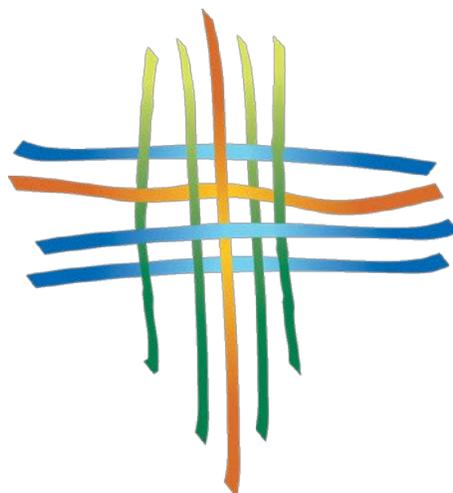


GUIDE TO UTILIZATION OF CHURCH PROPERTY

How To Evaluate Your Church's Real Estate
For More Full Use



INVITING
FORMING
SENDING
SERVING

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ABOUT THIS GUIDE

This Guide was written to assist churches in evaluating how they might make more full use of their real estate assets. Many churches find themselves supporting substantial facilities that are under utilized. This situation can be a substantial opportunity for parishes, as better utilization of the property can both add vitality to the parish and contribute to finances at the same time. The first section of this guide suggests how a parish can go through a self-evaluation of its real estate utilization and identify potential uses to optimize the utility of the space for accomplishing the church's mission and enhancing its revenues.

While it can be rewarding, the successful letting of church space requires thought, planning, and prayer. The second section of this Guide is intended to identify issues that a Vestry or rental committee should consider in the process of letting out space. These practical considerations include legal and financial matters that should be factored into any use of the property.

This Guide is intended to identify opportunities and issues, not to address every potential situation in a comprehensive way. Every church is different; every potential renter is different. The guidance provided in this document is intended to be general advice, not like that which you would receive from a lawyer or architect. If you encounter problems, the Diocese has resources to help. In particular, see the back cover of this Guide.

This Guide is not intended to provide advice regarding permanent re-development of church property, as with projects such as housing, new construction, or adaptive reuse. Rather, churches seeking to make such major reuse of their property should consult with the Real Estate Advisory Committee and should be sure to comply with the requirement for Standing Committee approval.

Please direct any questions or comments regarding this guide to Chris Meyer, cmeyer@diomass.org, 617-527-2739.

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SECTION I – USES OF CHURCH REAL ESTATE

Many churches struggle financially, especially in hard times. Urban churches often find it difficult to support their ministry fully through pledge income, given the profile of their parishioners. The search for alternative sources of income is constant.

By the same token, many churches find that their real estate is not occupied much of the time. After Sunday services and Christian education, it is often the case that the church's buildings are only sparsely used during the week. Meanwhile, the facilities need to be heated, cleaned and otherwise maintained.

These two factors can be made to work with each other. A number of parishes have very active programs of allowing their space to be used extensively during off hours, generating both activity around the parish (drawing people to notice the parish more) and generating revenue through leases.

Successful programs such as these require detailed planning and careful execution. While the practical considerations can be daunting, the programs can be very rewarding, both financially and spiritually.

The balance of this section discusses how a parish can identify the actual and potential uses of its real estate. The second section deals with practical considerations for such uses.

A. Evaluation of Your Property's Potential

Any evaluation of utilization of property starts with an analysis of the existing physical plant and its current utilization. A church must not rent out space that is not suitable for use, and a church needs to coordinate its proposed uses with the current uses.

Facilities Capital Assessment

The first step is a careful analysis of the church's existing spaces. This Guide provides a worksheet in the Addendum to assist in this evaluation. You can email Chris Meyer, cmeyer@diomass.org, for an electronic version of this worksheet. Each space should be documented, and each space's condition should be evaluated. Think broadly about the spaces that might be better utilized:

- | | |
|------------------------------|--------------------|
| ❖ Rectory | ❖ Offices |
| ❖ Other residential property | ❖ Conference rooms |
| ❖ Land | ❖ Sitting rooms |
| ❖ Parking lots | