conditions.^{74, 75} The housing crisis can be traced back to the 1940s and 1950s when Venezuela's oil economy boomed and its agricultural sector declined, sending many into the country's urban centers in search of jobs. Venezuela for many

years prioritized the construction of housing for the middle- and upper-classes, forcing low-income families to turn to informal housing in unplanned areas for shelter.⁷⁶ Between 1990 and 2001, approximately 70% of houses were built informally through resident self-construction in Venezuela.⁷⁷ Many families are forced to build on environmentally vulnerable terrain, further exacerbating the housing crisis in situations of extreme weather conditions. For example, in 2010, torrential rains and subsequent landslides led to the destruction of tens of thousands of homes.⁷⁸

The *Gran Misión Vivienda Venezuela* (GMVV) was established in 2011 to address the housing crisis in Venezuela. The program seeks to acknowledge housing as a social right and ensure popular participation in the process of housing provision.⁷⁹

GMVV's stated goal is "to be the institution of Venezuelan social programs, which guarantees the leading participation of communities, in



Figure 05.23 GMVV participants marching for the cause

Source: Ministerio del Poder Popular para Hábitat y Vivienda

order to secure the progressive satisfaction of the right to adequate housing for families, through a decent, healthy and relevant habitat, thus as the rational occupation of the territory.”⁸⁰

IMPLEMENTATION AND IMPACT

GMVV is notable due to its enormous scale. Its goal is to provide at least five million homes by 2025, and the program hit its halfway point of 2.5 million homes in January 2019. At the time of this writing (April 2020), 3,098,482 homes have been created under GMVV.^{81, 82}

Under the program, the government guarantees the right to housing through the acquisition of land or residences by the national bank. The scale of the housing production under GMVV can be in part attributed to the government’s acquisition of existing housing units that must only be renovated or repurposed. The housing may be constructed by contractors or community organizations themselves (communities are able to choose whether they are interested in hiring a contractor or constructing the housing through collective mobilization). If communities choose the participatory construction route, the government provides technical assistance, training, and the materials necessary for construction.⁸³ The State also provides social services, such as food distribution, childcare, education, and healthcare, that allow for the improvement of the quality of life of the community.⁸⁴

PROJECT FINANCING

The program offers housing subsidies for at-risk families in need of shelter. Free housing (100% subsidies) are given to families with incomes below the minimum living wage, and interest rates are otherwise proportional to income. Housing prices under the program are limited to 300,000 Bolívares (or approximately \$48,000 USD in 2016 dollars).⁸⁵

Funding for this program comes from the State (appropriated through the government housing authority, the Ministerio del Poder Popular para Hábitat y Vivienda) and from public banks. Decree Law 39 799 of 2011 authorized funding from the public banking sector to be used for the

production of housing under GMVV. Uniquely, the funding of GMVV involves significant foreign capital (from Chinese, Russian, Belarusian, Portuguese, Spanish and Brazilian interests) through bilateral agreements backed by oil (via Petróleos de Venezuela, S.A.). The development of the projects themselves may be undertaken by private entities or social organizations. The very high costs associated with the scale of housing produced under GMVV necessitates foreign capital, as the State could not undertake these large-scale projects on its own.⁸⁶ It should be noted that the dependence of this housing program on foreign oil investments -- the backbone of Venezuela’s economy -- can jeopardize the ability of the State to provide housing through GMVV, especially in times of economic downturn.

SELF-MANAGEMENT AND GOVERNANCE STRUCTURE

Under GMVV, residents may be involved in the construction of the housing itself (if the community chooses not to hire a contractor for construction). The program establishes a “Multifamily Management Committee” that oversees the construction stages of the housing project. The Committee then acts as a decision-making body for common problems that arise within the community.⁸⁷ The Committee is made up of at least three main acting members and three alternate members, and all must be future residents of the community housing development in question. Committee members are elected democratically within the community (each family has one vote) and serve one-year terms. After one year, the Committee member may be re-elected or replaced by popular vote.⁸⁸

ENABLING LEGAL AND PROPERTY FRAMEWORK

The Venezuelan Constitution recognizes the right of its citizens to adequate housing.⁸⁹ A constitutional reform in 1999 further promoted social rights, establishing that social policies should be universal in nature, recognizing citizens’ rights to democratic participation, and ultimately promoting transformations in Venezuela’s political, economic, and social structures.⁹⁰ To accomplish these social



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goals provided in the 1999 Constitution, the Venezuelan government established “Missions” to act as executors of social policies. Specifically, the Housing Mission was created with the goal of constructing homes and redistributing land to low-income families.⁹¹

In response to the 2010 floods that left over 20,000 families homeless in Caracas, the Venezuelan Parliament passed a law allowing for more autonomous Presidential law-making power in emergency situations: the Emergency Law for Land and Housing (or *Ley Orgánica de Emergencia para Terrenos y Vivienda*). Through the powers granted in the Emergency Law, the Law of the Home Ownership Regime of the Great Venezuela Housing Mission (or *Ley del Régimen de Propiedad de las Viviendas de la Gran Misión Vivienda Venezuela*) was passed in 2011.^{92, 93}

In terms of property ownership, the Law outlines a model that is quite similar to that of a condominium. Families have private rights to their individual units, while common spaces of the development are cared for collectively. Specifically, the law determines:

- A family may own its unit under “La Propiedad Familiar,” defined as the right to housing that is solely and exclusively used, enjoyed, and disposed of by the family unit (Article 9); and,
- Collective use and ownership are established as “La Propiedad Multifamiliar,” defined as the right on the land, real estate, and the areas of common use and enjoyment of all the members of the family units. The rights that make up Multifamily Property are inherent, inseparable, and indivisible from the family property; therefore, they are included within any alienation or transfer, total or partial, of the rights that make up the family property (Article 10).

Central facets of GMVV and the property framework in which it exists include discouraging the privatization of land and real estate and ensuring the productive use of properties. Profits are limited by Decree 929 of 2014 (Law on the Regulation of Real Estate

Leasing for Commercial Use), which establishes profit limits on leased commercial spaces and mandates the sale of residential properties leased for more than 20 years.⁹⁴

To promote the productive use of land under GMVV, the government may expropriate lands viewed as unused (land, public or private, that is being held for future value), underused (land on which is it possible to increase the efficiency of use (by building homes, for example)), or misused (the land use is not compatible with its location (large warehouses or parking lots in the city core, for example)) for the production of housing.⁹⁵ The government’s ability to expropriate land and real estate under these categorizations has been essential in securing enough property for the production of housing on such a large scale.⁹⁶

Notably, Article 115 of the Venezuelan Constitution guarantees the right to private property, and establishes that “only for reasons of public benefit or social interest by final judgment, with timely payment of fair compensation, the expropriation of any kind of property may be declared.”⁹⁷ This constitutional guarantee is somewhat at odds with the practice of expropriation under GMVV, as there are instances of expropriation without compensation. Venezuela’s *Second Socialist Plan for the Economic and Social Development of the Nation 2013-2019*, understands new forms of property (public property, social property (direct and indirect), communal property, citizen property, collective property, and mixed property), which may further cause tension between the right to private property and the country’s advance toward socialism and collective ownership.⁹⁸

05.4

COLLECTIVE PROPERTY RESEARCH + MEMORANDUM

INTRODUCTION

Collective property has the potential to provide high-quality, low-risk, permanently affordable housing for those who need it most. Yet like in most parts of the world in this neoliberal moment, collective property ownership remains outside of the norm in Brazil, despite the fact that it has existed for hundreds of years and remains common today for many cultures, from social democracies to indigenous communities.

When we began our project in January 2020, UNMP had already drafted much of its Legal Framework for Self-Management Law. UNMP leadership asked our team to review and provide suggestions for the entirety of the bill, but especially for the collective ownership section as it was the least complete. The bill seeks to encourage and provide a framework for collective property structures while still allowing the flexibility necessary for individual movements and projects to choose the ownership structure most appropriate for them, or even to choose to continue with the current individual ownership framework. Our goal, therefore, was to introduce the diversity of options and trade-offs between different collective property models, and to illustrate what collective property ownership means specifically for self-management.

METHODOLOGY

The team produced a memorandum for UNMP on collective property, summarizing the diversity of models and our recommendations for the collective ownership section. The memo examines the property structures of Limited-Equity Cooperatives, Zero-Equity Cooperatives, and Community Land Trusts (CLTs), as well as specific examples that represent these three different models across the world in countries like Uruguay, the United States, Puerto Rico, Kenya and Spain. The team chose to summarize these three structures because they are the most common and have the highest potential to cater to the needs of low-income households or to prioritize housing affordability, tenure security, and low financial barriers to access.

We ultimately determined that the two most important features for a collective property law is (1) to establish its legitimacy, especially as a recipient of government funding and other resources in providing housing, and (2) to establish minimal criteria that entities pursuing collective ownership can follow. The bill already establishes the legitimacy of collective property ownership as an option that organizations may pursue. Our recommendations provide concrete examples to be added to the law and aim to encourage adoption of collective ownership.

The following text is an excerpt from the memo we delivered to our client; texts that reiterate other parts written in this report and the proposed articles for addition are not included here.

MEMORANDUM ON COMMON COLLECTIVE PROPERTY MODELS AND LEGISLATIVE DEVELOPMENT

INTRODUCTION

This memo summarizes findings and recommendations for Chapter III on the National Program of Self-Managed Housing Production and Chapter IV on Collective Ownership of the proposed Legal Framework for Self-Management Law (referred to in this memo as “the Bill” or “proposed bill”).

This memo primarily seeks to inform Chapter IV of the Bill by 1) providing an outline of common types of collective property and ownership structures in cooperative housing systems worldwide, and 2) providing specific recommendations for the system of collective ownership in the proposed. It should be noted that case study examples employed in this memo do not provide an exhaustive overview of the collective property frameworks in question, but rather are intended as illustrative examples of the frameworks. This memo additionally seeks to inform Chapter III of the Bill by elevating the issue of land access and acquisition, and by providing recommendations for the facilitation of access to desirable, central, urban lands.

COMMON COLLECTIVE PROPERTY FRAMEWORKS

While there are many types of collective property in the world, this memo focuses on Limited-Equity Cooperatives, Community Land Trusts, and Zero-Equity Cooperatives. Each of these forms of collective property is typically grounded by an entity (such as a nonprofit corporation, cooperative, or association) that has the legal right to own property, form contracts, hold debt, and sue or be sued. Each collective property model is outlined below by its ownership structure, financing mechanisms, and tenure transfer processes.

1. Limited-Equity Cooperative Model

Ownership Structure

Limited-equity cooperatives are a form of ownership most frequently found in multifamily buildings, townhomes, or garden apartments.⁹⁹ This model takes the classic bundle of sticks associated with fee simple home ownership and tweaks it to promote lower financial barriers to ownership and the associated risks, while still providing a vehicle to build wealth. Limited-equity cooperative members hold full use rights. Shareholders have the right to use and occupy a specific unit in the cooperative and to participate in governing the organization.¹⁰⁰ Importantly though, they are not able to exchange, rent, and generally profit from the property in the way that fee simple owners are. In other words, limited-equity cooperative members do not hold full income rights to individual property.¹⁰¹ Instead of owning housing units, residents own shares in the cooperative organization, which owns and holds title to the entirety of the property.

Financing

Where government or NGO grants are not available, it is common for cooperative organizations to take out one large blanket mortgage to construct a new building or buy an existing one. If the organization has sufficient funds, this may not be necessary. In some countries, such as Uruguay, cooperative members make regular mortgage payments, contributing to the larger blanket mortgage.¹⁰² Payment structures for members can vary widely, but it is typical for residents to make both up-front and monthly payments to the cooperative so that it can cover its financial obligations and operating costs.

Transferring Tenure

Whereas condominium owners are free to sell their unit to whomever and at whatever price, limited-equity cooperatives impose more restrictions and are often involved in the occupancy transfer process. Cooperative boards must evaluate and approve of any potential share buyers.¹⁰³ Approval criteria vary widely, but can include income limits, background checks, and assurance that the new member will be an active participant in the cooperative's governance system. Some cooperatives manage the process more directly, buying shares from outgoing residents and managing sales themselves.¹⁰⁴ Regardless, in becoming a shareholding member, residents must agree to the cooperative's regulations, including maximum resale values.

Limited-equity cooperatives are sometimes used to describe both income-limited and equity-limited housing.¹⁰⁵ Intending to preserve their housing for lower-income households, some cooperatives impose limits on the maximum incomes of shareholders and/or interested buyers.¹⁰⁶

Equity limits pertain to resale restrictions on shares of a cooperative. When an owner sells their share, the prices that they can receive are bound by regulations contained in the cooperative's bylaws. These vary, but tend to impose a hard cap on equity, such as a 4% increase or their purchase price indexed to inflation.¹⁰⁷ In addition, if an owner upgrades their unit (by renovating the kitchen, for example) they may be allowed to increase the sale price of their share to account for it, depending on specific bylaws.¹⁰⁸ However, such allowances are subject to limits to prevent excessive upgrading that would render a unit unaffordable (this is sometimes referred to as "gold plating").¹⁰⁹ Lastly, it is common for cooperative agreements to allow members to pass their shares on to heirs.¹¹⁰

Cooperatives also frequently regulate the subletting of units. For example, to prevent shareholder profiteering, a cooperative may cap sublets at the cost of monthly dues. Others prohibit subletting or require shareholder occupancy.¹¹¹

In Uruguay's FUCVAM model, if a member sells their shares, the cooperative pays them the sum of the mortgage payments that they made over the course of their tenure, minus a 10% fee.¹¹² Depending on the length of their stay, this can be a considerable amount of money to be used to acquire other housing. The new shareholder needs to pay a considerable up-front sum to the cooperative. To lower this barrier, in 2017 Uruguay's government began offering to cover 85% of upfront purchase sums, but this still requires incoming households to cover the remaining 15% of the cost.¹¹³ Some are concerned that this specific version of the limited-equity model may promote gentrification as units turn over, as these new owners may have significantly higher incomes and savings than the original ones.¹¹⁴

Key Take-Aways

The limited-equity cooperative is a broad model that can be tailored to meet the needs of a given community. Generally speaking, this is a model of housing that can create and maintain affordable housing, build wealth, and promote community. Nonetheless, there are many choices to make regarding which values to prioritize over others. Specifically, cooperative organizations will need to make difficult choices related to two main topics:

- **Equity calculation:** How much equity will shareholders be able to gain? The price they paid adjusted for inflation? More? Less? Will improvements and renovations be accounted for in their share price?

- **Transfer of shares:** How will new shareholders be evaluated and selected? Income? Housing movement affiliation and participation point-system? Can each association select its own method? Should owners be able to pass on their shares to family members?

Some research has shown that interested members with personal connections to existing members are given preferential treatment when applying to join a cooperative.¹¹⁵ Granted, with auto-constructed or self-managed housing, this may be less relevant, since these housing organizations tend to maintain a point system that ranks who will receive housing based on individual participation. Nonetheless, it is critical to consider these issues when designing a housing system intended to provide for broad swaths of people.

2. Community Land Trust (CLT) Model

Ownership Structure

CLTs separate the ownership of land and improvements on land. The land itself is owned and stewarded by a third-sector organization, which is governed by a board of directors with equal representation from (a) leaseholders or people belonging to the CLT itself, (b) the general community that the CLT resides in, and (c) the broader public. The organization leases parcels of land to individuals for long-term use: 99 years is a typical timeframe for ground leases. Individuals only lease the land, but they may own property on the land or any improvements to the property. These long-term exclusive ground leases protect individual interest in the land and guarantees that individuals who improve structures can economically benefit from their improvements.¹¹⁶

The CLT model originated in the United States in the 1960s and is most prevalent there, but it has also since been promoted as a model for affordable housing in other countries like the United Kingdom, Kenya, Puerto Rico, and Australia. In Kenya, creative solutions have allowed the Tanzania-Bodeni CLT to maintain the spirit of CLTs despite significant legal barriers. Contrary to most CLTs in the U.S., the Tanzania-Bodeni CLT established a society rather than incorporate as a nonprofit to steward the land, as incorporating in Kenya can only be for a profit motive. In addition, to overcome the prohibition of “permanent alienation of land from the market” in Kenyan common law, the CLT has a head-lease with the government to use the land and sub-leases land to individuals.¹¹⁷

More recent evolutions of CLT explore its utility as a basis for limited-equity cooperatives, mutual homeownership society, land banking, land regularization, and other opportunities to bring land back to directly benefit the people.

In the U.S., CLTs in urban areas like New York City and San Francisco have started to use the CLT model and limited-equity cooperative model in tandem to capture the best of both worlds in providing affordable housing for low-income households in perpetuity. In these cases, the CLT owns the land, and cooperative-members own shares of the cooperative building itself, as well as hold right-of-use of the land.¹¹⁸ The largest of these is the Cooper Square Mutual Housing Association (CSMHA) in New York City. CSMHA has its roots in the Cooper Square Committee, a tenant organizing and advocacy organization formed in resistance to the destructive processes of urban renewal in 1959.¹¹⁹ Although CSMHA was only first established as a CLT in 1994, it can really be seen as a part of the Cooper Square Committee’s long-term vision for affordable housing in the working class neighborhood. As a CLT, CSMHA began acquiring land and property from the city. Because many of the properties needed to undergo renovation, CSMHA acquired land from the city first with the city retaining ownership and maintenance of the rental units until completion of renovation.¹²⁰ In 2012, CSMHA

completed purchase of the rental buildings from the city and converted all 328 of its units to limited-equity cooperative units.¹²¹ CSMHA serves very low- and low-income households: its cooperative-members' average income is 30-40% of the annual area median income of \$65,000 USD.¹²²

In Puerto Rico, residents of informal settlements along the Martín Peña Channel formed the Fideicomiso de la Tierra del Caño Martín Peña (Caño Martín Peña CLT, or Caño CLT) as a means to both respond to potential displacement and formalize their collective claim to the land. After a long, tenuous battle with certain political mayoral administrations in San Juan, the Caño CLT was formally recognized with Law 489. The law deemed the CLT the owner of the 78 hectares of land and enabled secure tenure for nearly 2,000 families through a formal deed of surface rights with each household.¹²³

Financing

Financing largely depends on how CLTs have been able to reshape policy in different countries. In the U.S., most CLTs acquire land through donations from the government, foundations, or other private entities. Homeowners in CLTs are eligible for federally-backed mortgages. However, to close the gap in financing for low-income households, the CLT will typically acquire additional federal funding in the form of grants from the HOME Investment Partnerships Program and Community Development Block Grant program. Homeowners on CLTs pay the CLT for their share of the ground lease and stewardship fees on a monthly basis. Taxing may differ between municipalities, based on the local tax code and assessors' office. CLTs in areas considered 'high value' or 'increasing in value' by the market may need to negotiate with the local government to assess property based on the affordable price of housing rather than the market price. If not, homeowners on CLTs are likely to face increased housing costs. In some cases, like in the City of Austin, Texas, municipal ordinances completely exempt CLTs providing and maintaining affordable housing for low-income households from property taxes.¹²⁴

In cases where homeowners are at risk of defaulting on their mortgage, like during the subprime housing crisis, the CLT supports its homeowners through its stewardship activities, including "pre-purchase education, prevention of high-risk loans, ongoing support for homeowners after purchase, and early detection of, and intervention in, delinquencies and foreclosure filings."¹²⁵ As a testament to CLTs' standard stewardship and supportive programming, from 2008 through 2010, a smaller share of CLT homeowners experienced serious delinquencies and foreclosure proceedings compared to conventional, market-rate homeowners.¹²⁶

Newer hybrid CLT/LEC models can further minimize financial gaps for low-income households. To become a homeowner in a CLT nevertheless requires some capital and a household's eligibility for federally-backed mortgage. Many CLTs also have rental units, but do not provide the same economic benefits to users. Instead, through a hybrid CLT/LEC, CLTs can provide land at a lower fixed cost, as well as provide technical advisory support and act as a financial support. LECs lower the financial barrier for low-income households because equity and risk are shared across a group of people through blanket mortgage financing.¹²⁷

Security and Transferability of Tenure

Ground leases tend to last for 99 years and are typically both inheritable and renewable. If a ground lease is not renewed and a CLT homeowner wishes to sell their property, most CLTs have right of first refusal, or the option to buy back the property (the home). If the CLT does not exercise this right, the leaseholder can sell it to an outside buyer, as long as the buyer is

within set income limits and the sale price is set based on the CLT's resale formula in order to maintain perpetual affordability for low-income households. CLT homeowners make some profit off their investments, but part of the benefit/equity is held by the CLT to be shared by future homeowners (in being able to affordably buy a home).

The resale formula and income targeting requirements have been shown to be cumbersome during economic downturns. During the subprime mortgage crisis in the U.S., selling homes in general was challenging and CLT households attempting to sell their home and move had a difficult time finding buyers meeting the appropriate income bracket. Because many homes lost value during this time, some households actually owed the CLT money, further hindering the process.¹²⁸ In the Caño CLT, the resale formula considers any subsidies granted in the initial sale of the property and differences between acquisition value and market sale value. If the value of the property has depreciated, the CLT will deduct the difference between the original purchase price (after subsidy, if applicable) and the current value. If the value of the property has appreciated, the CLT will receive 50% of the difference between the original purchase price (after subsidy, if applicable) and the current value to share equity between current and future owners in the CLT.¹²⁹

The ground lease also outlines whether or not residents may rent their property. In the Tanzania-Bodeni CLT, homeowner-leaseholders must reside on the property; absentee landlordism is not allowed. In the U.S., sometimes limited absentee landlordism is allowed with a clearly delineated maximum term length. However, it is also common for CLTs to forbid any renting, where CLT homeowners may not rent part of their homes under any circumstances. However, the ground lease is quite flexible and can allow a wide variety of options.

Key Take-Aways

CLTs stand out as a means to permanently keep land off the market and prevent speculation. In addition, CLT homeowners benefit from long-term affordability and security, as well as the physical home as a vehicle for equity-building, though homeownership can still be difficult to attain due to financial barriers. Nonetheless, the CLT's primary mission to steward land and its flexibility in its structure has allowed it to adapt and transform to its community's needs, taking forms of the CLT-cooperative in CSMHA or favela-CLT in the Caño CLT. Key aspects that may differ among CLTs include: hybridization with other models; resale formula; inheritability of the property; purchase option (right of first refusal); ownership restriction (requirement of primary residence); and length of lease.

Ownership Structure

Under the zero-equity cooperative housing model the cooperative organization does not own property. Rather, the cooperative leases the property from a third party – often an NGO, and sometimes an NGO set up specifically for this purpose. Since the cooperative itself does not own the property, its residents do not own shares in the cooperative as they do under the limited-equity cooperative model, and neither the cooperative nor the residents are able to build equity. Some zero-equity cooperatives do maintain a cash reserve so that if the property later comes up for sale, the cooperative itself is able to purchase it. If the cooperative does purchase the land, it is usually converted to a limited-equity or market-rate cooperative.¹³⁰ Although residents do not own shares in the cooperative, zero-equity cooperatives are still democratically governed by their residents.

Zero equity is the predominant cooperative model in Denmark, Australia, and Canada. In Denmark, zero-equity cooperatives make up 20% of the housing stock and tend to be run by non-profit housing associations or by the municipality.¹³¹ In Spain, a cooperative housing development, “La Borda,” is the first housing cooperative in Spain operating under the “grant of use” or “cession of use” model – an example worth mentioning as it is quite similar to the zero-equity model. In this case, the City Council transferred surface rights to publicly owned land to La Borda (a not-for-profit cooperative organization) for an annual fee for the development of affordable housing under the cession of use model.¹³² The cooperative has the right to use the publicly owned land for 75 years in exchange for an annual fee.¹³³ Because La Borda has been developed on public land, it must comply with the criteria for state-subsidized housing; this prevents ownership of property and mandates that residents must have an annual household income of \$45,469 USD or less.¹³⁴ Under the cession of use model, the cooperative owns the building itself and grants use rights to each household (through a cession of use contract) in exchange for an initial fee and monthly payments.¹³⁵ La Borda is governed by its members through a general assembly responsible for defining strategies and monitoring projects.¹³⁶

Financing

Under a zero-equity cooperative model, residents pay an initial entry fee and monthly contributions that cover the cooperative’s mortgage payments (if applicable), taxes, operating costs, and any other maintenance costs.¹³⁷ In Germany, Australia, and Canada, where zero-equity cooperatives are prevalent, the entry fee tends to be fairly low -- thus ensuring accessibility to low-income families -- and monthly payments are adjusted according to the costs of maintenance and necessary upgrades.¹³⁸

In the case of La Borda, members are required to make a hefty initial contribution of \$21,029 USD and pay a monthly contribution, which is determined by the size of the apartment plus the cost of the shared spaces. The monthly fee is currently \$9.90 USD per square meter, but is expected to decrease to approximately \$6.53 USD per square meter once debts from construction have been repaid. Residents also make a monthly contribution of \$5.69 USD to a “mutual support fund,” which assists members struggling to pay the costs.¹³⁹

Transferring Tenure

Should a resident of a zero-equity cooperative decide to move out, the cooperative returns their initial investment, similar to a rental security deposit. Since residents do not own shares in the cooperative, residents typically do not leave with any additional profit. However, there are some zero-equity cooperatives that provide outgoing residents with some share of the cash reserves accumulated by the cooperative in the time they lived in the development.¹⁴⁰

In the La Borda cooperative, residents maintain use rights for an indefinite period of time, provided they remain members of the cooperative. Residents may also leave use rights in bequest to heirs, as long as heirs are members of the cooperative and meet the income criteria. The model is intended to preserve housing affordability and avoid privatization; this differentiates La Borda from the traditional model in which housing is later privatized through a condominium scheme.¹⁴¹ If they choose to leave, residents are refunded their initial fee and the next resident is expected to pay the same contribution in order to move in.¹⁴² While residents do not lose money in this housing model, it is clearly not a mechanism for wealth building or social mobility. In the case of La Borda, in particular, the cooperative is also highly inaccessible to low-income individuals due to the large initial investment requirement.

Key Take-Aways

Although it is a viable model in some contexts, the zero-equity cooperative is not an ideal model for housing low-income residents in Brazil, or to meet our clients' objectives. Certainly, this model is preferred over unaffordable market-rate housing and is notable in its maintenance of permanent (or at least long-term) affordability. The mutual aid fund is also an aspect worth considering in order to increase housing security for those who meet economic difficulties. However, there are several downfalls of the model:

- The zero-equity model does not allow residents to build equity or wealth and therefore limits empowerment for low-income individuals.
- There is a risk that, if the cooperative eventually does buy the land, it will be converted into a market-rate cooperative - rendering the security of tenure and affordability questionable.
- Lack of shares in the cooperative may limit resident buy-in and sense of community.

RECOMMENDATIONS AND KEY CONSIDERATIONS

Collective Property

We recommend that the draft bill adopt an article that requires any deed, contract, or legal document establishing collective property ownership to, at a minimum, articulate ownership structures and procedures around financing and security and transferability of tenure. However, the article should leave room for flexibility and provide examples on what kinds of articulations can be made: collective property models are extremely diverse and each procedure has its own set of numerous tradeoffs that each entity can only determine on its own. Adopting such an article does not mean that all self-management housing must be collective property; rather, it gives entities the option and know-how, as well as legitimizes the legal arrangements.

	CONSIDERATIONS	EXAMPLES
OWNERSHIP	STRUCTURE	Cooperative shares; Permanent use-rights; Mixed models
	RESTRICTIONS	Require primary residence
TENURE SECURITY	LENGTH	Permanent
	INHERITABILITY	Familial inheritance only
TENURE TRANSFER	RESALE FORMULA	50% shared equity
	CHOICE OF BUYER	Right of first refusal

Figure 05.24 Summary table of key legislative recommendations and considerations.

Source: Compiled by capstone team

This section of the memo highlights a variety of aspects from each model that we find to be most successful in ensuring secure, high-quality housing via collective property, organized by ownership structure, financing, and tenure. The section also includes additional considerations that may not be written into the proposed bill itself, or that may only be recommended or encouraged by the legislation. References to the “entity” in this section can include an association, cooperative

organization, or other third-sector organization producing housing under the law.

1. Ownership Structure

Structure. The Bill should maintain a level of flexibility that allows each entity to determine its own structure and governance. However, the Bill should explicitly recognize and promote shared equity models (calling on characteristics of limited-equity and community land trust models). Equity can be shared across a group of members; it can also be shared across time (between current members and future members). Shared equity models enable building of wealth and opportunity, and improve resident buy-in in the housing development. The Bill should discourage zero-equity models, which do not allow residents to build wealth.

Structure resident governance organization to maximize democratic participation while still imposing “must-have” requirements. Generate buy-in and compliance with regulations by promoting autonomy.

Income targeting. The Bill already currently targets low-income levels to ensure it protects intended populations. Appropriately, the Bill also notes that the per capita income values for qualification will be updated annually according to the Broad National Consumer Price Index (IPCA).

Restrictions [non-legislative consideration]. Entities employing shared-equity models will frequently outline whether renting a room or landlord absenteeism is allowed. If shareholders/owners can lease out their units, consider regulating length of leases and who is qualified to lease (members of the movement, family members, low-income households, etc.). Also consider whether residents are able to profit off the subleasing of a unit.

2. Financing

Access to federal funding for housing construction. Explicitly include shared-equity variations on self-managed housing as legitimate entities for the allocation of federal funding. Shared-equity models can come in many forms and may be overlooked for federal funding by skeptical administrators due to their different structures.

Property taxes. Property taxes can have a significant impact on a household’s ability to afford housing and on its financial well-being more generally. Consider including a subsection in the Bill that encourages state or city tax legislation that allows project-based negotiation related to payment of property tax. Some state laws in the U.S. cap assessments of property for these models at a fraction of market value or exempt them from property tax altogether.

3. Tenure

Security. Require a minimum length of 99 years for collective ownership models grounded in the leasing of use rights. A shorter minimum length would put the mission of perpetual affordability at risk.

Allow for compassion and flexibility when members cannot make monthly payments. This will likely be built into individual entity contracts. Such capability can be built by:

- Charging residents small monthly solidarity dues to create a mutual-aid reserve fund.
- Providing on-site work for members to pay with labor.

Transferability. Require that shared-equity models are inheritable to the family of

members. This ensures intergenerational housing stability and continued and growing strength of the movement.

Right of refusal and preemptive purchase option. Require that entities, too, have the first right of refusal or the option to buy back when a property or share is being sold. Consider the tradeoff between allowing market-value assessment of property—where buyback may be much more challenging and is not advised by this team—versus promoting a reduced rate, where it is feasible for a project to retain a property for affordability in perpetuity. Further, in cases of inability to pay, the entity should still have the first right of refusal.

Property Acquisition

As written, the Bill funds land acquisition as a “direct cost” associated with the program (Ch. III, Subsection II, Art. 13). Our proposal complements this provision, recommending that the Bill add an article that explicitly acknowledges venues for public and private land acquisition. The article should not be so prescriptive as to make it more bureaucratically difficult to acquire land, but should provide the option for governments to donate land or generally to make the land acquisition process more streamlined and efficient. The article may recommend that city or state governments enact legislation allowing:

- The use of eminent domain for property acquisition;
- The creation of land banks for housing created under this program;
- Land donations, or donation of former government buildings no longer in use; and,
- Other land acquisition options determined appropriate by city or state governments.

Allowing access to land donations, however, does not preclude the mandate and government from funding land acquisitions of viable projects. This is only meant to allow entities access to land through all possible pathways.

05.5

CONCLUSION

This chapter illustrates the various ways in which the team worked toward our goal of supporting UNMP's drafted self-management bill. Using an interactive and accessible website to host our many deliverables, the team employed a number of approaches to document Brazil's severe housing crisis while maintaining an optimistic outlook and showcasing the hope that comes with understanding the strength of autogestão. This project demonstrates the resiliency of the movement and its members, allowing viewers to envision a better future through autogestão.

The issues contributing to Brazil's housing crisis have been made clear in this chapter — inconsistent and unstable housing policies, profit-driven housing production, and a scarcity of centrally located land, among many others. An additional challenge that our clients face in the production of autogestão housing is compliance with complex and often costly environmental requirements, namely Brazil's Forest Code and state and municipal regulations related to the preservation of native vegetation. The next chapter will describe the team's second major objective: assisting our clients with navigating these complex regulations and increasing community engagement with preservation areas.



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06

CULTIVATING GREEN
AREAS IN SELF-
MANAGED HOUSING:

ENVIRONMENTAL
ENGAGEMENT
PROPOSAL

06.1

STRATEGY FOR ENVIRONMENTAL ENGAGEMENT

The current housing policy in Brazil is unable to meet the growing housing need, contributing to an increasingly critical deficit. In part attributed to a lack of available land, we see an increase in peri-urban development, where mainly informal developments, favelas, and public housing are pushed to the outer peripheries of the city and occupy greenfields and environmentally protected areas.¹ Urban environmental policy is challenged with balancing the protection of ecologically stressed areas and the provision of safe land for housing development. In São Paulo, these peripheral areas are often the sites for autogestão housing, forcing members of the housing developments to take on the responsibility for complex environmental protection requirements. Thus understanding environmental policy becomes critical to the housing movement and the promotion of autogestão.

Several laws and ordinances have been put in place to regulate and monitor the effects of development on the natural environment in Brazil. Permanent Preservation Areas (APPs) have been designated as zones with strict restrictions on development. Established in Brazil's Forest Code, this provision ensures the preservation and maintenance of native vegetation within the zone. Often, property acquired for autogestão housing lies in proximity to an APP, placing the additional burden of maintaining an APP on the movement. The high cost of preservation, coupled with complex and inaccessible regulations, results in a barrier to engaging with these zones. With already limited

resources, environmental engagement typically means meeting the baseline requirements prescribed by these regulations and then never engaging with these zones again. This section of the report highlights our team's proposal to integrate environmental engagement within the autogestão framework.

BACKGROUND

Brazil has had legislation in place to protect its forests since 1934; it established its first Forest Code in 1965. During the 1980s, due to massive rates of deforestation as a result of agricultural modernization and heavy international pressure, nearly 700,000 km² of Amazonian forest land was cut down.² In the

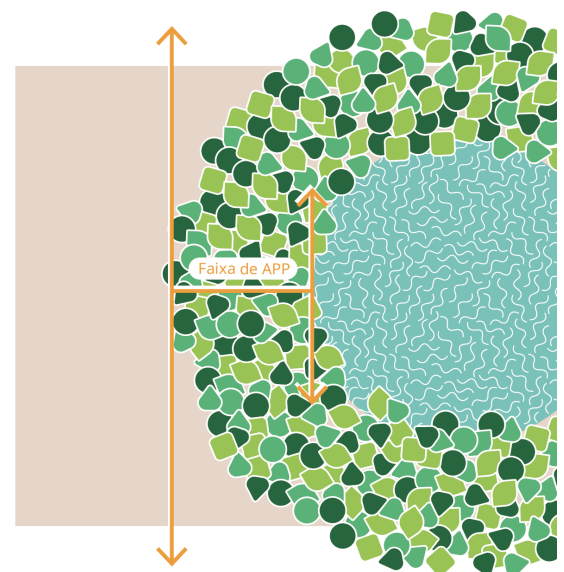


Figure 06.1 APP classification for water sources.

1990s, with a rising awareness on effects of forest cover loss, forest protection became a national priority, and by 2004, Brazil passed a milestone plan for the prevention and control of deforestation in the Amazon. With a continued commitment to protecting the various forest biomes in the country, Brazil’s new Forest Code (Law 12651/2012) was enacted on May 25, 2012 and is the guiding legislation for environmental protection in the country.³ The Forest Code establishes general rules on the protection of vegetation: Permanent Preservation Areas (APP) in environmentally vulnerable areas, and Legal Reserves (RL), which establish set asides for native vegetation. It also includes economic and financial instruments to achieve these objectives. For its application in urban areas, APPs are the primary instrument to protect green urban environments and landscapes.⁴

APPs are protected areas (covered or uncovered by native vegetation) with the environmental function of preserving water resources, the landscape, geological stability and biodiversity, facilitating the gene flow of fauna and flora, protecting the soil and ensuring the well-being of human populations.⁵ APPs include both Riparian Preservation Areas (RPAs) that protect riverside forest buffers, and Hilltop Preservation Areas (HPAs) at hilltops, high elevations, and steep slopes.⁶ The regulation asserts that these are areas with important environmental functions where the native vegetation should always be

maintained, or replanted in cases in which it has been cleared. It stipulates that the vegetation located in the APP shall be maintained by the owner of the area, possessor or occupant under any title, individual, or legal entity, public or private law. The type and size of the APP designated area depends on the nature of the environmental feature. See Figures 02.1-3.

In addition to the Federal provision, each state and municipality has enacted specific legislation to protect and preserve their local biomes. In the municipality of São Paulo, the Environmental Planning Department, under the Secretariat for Green and the Environment (SVMA), oversees and enforces all environmental regulations. The Strategic Master Plan (PDE) (Municipal Law n. 16050/2014) maps out nearly 269,000 m² of the municipal area covered by APPs and describes the role of SVMA in ensuring that native vegetation is preserved in these areas. SVMA also oversees the municipally ordained Environmental Licensing for any development project. But with a rapidly urbanizing periphery and multiple land tenure models, blanket green policies have had to evolve to meet the varying property ownership structures. Several ordinances have been passed over the years, detailing the differences in requirements for each urban landowner with APPs on their property. However, multiple regulations with a number of amendments and changes in the regulatory bodies overseeing them makes these rules inaccessible to property owners that lack

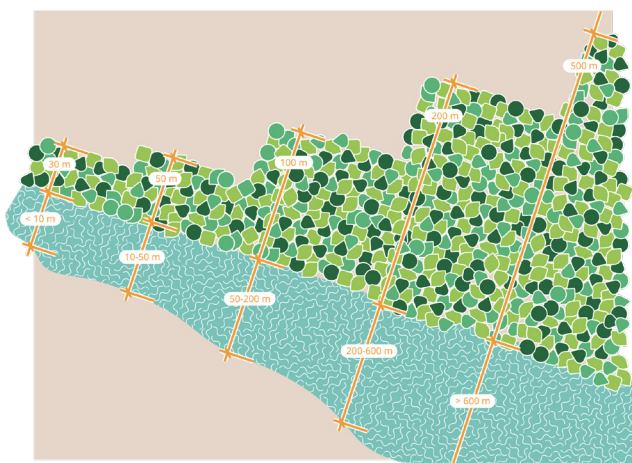


Figure 06.2 APP classification for rivers/streams.



Figure 06.3 APP classification for water sources.

strong technical expertise in environmental policy.⁷

On the surface, it appears that these regulations are overly stringent with very little room for flexibility. While largely true, there are a few flexible allowances for Social Interest Housing developments that are not commonly known. For instance, Resolution 412/2009 establishes criteria and directives for the granting of expedited environmental licenses to new enterprises engaged in the construction of Social Interest Housing. The amendment was prepared jointly by the Ministries of Environment and Cities, aimed to speed up implementation of the Federal Minha Casa Minha Vida (MCMV) program. Preparers of the amendment argued that the provision of popular housing in appropriate areas combats slums, the occupation of hillsides and invasions on the banks of rivers, streams and lagoons, and was thus good for the environment. The ordinance also provides special concessions to use parts of the APP for Social or Public Interest Programming.⁸

5% of the area under the APP may be allocated impervious programming

15% of the area under the APP may be allocated for permeable programming

Each autogestão project with an APP on its property has a specific Environmental Commission that is setup to address the green programming on site. With varying levels of technical expertise in environmental policy, each commission is likely to engage with their APP very differently. Furthermore, the funds available for environmental programming varies based on the total funds gathered by the movement for construction; none of the legislation provides any additional funding for environmental protection.

STRATEGY FOR ENVIRONMENTAL ENGAGEMENT

UMM-SP leaders stated that their biggest challenge, in addition to funding, is making environmental engagement more accessible to movement members. In addition to being a technically challenging field, we also heard that there is a notion that environmental engagement is unfeasible because the laws are overly stringent and inflexible. In order to address these concerns, our team's proposal consists of a comprehensive educational suite that distills the necessary information from the Forest Code and provides a beginner's guide for communities interested in environmental engagement. This suite can be distributed to environmental commissions at every organization to use as a preliminary resource while planning their site. In line with UMM-SP's ideology of empowerment, this educational suite helps movement members overcome the barrier to addressing environmental issues by explaining key terms in the legislation and providing quick summaries of relevant allowances for Social Interest projects. The suite also points to additional resources provided by state and municipal bodies that residents can tap into.

ENVIRONMENTAL ENGAGEMENT SUITE

Primarily meant to be an accessible resource for residents, the educational suite consists of a set of index cards designed for easy distribution and use during planning meetings. Each suite is easy to print and assemble, with index cards containing text and diagrammatic explanations of concepts. Seen in Figure O6.5, Contents of the suite can be broken up into three main components:

Part 1: Introduction to the Laws

Part 1 contains background information on APPs and why they are important. It breaks down key concepts in simple and accessible language, and makes connections between environmental legislation and stipulations for the popular housing movement. Furthermore, it points to allowances in the law that are not commonly



Figure 06.5 The full Environmental Engagement Suite. The photos show the use of the suite, and how its components are compiled together as a single cohesive package. The cover folds into being the folder for the index cards, and the back of the cover unfolds into a poster-like presentation of the schematic design proposal example. The rendered image depicts a mockup of the full suite.



Figure 06.6 Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King Project site, looking north towards the beginning stages of construction of the project. The small-scale arched buildings pictured will be the commercial portion of the project. The buildings in the background of this image are part of a separate neighboring project.

known and provides language for residents to begin engaging with the APPs on their site. This section of educational suite aims to provide ways that residents can take ownership of the act of preservation, rather than simply fencing off and setting these APPs aside. For instance, the suite provides lists of native species that can be planted in an APP, broken up by size and class, to encourage residents to make decisions on the nature of preservation, thus fostering engagement.

Part 2: Designing for APPs

The second section of the suite provides a collection of potential programs that could be designed in an APP, in accordance with the stipulations provided for Social Interest projects. These programs are broken up into three main categories — required, environmental, and social programs — based on the function they serve. Required programs include elements like paths and trails along the APP; environmental programs such as bioswales and retention ponds are low-cost, low-impact stormwater management techniques that promote soil quality; and social programs like educational signages and gathering spaces encourage resident interaction with the natural environment. Each component offers a quick overview of the program, basic requirements for planning and implementation, and cost and labor estimates. These are important because

many do not realize they are able to do more than just plant trees on an APP site. Together, they act as a quick shopping cart of programs to which communities can refer while designing their APP sites.

Part 3: Schematic Design Proposal

The third component of the educational suite is a sample design proposal for an APP site, using a pilot autogestão project currently under construction in São Paulo. The APP site design for the Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King housing project was developed in collaboration with members of the site's Environmental Commission and with landscape architects from São Paulo through a participatory planning workshop conducted in March 2020, using the educational suite as a guiding resource. The schematic proposal consolidates the decisions made by the community and its Environmental Commission into a site plan, and provides cost and area calculations based on design elements. This component acts as a case study for other housing projects and Environmental Commissions looking to implement similar programs, and walks through potential challenges and opportunities using a relatable example.

See Appendix for the complete Environmental Education Suite

PRELIMINARY SCHEMATIC DESIGN PROPOSAL FOR ENVIRONMENTAL ENGAGEMENT

As previously discussed, most autogestão housing ends up only meeting the baseline requirements prescribed by the environmental license, and the APP is regarded as separate from the housing complex. Too often, the design and implementation of an APP site is an afterthought due to the complex nature of the issue and limited funding. Additionally, the complexity of requirements creates a barrier to creativity on the site.

The schematic design of Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King is meant to serve as an example of what is possible. This site takes components from the “Kit of Components” to showcase what their implementation could look like, and is strongly influenced by the feedback from the community participatory planning workshop hosted by the capstone team. Requirement calculations are also taken into account and reported; these calculations help visualize what it would look like to have 5% impermeable programming versus 15% impermeable programming on a site, for example. The Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King project is required to plant 637 trees; all other design components are considered additional, non-required features. But it is these non-required additional features that have the power to transform the space into an asset. While this proposal is only a schematic design plan, the intent is for this plan to be adopted with full design plans and construction documents in order to be implemented.

We began with extensive site design research, gaining an understanding of the legal requirements and of what components beyond trees could and should be included in a site design. After preliminary research, we drafted initial site plans with community engagement at the forefront. Our main goal was to develop a schematic plan that would be strong enough to hand off to a team including landscape architects to formally plan and bring to fruition in the future. Our plan was to be well-researched,



Figure 06.7 View of East site from the APP.

schematically designed including feedback from community members, and realistic in cost and scope to be used as an example design for other sites.

Initial Design

The initial designs included components from our “kit” that catered to basic legal requirements while prioritizing different methods of engagement programming. Our proposal included three schematic options, designed with varying methods of environmental and social programming, to bring to the participatory planning workshop to gauge initial reactions. All three options included the 637 required trees. This design proposal is derived from three key strategies as shown in Figure 06.8:

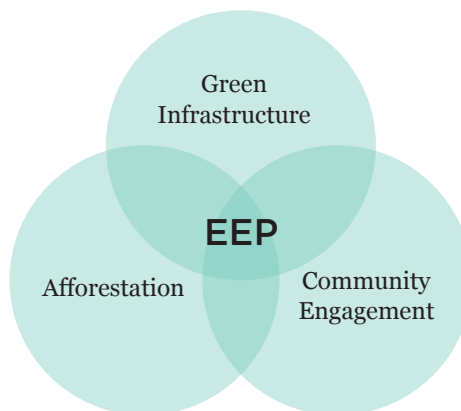


Figure 06.8 The three key strategies of influence for the site design of the APP site.



Figure 06.9 Option 1 - site plan of Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King; pink crosses indicate instances of environmental education.



Figure 06.10 Option 2 includes all design elements from Option 1 with the addition of a community garden and nursery.



Figure 06.11 Option 3 includes all design elements from Options 1 and 2 with more community spaces including playgrounds, open green space, and larger pavilions.

Option 1 seen in Figure 06.9 was the beginning base option. This plan prioritized native afforestation, bioswales, and environmental education instances (indicated by pink crosses).

Option 2 as seen in Figure 06.10 included all design elements from Option 1 with the addition of a community garden and nursery.

Option 3 as seen in Figure 06.11 included all design elements from Options 1 and 2, with the addition of more community spaces including playgrounds, open green space, and larger pavilions.

Site Considerations After Visit

Visiting Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King and the APP site, seeing the land, and visualizing its size was instrumental in our next steps.

One of our largest takeaways was the jarring proximity to the manufacturing plants. The first visit to the site was a rainy and cloudy day, but even through the thick clouds we could see smoke puffing out of the industrial structures. On clearer days, these facilities visually hijacked the landscape; they are the only features on the horizon. Regardless of the weather, a continuous hum could be heard from these plants across the site.

Through meetings with UMM-SP and the Environmental Commission for Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King, we learned that while these factories were clearly contributing massive amounts of pollution to the air, their main concern was with noise pollution. They expressed concern that in other projects, windows are of low-quality, and typically let in a lot of noise. While addressing noise pollution through window design went beyond this project scope, finding other ways to help mitigate sound pollution was taken into consideration. Plants and foliage help absorb sound, and also help with air pollution. While the scale of this project would not be enough to eliminate either, it could help both.



Figure 06.12 Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King site building in progress. In the foreground, movement members can be seen working on initial construction. In the background, the proximity of the industrial complexes is apparent.

PARTICIPATORY PLANNING WORKSHOP

Community participation, an essential element of our proposal, is integral to the autogestão framework. To gauge resident interest in environmental engagement and evaluate needs and concerns from the community, our team organized a participatory planning workshop with the members of MST-Leste 1, future residents of the Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King site, and the Environmental Commission for the site.

Who, When, Where

Approximately 30 community members participated in the planning workshop we conducted on March 4, 2020 from 9 am to 11 am at the Jerônimo Alves e Martin Luther King site. The meeting took place on a Sunday morning, a regular day for mutirão labor. Our team presented the material in English and our instructor translated the content into Portuguese for the community members.

Process

The workshop began with a 30-minute presentation explaining the three design options detailed above and the various components that could be added to an APP site in addition to the legal requirement to plant 637 native trees. Following the presentation, we broke the participants into five groups to design a “dream site.” Each group received a printed poster copy of the site plan with images of various site components, colored pens, and stickers.

The teams were asked to use blue stickers for ideas they liked and red stickers for ideas they disliked, and had full freedom to sketch ideas directly on a plan or write comments on post-it notes. We also marked out the footprint of full-size pavilion options on the ground to give participants a visual sense of space for the proposed pavilions.

Each group then elected a representative to summarize its design proposal. In the discussion that followed, all participants debated the benefits and disadvantages of the five different proposals to come up with a final design. Our team then took these ideas and, along with a landscape architect from São Paulo, designed a final schematic proposal for the APP (detailed in the next section).

To conclude the workshop, we requested that all participants fill out feedback forms; these are documented in the Appendix.

Results

Overall, the participatory planning workshop was successful in educating the participants on the importance of the APP site and the various additional components that could be added. The participants appreciated the opportunity to voice their opinions, brainstorm ideas, and contribute to a collaborative design process that would elevate the quality of their community spaces. The community seemed excited about the prospect of adding new components such as pavilions to their site and were eagerly looking forward to fully realizing the potential of their APP site.



CONCERNS ABOUT ENVIRONMENTAL ENGAGEMENT

Lack of clarity in why environmental engagement was required on site.

Varied degree of familiarity of the environmental commission members. Some members had more difficulty understanding the legal requirements, while others had in-depth knowledge of the issues at stake.

Confusion around the difference between APP plants and landscape ornamental plants present in the housing complex.

CONCERNS ABOUT SITE DESIGN

Mixed feelings towards a community garden for fear that it would be too hard to coordinate and there would be no organized distribution system.

Debates for the need of a nursery once the required APP trees for the site were grown.

Agro-forestry seemed like an appealing idea but was too complex to organize at this time since it required a lot of commitment from the community.

There were mixed feelings on including playgrounds, as there are already playgrounds on the Mutirão Dorothy Stang, Jerônimo Alves e Martin Luther King complex site.

Pavilions with barbecues were the most popular. Members wanted as many pavilions as possible, most with the capacity for a family or two for small casual gatherings and celebrations. And one or two larger pavilions for large out-door gathering occasions.

Community members agreed that environmental education for youth was important.

The creek as it sits now is an undesirable area and some had safety concerns in regards to children having access to the polluted creek. However, it was also acknowledged that if the creek were revitalized, it would become an asset.

Figure 02.13 Images from the Participatory Planning Workshop showing community members participating in schematic ideation, listening to educational presentation on APP regulations, and voting on ideas from one another.



FINAL SCHEMATIC DESIGN PROPOSAL FOR ENVIRONMENTAL ENGAGEMENT

The participatory planning workshop provided the main design considerations for the final schematic design. The key take-aways, along with their direct design responses, are detailed in the table below.

KEY TAKE-AWAY FROM WORKSHOP	RESPONSE IN SITE DESIGN
Mixed feelings towards a community garden for fear that it would be too hard to coordinate and there would be no organized distribution system.	After weighing pros and cons with leadership, it was decided not to include a community garden.
There needs to be a nursery, but there was no desire to continue the nursery past the site's needs. After all needed trees for the site were grown, they would dismantle the nursery.	A nursery is included on the site, with an educational component implemented along with it to ensure sustainable and efficient use of the nursery.
Agro-forestry seemed like an appealing idea but was too complex to organize at this time.	Agro-forestry is not explicitly included in our site design, but could easily be a component in the next stages.
There were mixed feelings on including playgrounds, as there are already playgrounds on the Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King complex site.	Our final site design does not include playgrounds because the larger complex site already includes some, and we decided instead to allocate the programming allowance to pavilions or paths.
Pavilions with barbeques were the most popular. Members wanted as many pavilions as possible, most with the capacity for a family or two for small casual gatherings and celebrations. And one or two larger pavilions for large out-door gathering occasions.	A larger pavilion with the nursery was wanted as a hub for the nursery needs and as a home-base for educational gathering. The number/size of pavilions included max out the 5% impermeable programming requirement.
Community members agreed that environmental education for youth was important.	Our plan includes educational signage throughout the site that engages users with everything from tree species to what a bioswale is. This includes extra emphasis at the nursery.
The creek as it sits now is an undesirable area and some had safety concerns in regards to children having access to the polluted creek. However, it was also acknowledged that if the creek were revitalized, it would become an asset.	Our design includes access to the river via paths. It was intentional that access not be cut off, though no additional programming is provided. If the creek is revitalized in the future, the community will easily be able to connect.

We derived the final schematic site design based on these synthesized accounts and meetings with Brazilian landscape architects. Some key take-aways from these meetings were that the laws regarding APPs are not very explicit, and in every proposal there will need to be some negotiation or protest. In order to include roofed pavilions, we designed them with no built floors, and with rainwater collection for the roofs. We designed these to be a part of the 15% permeable programming because of these features. After meeting with landscape architects, we learned that this would be unlikely to be approved. The new design maximized allowable impermeable programming to be dedicated to pavilions, in response to the high demand from community members.

As seen in the final schematic site design in Figure 02.14, the plan includes several components from the kit including a nursery, permeable paths, pavilions, open green space, educational signage, and bioswales.

The site area compositions are as follows:

- Site Area: 5,184 sq. m
- Impervious Programming: 253 sq. m or 4.9%
- Permeable Programming: 767.14 sq. m or 14.7%

This site design is a complete design schematic ready for development and construction documents. The next steps toward implementation are to form a team of specialists to take on these next stages, and to secure funding for the project. The team originally planned to apply for several grants in order to fund the APP engagement and community activities; however, due to the COVID-19 pandemic, most grant programs have been cancelled for this year or significantly delayed. In this context, the team continues to search for applicable grants in the short term, and is compiling a funding resource document to hand off to our client and to future capstone teams to make the application process efficient and comprehensive.

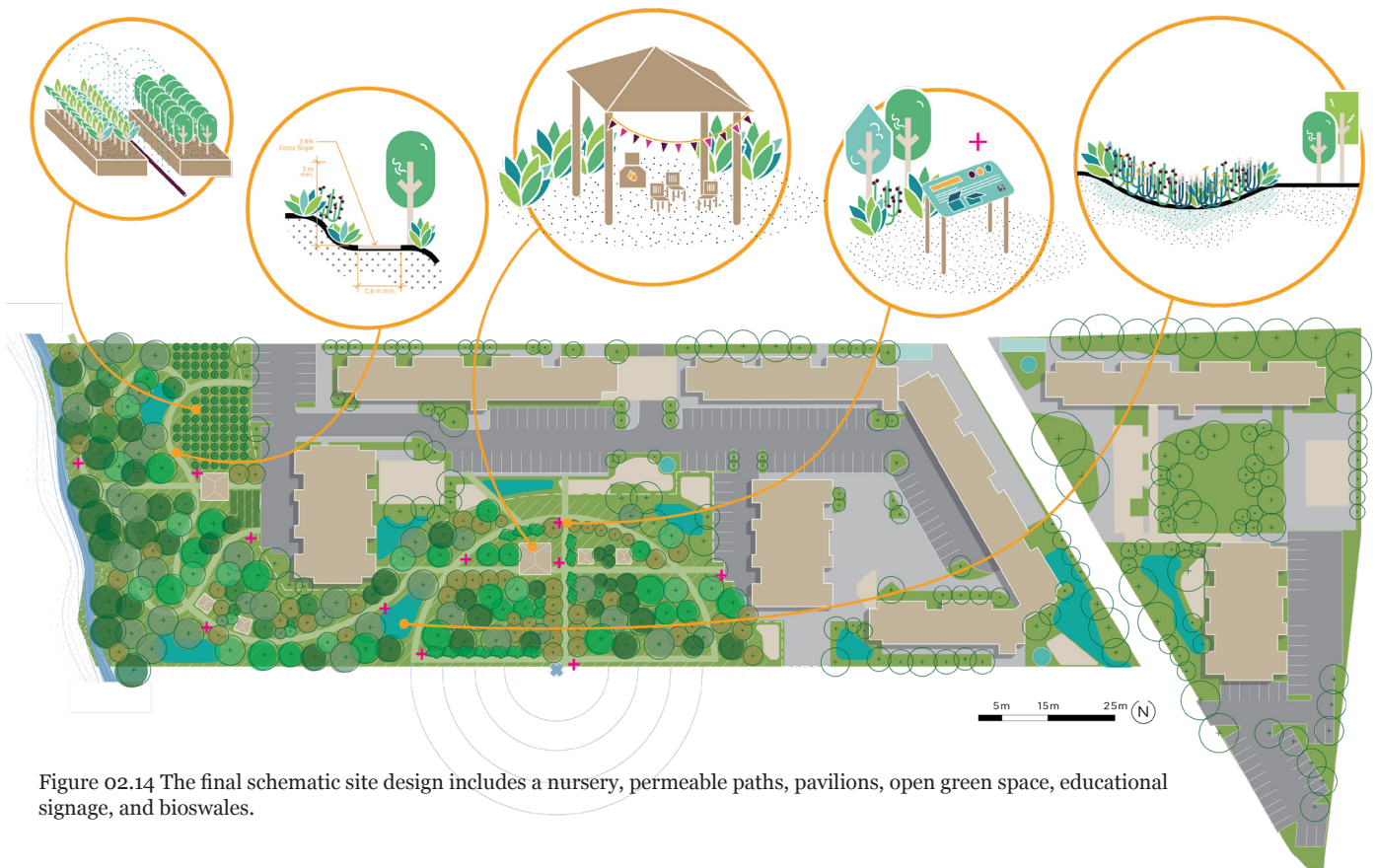


Figure 02.14 The final schematic site design includes a nursery, permeable paths, pavilions, open green space, educational signage, and bioswales.

CONCLUSION

UMM-SP stated that the biggest challenge for an APP site, in addition to funding, is making environmental engagement more accessible to people in the movement. Our proposal addresses this concern. It provides a starting point for communities to approach APPs within their own project sites and develops ways by which they can begin that process.

The comprehensive educational suite distills the law and provides recommendations for communities interested in environmental engagement. Having used an early prototype of this suite at our pilot site in São Paulo (Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King), we see the benefits of breaking down complex technical concepts in a way that is accessible to those with no training in environmental protection.

The schematic design proposal provided in the suite used our pilot site as a way to exemplify the possibilities on an APP site. This schematic design proposal followed the APP requirements and implemented programs from the educational suite to help communities visualize programs and law. For example, residents were able to visualize what 5% impermeable programming might look like via pavilions, walking trains, and more. This schematic plan is also important because it was influenced by the participatory planning workshop: an important tie-in to self-management framework.

This comprehensive educational suite acts as a first step for any community with an APP on its site, and will help communities truly integrate these preservation areas into its housing complex. Challenging the notion that only trees can be present in these zones, our proposal changes the existing narrative of environmental engagement from a burden to an asset for communities. By encouraging movement members to visualize the possibilities and needs of their site landscape early on, we hope to integrate environmental engagement into the autogestão framework.

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5. (Art. 3, II) Forest Code
6. Britaldo Filho, Raoni Rajão, Marcia Macedo, Arnaldo Carneiro, William Costa, Michael Coe, Hermann Rodrigues and Ane Alencar, “Cracking Brazil’s Forest Code,” *Science*, 344(2014): 363.
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07

CONCLUSION

FINAL THOUGHTS

Urban planners play a unique role as educators, policy makers, and technical experts in the realm of housing and land use and possess the ability to draw on interdisciplinary connections to create the framework for a more equitable future. Our capstone team — comprised of urban planning, architecture, and public policy students — was given a unique opportunity to be a part of an incredibly strong and inspirational housing movement. The movement does not lack expertise or manpower, but rather the programmatic and financial support necessary to scale up and bridge the gaps left by the profit-motivated housing market. In this context, our team sought to lend support to the movement by advocating for the legislative framework drafted by UNMP, which would provide the necessary mechanisms for a significant scaling up of autogestão housing.

The team achieved this ultimate objective through several deliverables hosted on a dynamic, widely accessible, and interactive website. The deliverables can be broadly categorized as:

- Easily digestible and shareable educational materials that describe Brazil's housing crisis, autogestão, and collective property. These materials inform movement members and the public more broadly of key issues and how autogestão and collective property may forge a better way forward for housing production in Brazil.
- Storytelling and interactive mapping, with a specific emphasis on amplifying the voices of those low-income individuals and families, mostly women of color, who became the protagonists of housing solutions by pioneering the self-management model.
- Complex policy research, demonstrating the ubiquity of autogestão and collective property worldwide, highlighting the key facets of successful programs, and providing specific recommendations for UNMP's proposed bill.
- Environmental policy and planning, specifically through work with the Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King site, but also through the creation of a highly transferable and easily understandable suite of APP resources for use by housing projects facing environmental challenges.



It is our hope that these components reach a broad audience, making people aware of these issues and the solutions possible through autogestão, and ultimately assist in the successful passage of UNMP's self-management framework as a national bill. While the capstone team entered this project equipped with a wide variety of skills and expertise to offer our client, we were continuously learning and endlessly inspired by the movement. In this way, we feel the project was truly collaborative, long-lasting, and impactful.

NEXT STEPS

The use of a website to host all of the team's deliverables allows for a uniquely sustainable product. The website will be transferred to the client's domain so that the content can grow and adapt over time at the client's discretion. This is particularly useful given the website's main goal of advocating for UNMP's law for self management. Although it is unclear when the bill will be officially introduced, it is likely that the policy passage process will be a lengthy one. The adaptable website will allow the client to post news and updates relevant to the bill, update the bill text and continue to seek feedback from the public, and add new advocacy tools as they become necessary in the legislative process. The user-friendly mapping platform will allow UNMP to highlight additional self-management sites as more projects are

completed, or as they input more data for existing projects. UNMP may use the website to continue highlighting the success of self-managed housing — especially if and when the bill gets passed — and to continue telling stories of hope and optimism amidst a devastating housing crisis.

Financial sustainability is an important goal of this project as well. The team is currently applying for grants to help support UNMP and especially the Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King site for which we designed an environmental engagement proposal. Unfortunately, the COVID-19 pandemic has delayed most available funding. As grant application cycles and deadlines continue to be modified in the wake of the virus, the team plans to continue to monitor and apply for various awards as they come back online. In addition, the team is preparing a grant resource starter kit that will help expedite the application process. This will ensure that future cohorts of students can quickly and easily continue to apply for grant funding to sustain this project in the years to come.

REFLECTIONS ON OUR ROLE

Our experience with the movement shaped the way we will move forward in our planning careers. We saw the power of social movements to mobilize and achieve political change for





better housing conditions, but also for improving the lives of members: we heard stories of women finally able to leave abusive relationships thanks to housing provided by the movement, of residents finding new and fulfilling employment through their connections with other members, and of organizers who found their voices for the first time as participants of a struggle in which the collective good is valued above all else. As Diana, a resident of the Paulo Freire project, told us: “The movement shows you how to move your life forward, and we can hold on to that. I can’t picture myself not being part of the movement.”

We learned about self-managed housing tenure structures that do not exist in the American context. The trip showed us firsthand the pride and community built through self management and the way that this kind of organizing empowers everyday people while allowing for opportunities to build wealth across generations. Through interviewing residents of the projects, we were frequently moved by the dedication so apparent amongst movement members to their dreams of a stable home for themselves and for their families.

The social movements represent millions of people across Brazil. Our small team of ten students and one faculty advisor emerged from this project with a deep understanding that change can only happen through the sustained, dedicated, and collective effort that we witnessed during our fieldwork. We now see our role within that framework as partners, not saviors; organizers, not technocrats; champions of the public, not private. In autogestão, we see a vision of the future where housing provision no longer rests on the whims of shifting political tides and the for-profit market, women are empowered to be agents of their own lives, families live without fear of eviction, and communities thrive outside the threat of housing insecurity. This project was never about us. Through this work, we were welcomed into a movement that will exist long after our capstone comes to a close. The movement reaches far beyond the need for housing, speaking to the value of human lives rooted in dignity and self empowerment.

In solidarity, from São Paulo to Ann Arbor, we rise to demand a better world together.



VIVA A LUTA POR MORADIA.



APPENDIX

APPENDIX A

INTERVIEW LOG

KEY INFORMANT INTERVIEWS

UMM AND UNMP LEADERSHIP



Evaniza Rodrigues

Activist

*The National Union
for Popular Housing
UNMP*



Hugo Fanton

*Post-Doctor fellow
and consultant for the
housing movements,
e.g. CMP*



**Donizete Fernandes
Oliveira**

Coordinator

UMM-SP



Edilson Mineiro

Legal Advisor

UNMP



**María das Graças
Xavier (Graça)**

Secretaria das Mulheres

*Movimentos de
Moradia da Região
Sudeste, UMM-SP +
UNMP*



Sidnei Pita

Coordinator

*Unificação das Lutas
de Cortiço e Moradia,
UMM-SP + UNMP*

TECHNICAL ADVISORY PROFESSIONALS



Wagner Germano

Architect

Usina CTAH



Nunes Lopes Dos Reis

Architect

Peabiru



Ricardo Gaboni

Architect

Ambiente Arquitetura



Cíntia Almeida Fidelis

Social Worker

Peabiru

HOUSING PROJECT RESIDENTS AND MOVEMENT MEMBERS



Fernanda Kelly

Mutirões Florestan
Fernandes e José Maria
Amaral

*Movimento dos
Trabalhadores Sem
Terra Leste 1*



**Diana de Souza
Mascarenhas**

Mutirão Paulo Freire

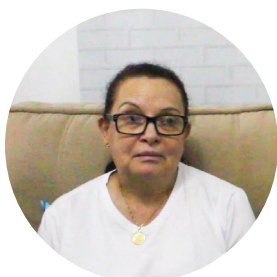
*Movimento dos
Trabalhadores Sem
Terra Leste 1*



Mariza Dutra Alves

Unidos Venceremos

*Movimento dos
Trabalhadores Sem
Terra Leste 1*



Marli Baffini

Condomínio Dandara

*Unificação das Lutas
de Cortiço e Moradia*



Wemerson Ramos

Condomínio Dandara

Unificação das Lutas de Cortiço e Moradia



Vera Lucia Dias Padilha

Condomínio Iracema Euzebio

Unificação das Lutas de Cortiço e Moradia



Roberio Santos Nascimento

Condomínio Iracema Euzebio

Unificação das Lutas de Cortiço e Moradia



Kátia Santos da Silva

Condomínio Marisa Letícia

Unificação das Lutas de Cortiço e Moradia



Rita Rosa Lins

Condomínio Marisa Letícia

Unificação das Lutas de Cortiço e Moradia



Cris Oliveira

Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King

Movimento dos Trabalhadores Sem Terra Leste 1



Maria Elena

Projeto Bosque da Barra

Associação dos Trabalhadores Sem Teto da Zona Noroeste



Jaqueline Cassia Dos Santos

Projeto Barra do Jacaré

Movimento de Moradia da Zona Oeste e Noroeste; Associação dos Trabalhadores do Conjunto Residencial Vale das Flores



Dulce Mendes de Oliveidre

Condomínio Vila Patrimonial

Movimento Habitacional e Ação Social



Maria das Graças Rocha

Condomínio Vila Patrimonial

Movimento Habitacional e Ação Social



Vera Lucia Poletti

Condomínio Vila Patrimonial

Movimento Habitacional e Ação Social



Vani Poletti

Condomínio Vila Patrimonial

Movimento Habitacional e Ação Social



Edinalva Novaes da Silva

Conjunto Habitacional Alexios Jafet

Associação Anjos da Paz da Vila Santista; Associação dos Trabalhadores Sem Teto da Zona Noroeste; and Associação por Habitação com Dignidade



Fredison Almeida Lima

Conjunto Habitacional Alexios Jafet

Associação Anjos da Paz da Vila Santista; Associação dos Trabalhadores Sem Teto da Zona Noroeste; and Associação por Habitação com Dignidade

GROUP INTERVIEW + ROUNDTABLE DISCUSSIONS

- Condomínio Dandara
- Condomínio Iracema Euzebio
- Condomínio Marisa Letícia
- Conjunto Habitacional Alexios Jafet
- Mutirões Dorothy Stang, Jerônimo Alves e Martin Luther King
- Projeto Barra do Jacaré
- Projeto Bosqué da Barra

OTHER EXPERT INTERVIEWS

Benedito Roberto Barbosa

Lawyer, Advocate, and Community Leader
Movimento Habitacional e Ação Social

Centro Gaspar Garcia de Direitos Humanos

Mónica Hernández

Regional Programme Coordinator of Housing and Habitat

WeEffect

Catherine Morse

Government Information, Law and Political Science Librarian

University of Michigan

Rebecca Price

Architecture, Urban Planning & Visual Resources Librarian

University of Michigan

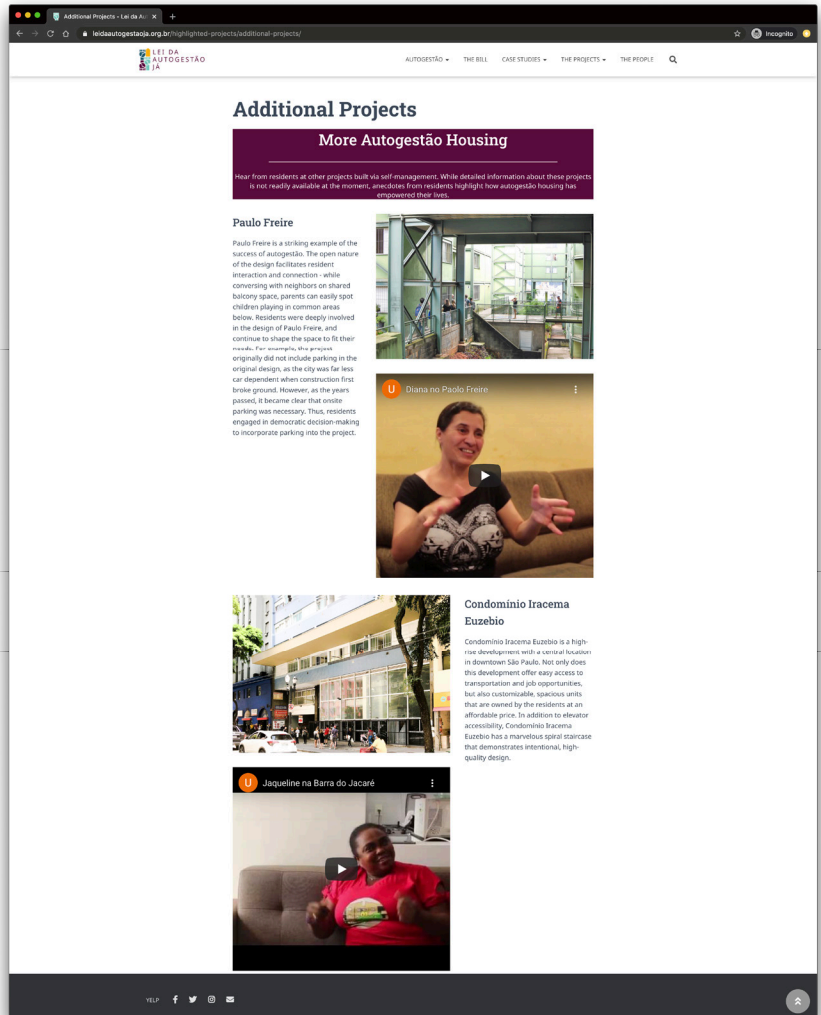
APPENDIX B

HIGHLIGHTED HOUSING PROJECT SITES

MUTIRÃO PAULO FREIRE



CONDOMÍNIO IRACEMA EUZEBIO



About Alexios Jafet

Alexios Jafet is currently under construction and expected to be completed in June 2020. Once completed, this development will provide a staggering 1,104 units and will represent the largest self-managed housing development in South America. Located in the Jaraguá neighborhood of São Paulo, Alexios Jafet offers breathtaking views, 15 high-rise buildings, and plenty of common space throughout the development for residents to enjoy.

Type: Apartments

Program: MCMV-E

Status: Under Construction



The Process

Design method with coordination: the first discussions were with the coordination of the three associations through an "executive meeting". Based on collective decisions, several meetings separately with CAD, CRE and coordination each association. As support material for AT used plans, presentations and models. THE discussion resulted in different project proposals for each association.

Project method with families: from suggestions from the coordinators, considering possibilities and limitations of the project, the proposals assembly were generated. It took several meetings so that new considerations could be discussed and incorporated into the proposal final. Presentations, model and 3D images were used.

Task Force: each family participates with two days per month. The tasks do not involve specialization and are designed with the AT and the commission of work coordinators. They contribute to the management of work related to the day-to-day construction site, for example: waste management, work safety and the environment.

Issues raised by families: more vacancies parking; balcony location; an extra quarter; trade area; children's play area

Total No. of Units / Número de Unidades

1104
units

Total Land Area / Área do Terreno

33,983
sq.m

Total Built Area / Área Construída

65,909
sq.m

On-Site Facilities / Instalações no Local

- Community Areas / Área de Convivência
- Parks / Parques
- Picnic Area / Área de Piquete
- Sports Courts / Quadras Esportivas

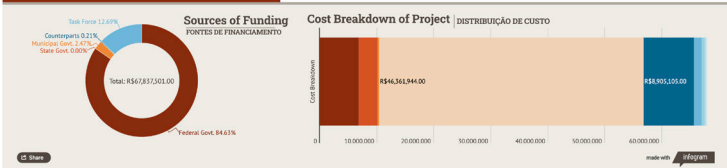
Planta da Implantação // Site Plan

- Área Comum / Common Area
- Via de Acesso / Access
- Parque / Park
- Estacionamento / Parking
- Edificação / Building
- Água / Water
- Área de Lazer / Recreation
- JAF JAF

Planta da Unidade / Unit Plan

Planta da Unidade / Unit Plan

Planta da Unidade / Unit Plan



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CONDOMÍNIO VILA PATRIMONIAL



About Condomínio Vila Patrimonial

Condomínio Vila Patrimonial offers its 96 households spacious, airy apartments with flexible design options. The project is beautiful, featuring terraced, crisscrossing paths at the heart of the site and a relaxing, lush courtyard. The use of brick visually unifies the site's common spaces with its private spaces. This project is striking in how quickly a well-organized housing association can come together to construct a housing project.

Type: Apartments
Program: Solidarity Credit
Status: Completed



The Process

Design method with coordination: the first meetings with the coordination started long before the project, still in the struggle for ground. Advisory technicians collaborated negotiating the land directly with the owner. Secondly, the meetings exposed the design possibilities involving legislation and program rules in force, enabling the forwarding of fundamental guidelines for the continuity of the project development.

Project method with families: from suggestions from the coordinators, considering also the technical specifications and possibilities according to current legislation, the advisory made presentations in Power point, 3D images of the project and mockup to illustrate the proposal to all families. The project was widely discussed at meetings and approved by the assembly.

Issues raised by families: Families addressed the possibility of the balcony in the room, possibility of the 3rd quarter and integration between kitchen room, without dividers. All points mentioned were discussed, adapted and incorporated into the project according to financial viability.

Total No. of Units | Número de Unidades
96 units

Total Land Area | Área do Terreno
4,427.95

Total Built Area | Área Construída
5,357.82

sq.m

sq.m

On-Site Facilities | Instalações no Local

Community Area
Área de Convivência

Parking
Parque

Initial Play Area
Área de Lazer

Planta da Implantação // Site Plan

- 1 Área Comum // Common Areas
- 2 Vagas de Estacionamento
- 3 Implantação de Infraestrutura
- 4 Edificação / Building
- 5 Lote 11-16
- 6 Área de Lazer
- 7 Implantação Patrimonial
- 8 30% de 30%



Planta da Unidade // Unit Plan



Sources of Funding

Fontes de Financiamento

Total: R\$4.924.680,44

State Govt. 28.41%	1,398,800.00
Federal Govt. 58.90%	2,905,880.44
Contributions 12.7%	620,000.00
Municipal Govt. 0.02%	100.00

Cost Breakdown of Project

Distribuição de Custo

Costs Paid	R\$131,544.80
Costs to be Paid	R\$3,310,750.00
Total	R\$4,642,294.80



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LEI DA AUTOGESTÃO JA

ALTOGESTÃO THE BILL CASE STUDIES THE PROJECTS THE PEOPLE

About Edifício Dandara

Edifício Dandara is centrally located in downtown São Paulo, within walking distance to three metro stations. Unlike other self-managed housing projects, this project revealed a formerly unused Ministry of Labor building rather than constructing from scratch. This project illustrates that amenities and unit design considered "luxurious" is accessible and affordable to all when executed through self-management.

Type: Apartments
Program: MCMV E
Status: Completed



The Process

Design method with coordination: project discussion meetings / workshops.

Preparation and approval bodies: The Workshops and Assemblies that are open and focused to all demand.

Issues raised by families: difficulties in the face of the limitations of Retrofits.

Planta da Implantação // Site Plan

- Area Contour of Common Areas
- Site's Road
- Perimeter of Site-blocks
- Infrastructure of Infrastructure
- Perimeter of Building
- Lot's Lot
- Site's Fence
- Perimeter of Permeable
- APV's area

Planta da Unidade // Unit Plan

Andar Tipo (3 a 11 andar)

Key Metrics

Total No. of Units | Número de Unidades: **120 units**

Total Land Area | Área do Terreno: **520 sq.m**

Total Built Area | Área Construída: **5,461 sq.m**

On-Site Facilities | Instalações no Local

Committees and Meeting Room
Comitês e Sala de Reuniões

Sources of Funding | FONTES DE FINANCIAMENTO

Total: R\$47.837.001,00

- Federal Gov: 91,39%
- State Gov: 8,41%
- Municipal Gov: 0,00%
- Cooperatives: 0,00%
- Self-Funding: 0,00%

Cost Breakdown of Project | DISTRIBUIÇÃO DE CUSTO

Total: R\$15.510.000,00

Other: R\$1.942.145,96


made with Hologram

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Mari Boffim | Dandara
Wemerson Ramos | Dandara

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YELP f t i




CONDOMÍNIO MARISA LETÍCIA



About Maria Leticia

Type: Apartments
Program: MCMVE
Status: Completed

This project opened in the beginning of 2020 and provides 245 exceptional housing units. Located on the western edge of the downtown Brás neighborhood, this property provides easy access to the most opportunity-dense parts of the city and is only a few minutes away from multiple metro stations. The ground floor features landscaped playgrounds for children, and there is a resident-accessible roof terrace that offers incredible views of the São Paulo skyline.



The Process

Design method with coordination: Project discussion meetings / workshops

Project method with families: Workshops debates / Assembly presentation, discussion from the project

Preparation and approval bodies: The Workshops and Assemblies that are open and focused to every demand.

Issues raised by families: Spaces for recreation; constant demand for parking

Total No. of Units / Número de Unidades
245 units

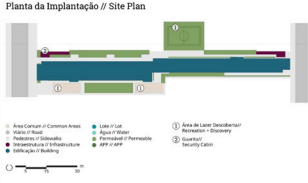
Total Land Area / Área do Terreno
2,392.50 sq.m

Total Built Area / Área Construída
13,732.95 sq.m


On-Site Facilities / Instalações no Local

- Community Areas / Área de Convivência
- Parking / Parque
- Playgrounds / Parquinho
- Service Stands / Quilômetro

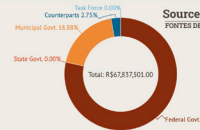
Planta da Implantação / Site Plan



Planta da Unidade / Unit Plan





Sources of Funding / FONTES DE FINANCIAMENTO



Total: R\$67,837,501.00

Cost Breakdown of Project / DISTRIBUIÇÃO DE CUSTO






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MUTIRÕES FLORESTAN FERNANDES E JOSÉ MARIA AMARAL



About Mutirões Florestan Fernandes e José Maria Amaral

Mutirões Florestan Fernandes e José Maria Amaral are currently under construction. The proximity of these autogestão projects to adjacent city and state-owned housing, which were developed by the for-profit markets, highlight the vast disparities in quality of construction. The autogestão projects are bigger, made from more sustainable and longlasting materials, and designed to fit the needs and desires of residents. This project in particular is noteworthy for its far-reaching accessibility: in order to integrate accessibility into the design as opposed to creating separate access for residents who need it, a winding path weaves between the buildings. Once completed, the project will boast 396 units total.



The Process

Design method with coordination: the first discussions were with the coordination of the association, from the indication of land and the discussion of measured possibilities. Proposals were taken to the assembly and returned to the coordination. Support material: plans, presentations and models.

Project method with families: from suggestions from the coordinators, the AT presentations, 3D images of the project and models to illustrate the proposal in assembly. So the technicians return with ideas and when there is consensus, families decide the final proposal.

Task Force: each family participates with 2 working days monthly, in low specialized tasks and that do not involve work at height, until the closing of the buildings. In addition, the surveillance of the land and the work is done by the families themselves in rotation.

Total No. of Units | Número de Unidades

396 units

Total Land Area | Área do Terreno

18,770.67 sq.m

Total Built Area | Área Construída

28,531.42 sq.m

On Site Facilities | Instalações no Local

Community Areas
Áreas de Convívio
Parks
Parques
Playgrounds
Parque Infantil
Sports Grounds
Quadra esportiva

Planta da Implantação // Site Plan

- Área Comum // Common Areas
- Área de Estacionamento // Parking
- Pedestrian / Sidewalks
- Infraestrutura de Infraestrutura
- Edificação // Building
- Lote 11-14
- Água // Water
- Permissão de Permanência
- APP // APP



Planta da Unidade // Unit Plan



Typing A // Tipagem A



Planta da Unidade // Unit Plan

Typing B // Tipagem B

Typing B + Corredor // Tipagem B + Corredor

Sources of Funding
FONTES DE FINANCIAMENTO



Total: R\$47.837.301,00

Cost Breakdown of Project | DISTRIBUIÇÃO DE CUSTO



03 05 2020 Wemerson Ramos Marii Baffim Dandara final cut



Marii Baffim | Dandara | Wemerson Ramos

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PROJETO BARRA DO JACARÉ



About Projeto Barra do Jacaré

Projeto Barra do Jacaré was almost entirely completed in June 2019, offering 592 units to its new residents. This beautiful and expansive development offers an immense number of units while making efforts to preserve green spaces and native vegetation, seamlessly integrating the development into its natural landscape. An airy central courtyard provides space for children to play, as parents and grandparents look on from their windows nearby.

- Type: Apartments
- Program: MCMV E
- Status: Completed



The Process

Design Method with Coordination: meetings, presentation of other projects, seminars. At these meetings the discussion was always stronger financial quality x.

Design Method with Families: meetings, presentation of other projects, seminars, preparation of instances, committee of representatives of families; meetings was open to families the importance of their involvement in monitoring the preparation and among them there was free statement. It was formed an initial group of 32 persons who reduced during the process, finishing with 14 people.

Total No. of Units | Numero de Unidades

592 units

Total Land Area | Área do Terreno

28,075.81 sq.m

Total Built Area | Área Construída


37,337.39 sq.m

On-Site Facilities | Instalações no Local

- Community Areas | Áreas de Recreação
- Parks | Parques
- Residential | Residencial
- Sports Courts | Quadras Esportivas


Planta da Implantação // Site Plan

- Área Construída / Construída Area
- Área do Solo / Soil Area
- Infraestrutura / Infrastructure
- Vegetação / Vegetation
- Água / Water
- Topografia / Topography
- 200' / 60m




Planta da Unidade // Unit Plan

Tipologia A / Typology A



Tipologia B / Typology B



Sources of Funding


Fontes de Financiamento

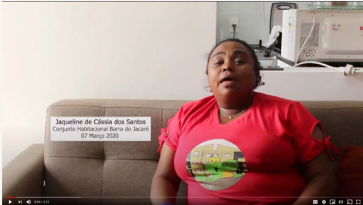
Total: R\$478.373.001,00

- Municipal Govt. 6,54%
- State Govt. 16,54%
- Federal Govt. 61,92%

Cost Breakdown of Project

Distribuição de Custo






Residência de Classe Baixa-Sentida
Conjunto Habitacional Barra do Jacaré
07 Maio 2020

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APPENDIX C

ENVIRONMENTAL ENGAGEMENT SUITE





In a larger mission to protect Brazil's rich forests and biodiversity, special Areas of Permanent Preservation (or APPs) have been designated as zones with restrictions on development. Within these zones, it is also required to plant native vegetation - this means the planting of plants and trees that are original to the area. Often, the property acquired for self-managed housing lies on or next to these APPs. It is thus important for communities to understand what APPs mean, how they relate to their housing and what their community is required to do by law.

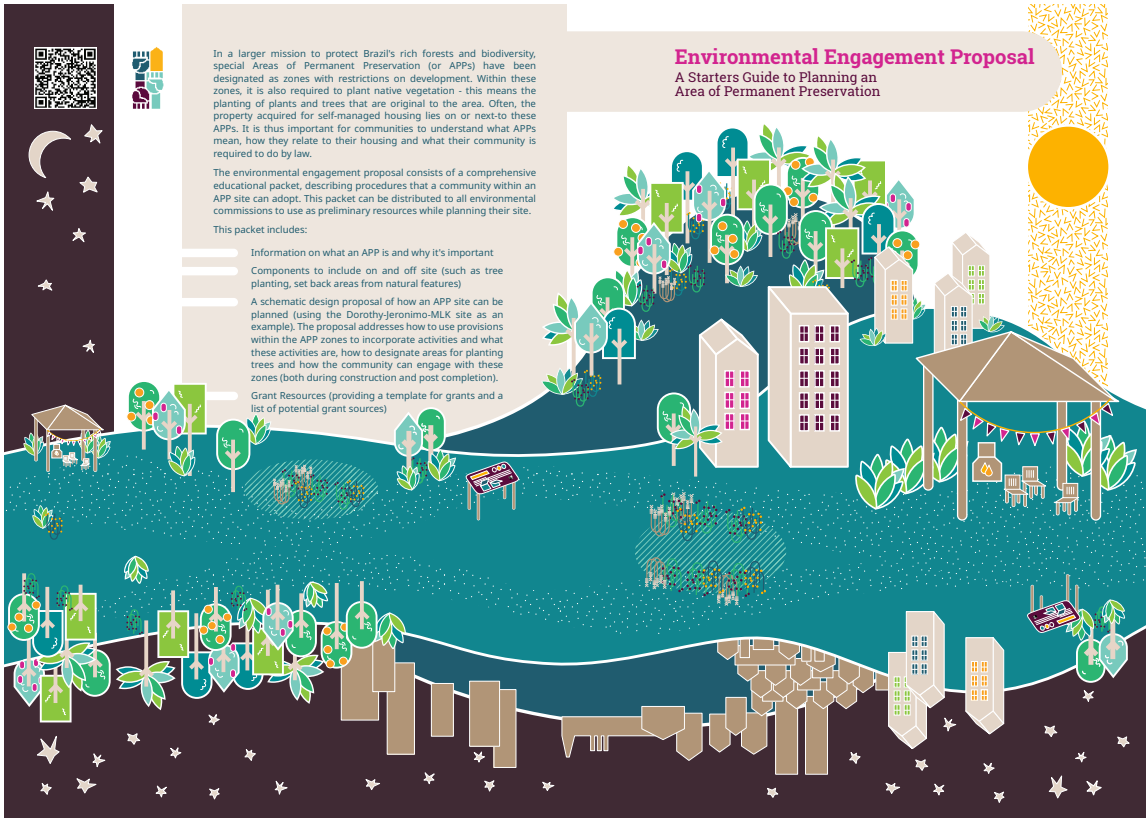
The environmental engagement proposal consists of a comprehensive educational packet, describing procedures that a community within an APP site can adopt. This packet can be distributed to all environmental commissions to use as preliminary resources while planning their site.

This packet includes:

- Information on what an APP is and why it's important
- Components to include on and off site (such as tree planting, set back areas from natural features)
- A schematic design proposal of how an APP site can be planned (using the Dorothy-Jeronimo-MLK site as an example). The proposal addresses how to use provisions within the APP zones to incorporate activities and what these activities are, how to designate areas for planting trees and how the community can engage with these zones (both during construction and post completion).
- Grant Resources (providing a template for grants and a list of potential grant sources)

Environmental Engagement Proposal

A Starters Guide to Planning an Area of Permanent Preservation



Schematic Site Design

Mutições Dorothy Stang, Jerônimo Alves e Martin Luther King



A schematic design proposal of how an APP site can be planned (using the Dorothy-Jeronimo-MLK site as an example). The proposal addresses how to use provisions within the APP zones to incorporate activities and what these activities are, how to designate areas for planting trees and how the community can engage with these zones (both during construction and post completion).

What is an Area of Permanent Preservation?

Established in Art 3 sec II of the Forest Code, APPs are protected areas (covered or uncovered by native vegetation) with the environmental function of preserving water resources, the landscape, geological stability and biodiversity, facilitating the gene flow of fauna and flora, protecting the soil and ensuring the well-being of human populations (Art. 3, II). They are designated areas with important environmental functions where the native vegetation should always be maintained, or replanted in case it has been cleared.

Why is it important?

The Brazilian Forest Code (Law 12651/2012) is an essential tool for ensuring a high standard agribusiness and for achieving sustainable development in Brazil. It also establishes criteria for land use and conservation of native vegetation in rural properties. Moreover, full compliance with the Forest Code helps foster sustainability in forestry and agricultural production at the national level. At the same time, non-compliance with the Forest Code poses financial and regulatory risks for individuals and organizations at fault.

The Forest Code establishes rules for the use of land for productive activities and for the conservation of native vegetation, including an obligation to restore part of deforested areas in private properties. It enforces the protection of vegetation via two main instruments: Areas of Permanent Preservation (APPs) in environmentally vulnerable areas, and Legal Reserves (RL), which are set asides for native vegetation. It also includes economic and financial instruments to achieve these objectives, and creates instruments that support government and landowners in the management of rural properties.

Why is it important?

It is likely that the property acquired to build self-managed housing contains an APP (or a Legal Reserve if located in the outer periphery of the city). If this is the case, it is important for the community to understand what APPs mean and how they affect the amount of land available to build housing on. Primarily, the vegetation located in the APP shall be maintained by the owner of the area, possessor or occupant under any title, individual, or legal entity, public or private law. Thus, it is the duty and the responsibility of the community to either protect the APP (by preventing deforestation) or replanting the trees, if they are removed during construction. This will vary by site, and depend on the decision of the community and the Technical Advisory Firm, and might even differ by the size of the APP based on the nature of the existing environmental feature.

However, it is important to note that while there are strict restrictions on what can and cannot be built in an APP, they are not untouchable; specific programing is acceptable if they 1) serve a public utility, 2) are of social interest or 3) have low environmental impact.

Resolution 412/2009 establishes criteria and directives for the granting of environmental licenses to new enterprises engaged in the construction of Social Interest housing, the category that UMM's projects fall under. Not only does this entitle them to an expedited environmental licensing process with fewer bureaucratic hurdles, it also grants them distinct on-site requirements such as:

- **5% of the area under the APP may be allocated for impervious programming.**
- **15% of the area under the APP may be allocated for permeable programming.**

It also means that under the licensing, an environmental commission can be established to oversee the continued protection of the natural features, with regular reporting. With this allowance, communities can choose to develop limited programming within APPs and create public spaces that can be enjoyed by all. Spaces such as sports fields, walking trails and small parks may be permitted in these zones, if they adhere to the allowances made by Resolutions 412.

Classification of APPs

Marginal strips of any perennial and intermittent natural watercourse, excluding ephemeral ones, from the edge of the regular bed gutter, in a minimum width of:

- 30 meters for watercourses less than 10 meters wide
- 50 meters for watercourses between 10 and 50 meters wide
- 100 meters for watercourses between 50 and 200 meters wide
- 500 meters for watercourses over 600 meters in width

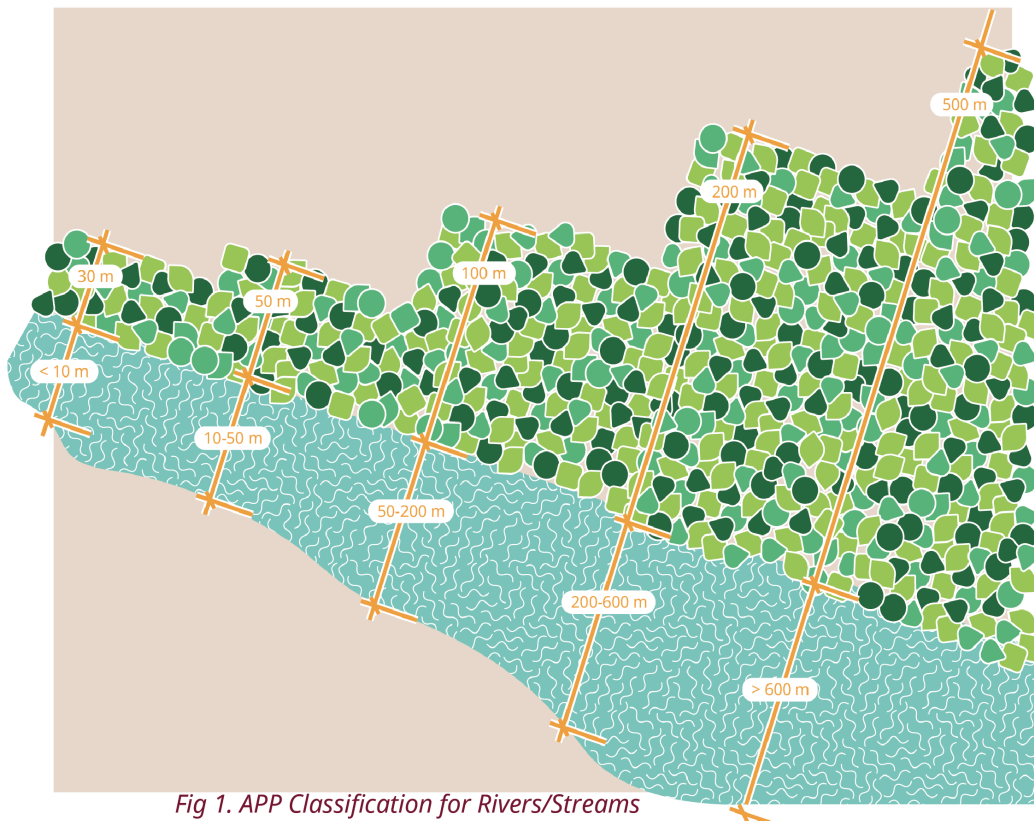


Fig 1. APP Classification for Rivers/Streams

APP INTRO

AREA OF PERMANENT PRESERVATION (APP)

The areas around the natural lakes and ponds, in strips with a minimum width of:

- 100 meters, in rural areas, except for the water body with up to 20 hectares of surface, whose marginal strip will be 50 meters
- 30 meters in urban areas

The areas around the artificial water reservoirs, resulting from damming or damming of natural water course, within the range defined in the undertaking's environmental license

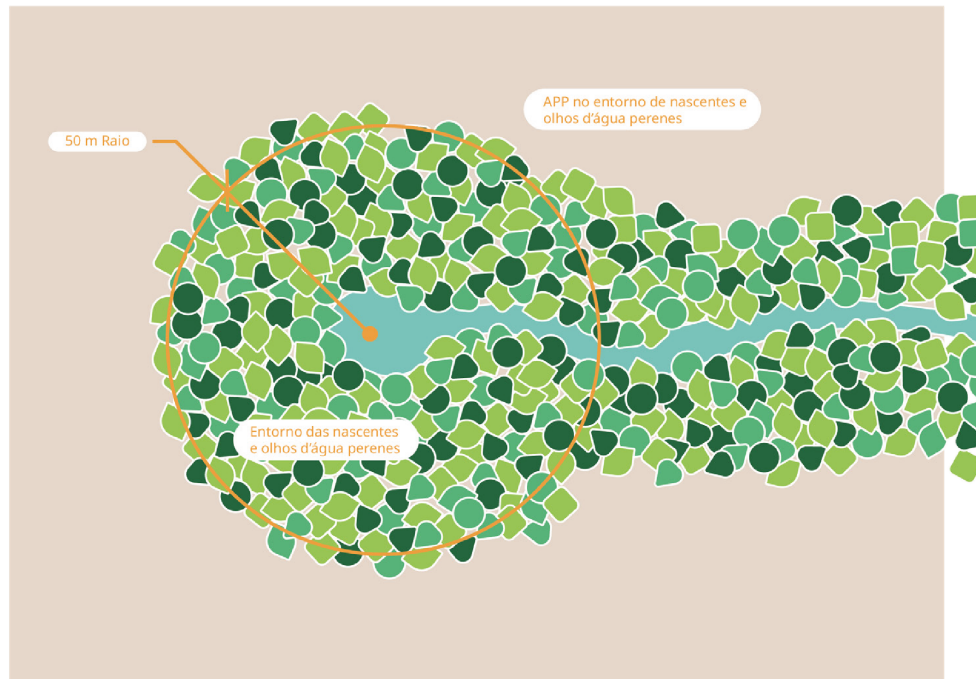


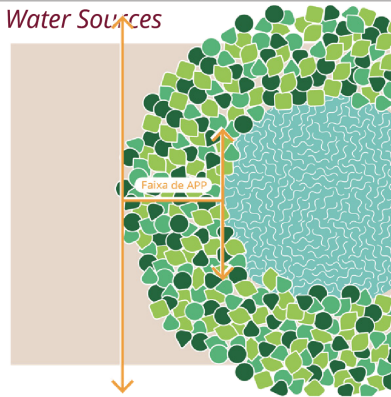
Fig 2. APP Classification for Water Sources

APPs shall not be required in the surroundings of artificial water reservoirs that do not result from damming of natural water courses (Sec. 1)

The areas around the springs and the perennial water eyes, whatever their topographic situation, at least 50 meters radius

- A water eye is defined as: natural outcrop of the water table, even if intermittent. (Art. 3, XVIII)

Fig 3. APP Classification for Water Sources



Protection Regime of APPs

The vegetation located in the APP shall be maintained by the owner of the area, possessor or occupant under any title, individual, or legal entity, public or private law (Art. 7)

- **Having suppressed vegetation in the APP, the owners/possessor/occupant is obliged to promote the recomposition of vegetation**
- **The intervention or suppression of native vegetation in an APP shall only occur in the hypotheses of public utility, social interest, or low environmental impact foreseen in this Law**
- **The intervention or suppression of native vegetation in an APP may be authorized...for the execution of housing and urbanization works, inserted in land regularization projects of social interest, in consolidated urban areas occupied by low income populations**

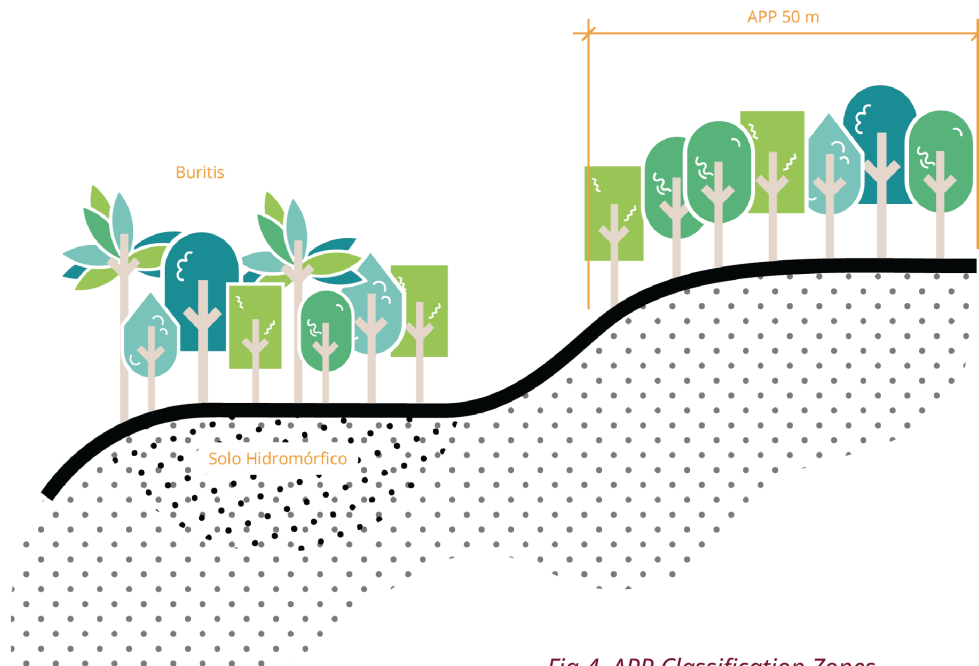


Fig 4. APP Classification Zones

TREE PLANTING
Required Component

What is Tree Planting in an APP?

All native vegetation present within the APPs must be preserved and maintained by the owner or possessor of the site. In the case that these plants are cut, transplanted or removed during construction, they must be compensated for by replanting the same or similar species of native vegetation elsewhere on the site, based on the guidelines provided under SVMA NO. 5 OF JULY 12, 2018.

How to plant trees in an APP?

Before seedlings can be planted, the soil must be prepared. Depending on the species selected, use of seedlings or direct sowing, the labor and tools available, the soil preparation can be either manual or machine-aided. A planting system, or a distribution system, must be decided based on the intended yield of the APP area and existing site conditions; we observe the following systems:

- **Block (Mixed) distribution;**
- **Quincunx distribution;**
- **Line distribution; and**
- **Random distribution**

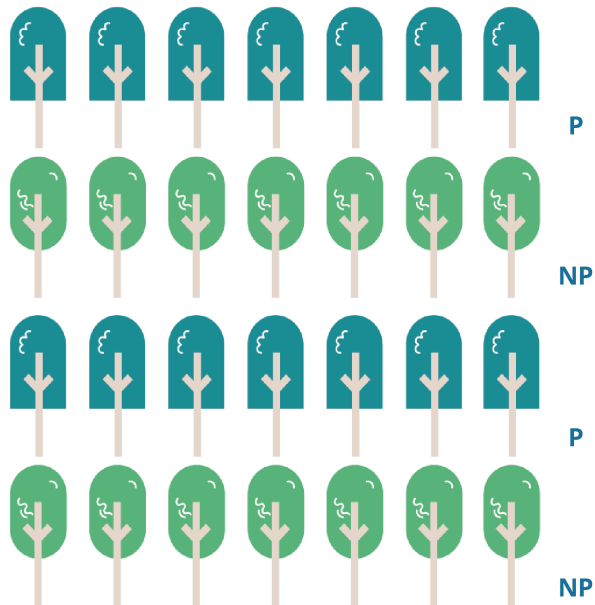
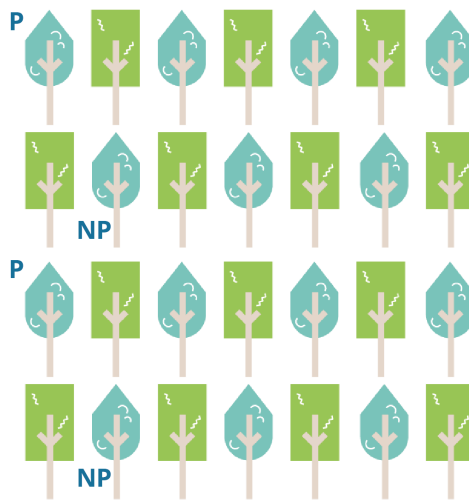


Fig 1. Line Distribution Method

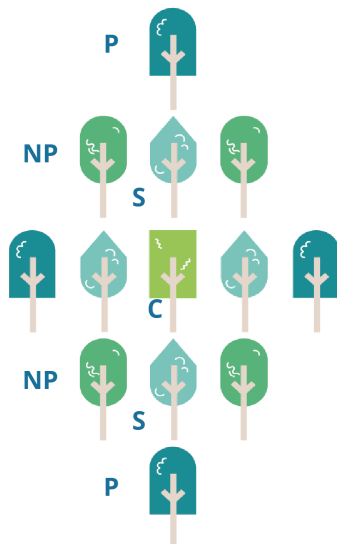
TREE PLANTING

These systems are a combination of Pioneering (P), Non-Pioneering (NP), Secondary (S) or Climax (C) species of native vegetation, with short-, medium- or long-spanned growth cycles.



Alternative rows and alternative seedlings of Pioneering and Non-Pioneering Species.

Fig 2. Block Distribution Method



Centrally positioned Climax species surrounded by alternating Non-Pioneering and Secondary species. Primary species at the outer bounds

Fig 3. Quincunx Distribution Method

TREE PLANTING
Required Component

All native vegetation present within the APPs must be preserved and maintained by the owner or possessor of the site

How to plant trees in an APP?

The pit marking is done based on the distribution system and species selected. Typically each plant takes up either **6sq.m (3m x 2m) for small trees, 16sq.m (4m x 4m) for medium trees, and 36sq.m (6m x 6m) for large trees.**

In case of a high allocation of trees to be replanted, a higher density planting system can be adopted with **4sq.m (2m x 2m) for small trees and 9sq.m (3m x 3m) for medium trees.**

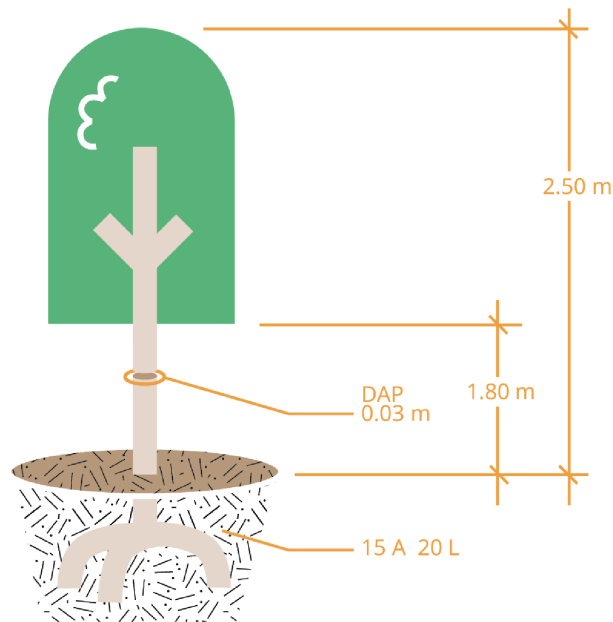


Fig 4. Planting Classifications and DAP

Small trees must be restricted to **30% of the total area (and no more than 50% in increased density).** Pits must be enriched and fertilized using primarily organic sources (e.g. cattle manure or organic compost).

TREE PLANTING

The seedlings will be grouped by class, according to the planting location (Ordinance 85 of October 14, 2010), as follows:

CLASS	CHEST HEIGHT (m) TO DIAMETER (cm) [DAP]**		PACKAGE VOLUME (L)
A	0.20 to 0.70	-	1
B	0.70 to 1.50	greater than or equal to 1	2 to 5
C	1.50 to 2.00	greater than or equal to 2	5 to 12
D	2.00 to 3.00	greater than or equal to 3	18 to 25
E	above 3.00	greater than or equal to 5	from 30
F	Over 3.00	Greater than or equal to 7	from 100

*** measured from the neck to the apex of the seedling.*

Considerations while planting

The tree species to be planted must be native, selected from the species originating from the Brazilian Flora. In cases of reforestation and enrichment planting, seedlings of native species from the Atlantic Forest or São Paulo Biome should be preferred. Seedlings should preferably be planted at the onset of the rainy season to favor rapid root development of the plant to withstand periods of drought. Planting during this period also reduces the need for constant irrigation. The biggest challenge to tree planting is acquiring good quality seedlings for native species at affordable prices. Some organizations and institutions offer support in procuring and growing seedlings and are good resources to aid the process of plantation. The Forestry Institute under the Department of Infrastructure and Environment (public), and Bioflora (non-profit) not only provide seedlings and saplings but also offer training and courses to organizations at lower costs.

Given the strict maintenance and preservation periods to ensure no damage has occurred to the specimen, the initial planting and monitoring must be done with technical supervision. What is important to remember here is that there are allowances under the law that enable higher density planting, with an increased total percentage of small trees. It is thus possible to select species that are cheaper and more durable. All planting within the APP must be completed before the housing project is completed and ready for occupation.

Refer the Tree Species guide to see what types of plants can be planted within an APP. Follow the QR code for a complete list.



TRAILS AND PATHS

Required Component

What is a Nature Trail?

Nature trails provide access to rich natural landscapes, linking significant environmental features via a simple pathway. When designed appropriately, they allow people to interact with their landscape and enjoy the natural benefits of living amongst rich native vegetation.

Given that planting trees is a legal requirement, building walking trails within the APP will allow the community to access this area, changing its narrative from a restricted zone to a community amenity.

How to build a trail or path in an APP?

15% of the area under the APP may be allocated for permeable programming (Resolution 412/2009). Given this restriction, all trails will be designed with natural materials that promote groundwater percolation. Primarily, gravel or crushed stone, mulch bark, and elevated boardwalks are recommended permeable trails systems.

Typically, a trail must be a minimum of 0.60m wide with a 3m vertical clearance. The route must be designed based on the path of minimum interference with the planted vegetation. Once decided, this route must be prepared by removing any large rocks (if present), and compacting the earth (making the path more slip-resistant). If the most optimum route passes over swampy land, crosses bioswales or retention ponds, the path may transition to boardwalks over these features.

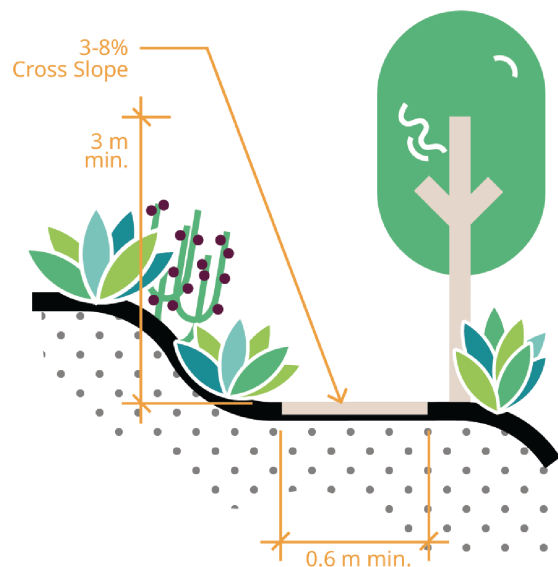


Fig 1. Trail Design Considerations

Benefits of Building

Nature trails and paths help connect the housing to the APP, providing the residents with a rich natural landscape right in their backyard! These trails provide multi-generational benefits; children and elders alike can use these trails to walk or run. They are a great leisure activity and also promote an affinity to the environment. They are low cost and provide a great amenity for the housing project.

Considerations

Paths and trails can be enhanced by adding way-finding posts with information on the preservation area, routes, native species, and environmental features present. Additionally, the design of the trail can also promote the sustainability of the APP; lining the paths with biofiltering species and native grasses create a protective buffer and redirects water back to the vegetation.

Maintenance and upkeep efforts of the trail will be based on the paving material chosen for the path, and climate. Typically, paths will need regular clearing of fallen branches and leaves. In addition repaving may be required every 5-10 years depending on the material used. Environmental Commissions at every housing project can debate if trail maintenance is a volunteer or paid position.

Cost Estimates:

Cost may vary based on the paving material chosen (loose gravel, stepping stones, mulch). Estimates range from \$2 - \$10 per sq.ft.

What are Educational Instances?

Educational instances can vary based on need and resources. This could be anything from signage labeling tree species to activities such as planting a tree. This has a lot of opportunity for creativity. A very easy and effective educational instance can be interactive signage throughout an APP site.

EDUCATIONAL INSTANCES *Community-Based Component*



Fig 1. Educational-signages

How to build educational instances?

Signage can include text, images, interactive components or QR codes.

Text and images can depict specific site features such as a specific tree species or a bioswale, describing some unique or important features. Or they can depict larger concepts that the APP site is addressing, such as afforestation or air pollution.

Interactive components could include pieces geared more towards youth, such as “touch and feel” components, environmental trivia with flip answers, rotating wheels with seasonal information, etc.

QR codes could be included to connect users with a piece they can take back to their homes to research more, an opportunity to learn more in-depth information, link to ways to get involved or volunteer, etc. This could also be a way to connect with older youth, linking to online quizzes, interactive games, community service opportunities, etc.

Considerations

Consider different target-audiences in educational instances. Remember that most will be exploring this signage in a leisure capacity, so information should be simple, accessible, and maybe even fun! On larger sites, educational signage can also be paired with way-finding. These educational instances present an opportunity for community activities for youth. For example, monthly events could be organized with field trips to the APP site to focus on particular areas to teach youth about. This could be organized by a commission, a volunteer, or a paid position.

Consider the material of the signage, color use, and size. These factors will impact costs. When choosing material, think about longevity and durability. Signs with printed color are better suited in shaded areas when possible to avoid discoloration and fading in the sun.

Benefits of Building

The goal with these instances is to engage the community members, and especially youth, with the environmental aspects of the APP site. By educating the community on what is included on the APP site, they can connect their backyard to the larger effort of afforestation happening around Brazil.

Cost Estimates:

The cost will vary based on size, material, color use, mounting, etc. Costs vary between \$75-300 USD per sign.

What are Gathering Spaces?

Physical gathering spaces can be created through a variety of different spaces, materials, sizes, and compositions. These spaces can help bring people to the APP site, and the space available on an APP site provides an opportunity for further amenity programming such as gathering spaces.

PHYSICAL GATHERING SPACES

Community-Based Component



Fig 1. A Gathering Space or Pavilion

How to build gathering spaces?

Signage can include text, images, interactive components or QR codes.

Text and images can depict specific site features such as a specific tree species or a bioswale, describing some unique or important features. Or they can depict larger concepts that the APP site is addressing, such as afforestation or air pollution.

Interactive components could include pieces geared more towards youth, such as “touch and feel” components, environmental trivia with flip answers, rotating wheels with seasonal information, etc.

QR codes could be included to connect users with a piece they can take back to their homes to research more, an opportunity to learn more in-depth information, link to ways to get involved or volunteer, etc. This could also be a way to connect with older youth, linking to online quizzes, interactive games, community service opportunities, etc.

Considerations

Note that buildings are not allowed on an APP site, but can include public spaces. ***An APP site is only allowed 5% of its area to be allocated to impervious programming, and up to 15% permeable programming.*** Something such as a roofed pavilion would count towards this 5%. An alternative to a roofed pavilion could be other place-making and shading devices like lattice structures such as a pergola. Keep in mind that other physical gathering pieces such as an open patio with bricks or gravel would count towards 15% of allowable permeable programming.

Benefits of Building

These spaces can act as outdoor spaces for families to come to enjoy, create meeting points for multiple families, could be spaces to host birthday parties, small gatherings, and more. These spaces can provide amenities for residents to be able to enjoy the outdoor space adjacent to them in a more programmed, relaxing, or private way.

Cost Estimates:

Costs will vary greatly depending on the type and size of gathering space. A couple of examples are listed below (USD):

- *Wood pavilion: \$400 - \$5,000*
- *Pergola: \$25 / sf*

What are Sports Fields?

Sports Fields are a great addition to an APP site, connecting the people with the site and bringing the community together. The sports field can be painted for football, or any other sport chosen.

SPORTS FIELDS *Community-Based Component*

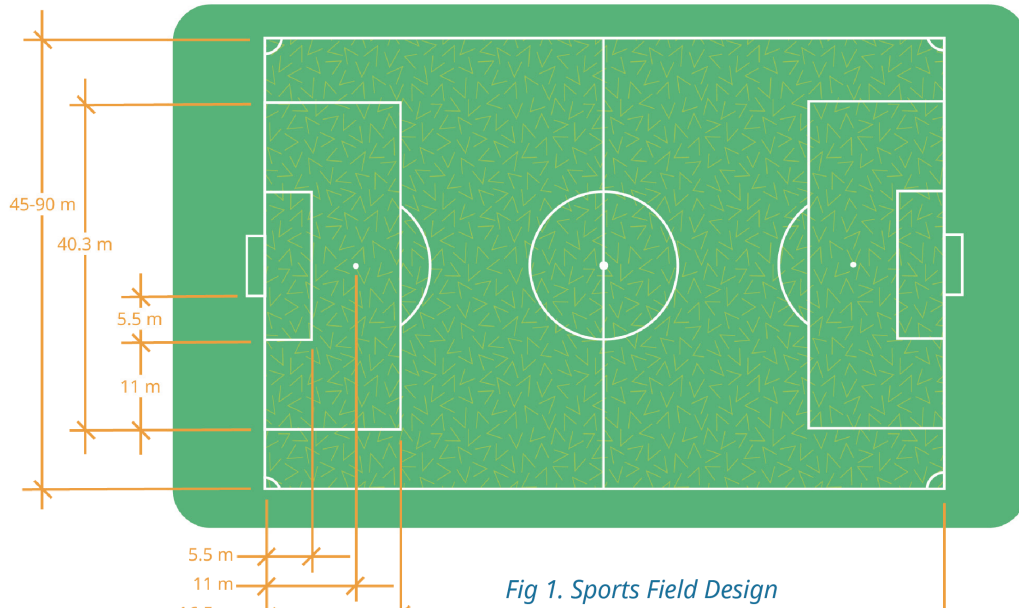


Fig 1. Sports Field Design

How to build sport fields in APPs?

The sports field should use native soil and grasses when placed on an APP.

Dimensions for the field can be chosen based on needs. Some size guidelines for a football field are as follows:

- **Adult Field: L 90-120 m x W 45-90 m**
- **Penalty Box: 40.3m x 16.5m**

Goal Area: 11m from the edge of penalty box (centered in the penalty box), 5.5m deep
Youth Field:

- **U7-U8 Age Group: 37m x 27m**
- **U11-U12 Age Group: 73m x 46m**
- **U15 - U16 Age Group: 91m x 55m**

Considerations

A major consideration of adding a sports field to an APP site is the size required for one. Consider that the space used for a sports field is space that cannot be dedicated to the necessary tree requirements. **A sports field should only be added if there is ample space and all trees requirements are accounted for.** Consider the addition of half of a sports field if a full one cannot be accommodated.

Benefits of Building

Sports fields are well used, loved, and a great way for a community to gather. This community-based component will activate the APP area with people and creates an opportunity for further planned events related to games on the field. The field will also be a large, open space for kids to play, even if not with an organized sport.

Cost Estimates:

Estimated cost of sports field (the following estimates are in USD):

- *Natural with on-site native soil (no added topsoil or sod): \$0.60 - \$0.90*
- *Natural with Sand Cap: \$2.60 - \$3.85*
- *Natural with Sand and Drainage: \$4.25 - \$5.00*

What is a Nursery?

A plant nursery is a place where plants are grown for transplanting. Nurseries can serve a commercial purpose and/or can be kept for the propagation of native plants for ecological restoration.

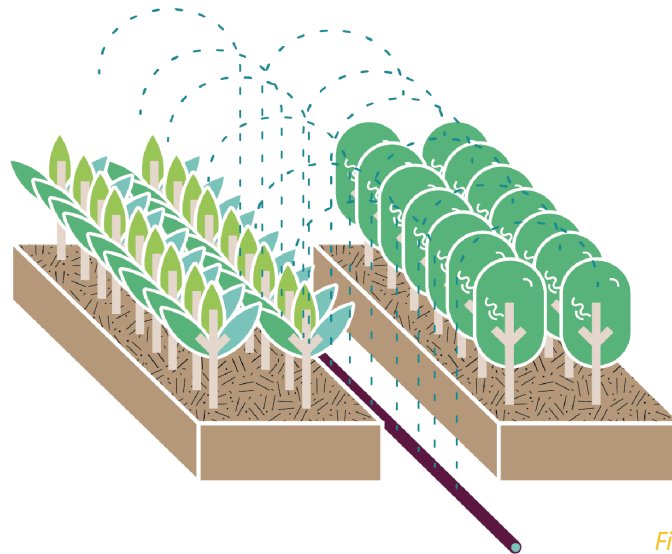


Fig 1. Nursery System

How to build a nursery in an APP?

- **Step 1 - Preparing the nursery:** To create a nursery space, find a location with some shade that is separate from a major weed source, such as a field or weedy lot. A screen barrier can be erected to exclude weed seeds if this is your only option. Start with a small area and use a weed-free compost-based organic potting mix.
- **Step 2 - Sowing seeds:** Native seeds can be sown thickly and labelled with the name and date of sowing. A good rule of thumb is to sow seeds to the depth of the thickness of the seed and roughly 1/8 to 1/4 inch apart. After sowing, cover the seeds with coarse sand. Keep the planting medium watered (usually every couple of days to a week if flats are in the shade) and check regularly for germination. Collecting seeds of local native plants is also an ideal way to promote genetic diversity.
- **Step 3 - Germination:** Each native seed has its own timetable for germination. Native seed germination typically happens over a period of weeks, months or even years, to help disperse offspring over time - a better strategy for plants in the wild.
- **Step 4 - Transplanting:** Refer the index card on tree planting

NURSERY

Ornamental flower and fruit plant species can be easily grown in a nursery which can then be used to replenish crops in agroforestry or can be sold to generate income for the community.

Considerations

Creating a nursery for native species is not an easy task. It requires a lot of knowledge and understanding about native species, the ideal germination conditions. Similarly, if seeds are collected without properly identifying the species or researching how to handle the seed, it could damage native plant populations. Maintaining a nursery is also labour-intensive and the community will have to invest time and money to educate and train staff to run a nursery.

Benefits of Building

Native tree planting is a major requirement for APPs; However, obtaining viable seedlings is a major

Constraint. Nurseries offer a solution to grow and replenish native species on-site using community knowledge and labor. Developing a knowledge base for producing native tree seeds and seedlings, and disseminating this learning through capacity building initiatives, are key steps toward successfully achieving a stable seedling supply for forest restoration. In addition to ecological and social benefits, an on site nursery also creates new economic opportunities for the community.

Cost Estimates:

There are two main costs associated with establishing a nursery: buying initial seeds and training staff. The cost of the seeds vary depending on the species and can average around 100 - 300 R\$. Training staff could involve organizing educational workshops or hiring a supervisor. The cost for this could vary from 1000 - 2000 R\$.

What is a Agroforestry?

Agroforestry is the process of deliberate integration of trees and shrubs, in some form of spatial arrangement or temporal sequence, into agriculture crop farming systems to create environmental, economic, and social benefits. By mimicking complex forest ecosystems, agroforestry is especially beneficial because it can enhance a community's food supply, income, and health. In addition to crops and trees, Agroforestry also includes agricultural animals as a third component which is more relevant in a rural context. Since most of the movement's housing projects are located in urban or peri-urban areas the information here will focus only on crops and trees.

AGROFORESTRY

*Environment-
Based
Component*



Fig 1. Agroforestry System

How to practice agroforestry in an APP?

The agroforestry system that combines the two main components trees and crops is called "Agrisilviculture"- here crops and trees can be planted in various spatial and temporal patterns to create a diverse plant ecosystem. Fast-growing species such as bananas, cassava, mulberries or tithonia are planted in the same strip along with short-cycle crops such as corn, beans, and squash, to optimize fertilizer and labor, along with fruit and native trees planted either by sowing seeds directly or by planting seedlings. As the strips grow, the fruit and timber trees become part of the overstory, increasing biological diversity and ecosystem function while also providing food and supplementary income for farmers.

Benefits of Building

Agroforestry offers several economic and ecological benefits to the community. Since native tree species trees may take a number of years to mature, the space between the rows can be used to grow other crops that require partial sun during the early stages of tree establishment. Crops can be rotated depending on climatic conditions to generate year-round supplementary income for the community. The inter planting of crops between larger native trees improves the health and longevity of both components.

Considerations

Crop species selection: Since crop planting will occur in stage 2 of the agroforestation process, the existing native tree cover will provide adequate shade for the crops. Therefore, crop species that can be cultivated under partial shade will be most suited for planting. Species may include:

Medicinal herbs, shrubs and tubers: Taro, turmeric, ginger, cardamom etc.

Fruit trees and shrubs: Jaboticaba, mango, jackfruit, coffee are suited for middle and lower tiers.

Ornamental plants: Torch flowers (*Etilingera elatior*), heliconias (*Heliconia rostrata*), elephant ears (*Xanthosoma sagittifolium*), which occupy most of the understory, maintain a microclimate and replace the grasses and also prevent the spread of forest fires. These ornamental plants can provide saplings for a nursery on site which can create supplementary income for the community (See Nursery index card for more information)

Species that promote biomass-production: Ice-cream bean (*Inga edulis*), riparian ingás, achiote (*Bixa orellana*), pau pombo (*Tapirira obtusa*), pimenta de macaco (*Xylopia aromatica*). These pioneer species will create the conditions needed by native timber species to prosper.

Harvest timing: Crop harvesting must be carefully timed to avoid interfering with growth of native trees. The crop species should be easy to harvest and should cause very minimal disruption, if any, to the native tree cover.

Education and Maintenance: Agroforestry requires education and periodic maintenance which requires commitment from within the community. The tallest trees must be regularly pruned to ensure sunlight can penetrate to the lowest tier shrubs and crops. The crops need to be planted, watered, and harvested periodically as well. This is a resource intensive addition to APP but with community support can prove to be an economically, socially, and environmentally promising investment.

Cost Estimates:

Costs vary greatly depending on the species, maintenance, and phasing of the project. Cost of seeds, fertilizer, and labor are variable costs and can fluctuate on an average between 200 - 700 USD/acr/year.

What are Bioswales?

Bioswales are natural channels designed to carry stormwater runoff and recharge the groundwater while removing debris and pollution. Unlike a rain garden, bioswales typically redirect water along the slope of the natural terrain, enabling some amount of soil infiltration, which is absorbed by the plants; the rest of the water is drained at the end of the slope and recharges the groundwater.

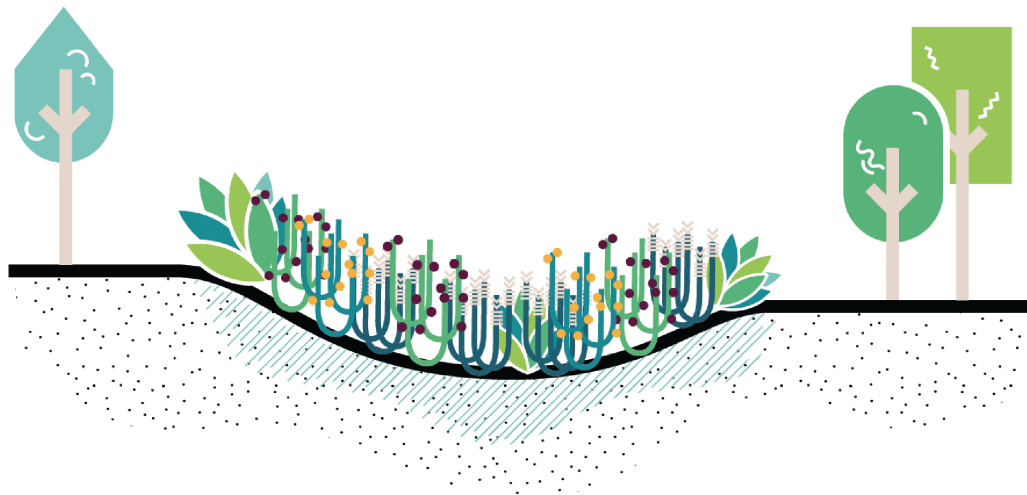


Fig 1. Bioswale system

How to build bioswales and biofilters in an APP?

A method of stormwater management, a bioswale adopts a Low-Impact Development approach that mimics natural water infiltration systems without the presence of underground pipes and artificial infrastructure. The soil is cut into a trapezoidal cross-section along the sloped terrain and native vegetation is planted along the length as a buffer. As water moves along the slope, soil microbes remove pollutants and allow water percolation, providing nutrients to the plants. This system requires little to no maintenance in terms of added fertilizers or a supporting infrastructure system. It also reduces flooding and prevents topsoil erosion.

BIOFILTERS

Considerations

Soil infiltration rate > 1.5 inch per hour. Avoid designing in compact and clayey (or impermeable) soils.

Slope not steeper than 3:1 ratio. Avoid designing where water typically ponds. Deep-rooted, native vegetation preferred along the swale.

Benefits of Building

In addition to the multiple environmental benefits of basic stormwater management such as preventing erosion, protecting the local and regional water quality, and increasing groundwater supply, bioswales are much cheaper to install and maintain. Including a bioswale within the APP may also be beneficial for the rest of the housing complex; bioswales can carry rainwater and surface runoff from the site towards the APP, enriching and protecting the soil and native vegetation along the way. It could potentially reduce the number of underground pipes needed for stormwater management

Cost Estimates:

*Vary greatly depending on the size of the swale, vegetation selected and labor charges
\$1 - \$20 per sq.meter*

***as per USDA figures: \$200–4,000 for a 200 sq.meter bioswale*

TREE SPECIES

List of Tree Species for the Atlantic Forest. Small to Medium sized trees

(P = Pioneering Species, NP = Non-Pioneering Species; Zoo - Zoocoric, Ane - Anemocoric, Aut - Autochoric)

Scientific Name	Popular Name	Type	Groups	Disperse
<i>Obtuse tapirira</i> (Benth.) JD Mitch. (6)	Pigeon wood	Tree	NP	Zoo
<i>Annona muricata</i> L. (35)	Araticum	Tree	P	Zoo
<i>Rollinia dolabripetala</i> A. St. Hil. (21)	Araticum	Tree	NP	Zoo
<i>Rollinia mucosa</i> (Jacq.) Baill. (9)	Tootles	Tree	NP	Zoo
<i>Jacaranda micrantha</i> Cham. (1a, b), (20c, d)	Carobon	Tree	P	Ane
<i>Tilesia baccata</i> (L.) (13a, b, c)		Bush	NP	Aut
<i>Vernonia macrophylla</i> Less. (13a, b, c)	Wild smoke	Bush	NP	Ane
<i>Vernonia scorpioides</i> (Lam.) Pers. (14)	Fish bake	Bush	NP	Ane
<i>Jacaratia spinosa</i> (Aubl.) DC. (20b)	Jaracatiá	Tree	P	Zoo
<i>Jacaranda macrantha</i> Cham. (6), (13b)	Caroba	Tree	P	Ane

List of Tree Species for the Atlantic Forest. Medium to Large sized trees

(P = Pioneering Species, NP = Non-Pioneering Species; Zoo - Zoocoric, Ane - Anemocoric, Aut - Autochoric)

Scientific Name	Popular Name	Type	Groups	Disperse
<i>Cecropia glaziovi</i> Snethl. (13a), (15), (21), (46)	Red-breasted	Tree	P	Zoo
<i>Maytenus floribunda</i> Reiss. (16)	Coffee	Tree	NP	Zoo
<i>Croton pricus</i> Croizat. (20b)	Bloodwood	Tree	P	Zoo
<i>Micrandra elata</i> Mull. Arg. (1b)	White milkman	Tree	P	Aut
<i>Hirtella hebeclada</i> Moric. (1a)	Macucurana	Tree	NP	Zoo
<i>Lycania kunthiana</i> Hook. f. (11), (16)	Ascindiúva	Tree	NP	Zoo
<i>Gardnerian Rheedea</i> Planch. & Triana (6), (34)	Bacupari	Tree	P	Zoo
<i>Terminalia triflora</i> (Griseb.) Lillo. (15)	Captain	Tree	NP	Ane
<i>Actinostemom concolor</i> Muell. (16)	Orange tree	Tree	NP	Aut
<i>Aparisthmium cordatum</i> Baill. (21)	Pasu-taquara	Tree	NP	Aut

List of Tree Species for the Atlantic Forest.
Small and Medium to Large sized trees

(P = Pioneering Species, NP = Non-Pioneering Species; Zoo - Zoocoric, Ane - Anemocoric, Aut - Autochoric)

Scientific Name	Popular Name	Type	Groups	Disperse
<i>Citronella megaphylla</i> (Miers) Howard. (9), (24)	Congonha	Tree	NP	Zoo
<i>Lacistema pubescens</i> Mart. (21), (30a), (34)	Pipira food	Tree	NP	Zoo
<i>Cryptocarya moschata</i> Mez. (14), (23b)	Cinnamon	Tree	NP	Zoo
<i>Mollinedia oligantha</i> Perkins. (17)	Pepper	Tree	NP	Zoo
<i>Nectandra puberula</i> Nees. (14)	Brown cinnamon	Tree	NP	Zoo
<i>Bauhinia longifolia</i> (Bong.) Steud. (16)	Cow's claw	Tree	P	Aut
<i>Inga fagifolia</i> Willd. (35)	Inga	Tree	P	Zoo
<i>Andira anthelmia</i> (Vell.) JF Macbr. (8), (17)	Garacui	Tree	P	Zoo
<i>Lonchocarpus guilleminianus</i> (Tulle) Malme (13b), (21)	Frog Embira	Tree	P	Ane
<i>Aromatic Campomanesia</i> (35)	Guabironinha	Tree	P	Zoo

Follow the QR code for a complete list of Atlantic Forest species permissible to plant in an APP zone.



APPENDIX D

ENVIRONMENTAL ENGAGEMENT PARTICIPATORY PLANNING WORKSHOP

ENVIRONMENTAL ENGAGEMENT WORKSHOP AGENDA

Introductory presentation (30 min.)

- Introduction and overview of activities
- Review of environmental license requirements
- Examples of initial design proposals for Mutirões Dorothy Stang, Jerônimo Alves and Martin Luther King

Questions and Clarifications (15 min.)

- What questions do you have for us?
- Did we miss out anything components required for the environmental license?

Small group discussion (45 minutes)

- Introduction to today's activity and workshop instructions
- Group breakout session

Review and Conclusion (30 minutes)

- Review ideas from all groups
- Discussion of final APP components for the site
- Reflections and final concerns of the community
- Fill out the Feedback Survey

PARTICIPATORY PLANNING WORKSHOP FEEDBACK SURVEYS

RESPONSE #1

Why did you join the Environmental Commission?

Because I like plants

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:
Yes

Pavilion construction: No

Playground construction: No

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

I don't have children but I think it would be cool if they participated

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

Yes

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

Do you have any other questions / comments / concerns?

RESPONSE #2

Why did you join the Environmental Commission?

Because I like to know and participate in workshops about the environment

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: No

Community gardening commission:
No

Pavilion construction: No

Playground construction: Yes

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Yes

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

I would not like the APP to be open to the public

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

would be better to pay volunteers a small fee

Do you have any other questions / comments / concerns?

RESPONSE #3

Why did you join the Environmental Commission?

because I wanted to receive and participate in the opinion of the environment

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:
Yes

Pavilion construction: Yes

Playground construction: Yes

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

remain within the community

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

some people are not sportive, so it is better to pay someone

Do you have any other questions / comments / concerns?

RESPONSE #4

Why did you join the Environmental Commission?

I believe in always helping the environment so I'm on the commission that is helping a lot with this

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:

Pavilion construction:

Playground construction: Yes

What other components would you like to add to this proposal?

Just another playground

Would you like your children to be involved in community gardening?

Yes

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

remain within the community because not everyone will take care

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

would be better to pay volunteers a small fee

Do you have any other questions / comments / concerns?

RESPONSE #5

Why did you join the Environmental Commission?

because I like the environment

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:
Yes

Pavilion construction: Yes

Playground construction: Yes

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Yes

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

remain within the community

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

Should be discussed

Do you have any other questions / comments / concerns?

RESPONSE #6

Why did you join the Environmental Commission?

to receive and learn more about protecting the environment

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:
Yes

Pavilion construction: Yes

Playground construction: Yes

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Yes

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

remain within the community

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

Should be discussed

Do you have any other questions / comments / concerns?

No

RESPONSE #7

Why did you join the Environmental Commission?

Because I like to take care of nature

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening:

Community gardening commission:

Pavilion construction:

Playground construction:

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Don't have kids

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

No

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

Constant wage

Do you have any other questions / comments / concerns?

No

RESPONSE #8

Why did you join the Environmental Commission?

It interests me because I always liked working with plants

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:

Pavilion construction:

Playground construction: Yes

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Yes, certainly

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

Open

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

would be better to pay volunteers a small fee

Do you have any other questions / comments / concerns?

No

RESPONSE #9

Why did you join the Environmental Commission?

because it's something I'm interested in and it is our responsibility to the environment

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening:

Community gardening commission:

Pavilion construction: Yes

Playground construction:

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Yes

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

Yes

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

Do you have any other questions / comments / concerns?

RESPONSE #10

Why did you join the Environmental Commission?

because it's something I'm interested in and it is our responsibility to the environment

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:

Pavilion construction: Yes

Playground construction: Yes

What other components would you like to add to this proposal?

Recycling bins spread across all the spaces

Would you like your children to be involved in community gardening?

Yes, I already educate them on the importance of the landscape

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

open to public, sharing knowledge experience

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

garden creators themselves take care

Do you have any other questions / comments / concerns?

No

RESPONSE #11

Why did you join the Environmental Commission?

because it's important to protect the environment

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission: Yes

Pavilion construction: No

Playground construction: Yes

What other components would you like to add to this proposal?

To have recycling

Would you like your children to be involved in community gardening?

Yes

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

Remain within the community

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

would be better to pay volunteers a small fee

Do you have any other questions / comments / concerns?

RESPONSE #12

Why did you join the Environmental Commission?

Something I like

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission: Yes

Pavilion construction:

Playground construction: Yes

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Yes

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

Remain within the community

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

people would be willing to maintain

Do you have any other questions / comments / concerns?

No

RESPONSE #13

Why did you join the Environmental Commission?

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:
Yes

Pavilion construction: Yes

Playground construction: Yes

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Yes

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

the people who don't disturb the residents yes, the common environment is very important

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

would be better to pay volunteers a small fee for their hard work so everyone is committed

Do you have any other questions / comments / concerns?

RESPONSE #14

Why did you join the Environmental Commission?

I like trees

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening:

Community gardening commission:

Pavilion construction:

Playground construction:

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

Would like it to be open to the public

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

I believe that they are willing to maintain the garden without the need to receive a fee because I believe that everyone who participates already knows the importance; we can make a product produced to pay a certain amount to the person in charge of the Jardim or vegetable garden if option 1 doesn't work

Do you have any other questions / comments / concerns?

RESPONSE #15

Why did you join the Environmental Commission?

Would you be willing to participate in the following activities?

Tree planting: Yes

Community gardening: Yes

Community gardening commission:
Yes

Pavilion construction: No

Playground construction: Yes

What other components would you like to add to this proposal?

Nursery

Would you like your children to be involved in community gardening?

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

open to the public

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

would be better to pay volunteers a small fee

Do you have any other questions / comments / concerns?

RESPONSE #13

Why did you join the Environmental Commission?

Would you be willing to participate in the following activities?

Tree planting:

Community gardening:

Community gardening commission:

Pavilion construction:

Playground construction:

What other components would you like to add to this proposal?

Would you like your children to be involved in community gardening?

Would you like the area under Environmental Protection to be open to the public or to remain within your community?

Yes

Do you anticipate that people would be willing to maintain this garden consistently or would it be better to pay volunteers a small fee?

Do you have any other questions / comments / concerns?

PARTICIPATORY PLANNING WORKSHOP FEEDBACK SURVEYS SAMPLE

Oficina de Engajamento Ambiental

08 de Março de 2020

Formulário de Avaliação

Obrigado por participar da nossa Oficina de Engajamento Ambiental. Por favor, compartilhe sua opinião conosco respondendo as perguntas abaixo:

1. Por que você se juntou à Comissão Ambiental?
*acho muito importante a conscientização ambiental, pois nós
estamos a questão de estar morando em um lugar com um conta-
to com a natureza, mas é uma questão municipal.*
2. Você estaria disposto a participar das seguintes atividades?
 - a. Plantação de árvores [S | N]
 - b. Jardinagem comunitária [S | N]
 - c. Comissão de jardinagem comunitária [S | N]
 - d. Construção do Pavilhão [S | N]
 - e. Construção de playground [S | N]
3. Que outros componentes você gostaria de acrescentar a esta proposta?
*a conscientização ambiental para todos os moradores e a
importância de manter os espaços.*
4. Você gostaria que seus filhos se envolvessem na jardinagem comunitária?
sim
5. Você gostaria que a área sob Proteção Ambiental fosse aberta ao público ou que permanecesse dentro da sua comunidade?
*terei que não atrapalhar os moradores, sim.
porém a conscientização ambiental é muito importante.*
6. Você prevê que as pessoas estariam dispostas a manter este jardim de forma consistente ou seria melhor pagar uma pequena taxa aos voluntários?
*pagar uma pequena taxa aos voluntários, pois com um
tempo fica difícil todos se comprometerem.*
7. Você tem outras perguntas / comentários / preocupações?
*a minha preocupação é manter todos esses novos projetos e
ações, gostaria muito que permanecessem.*



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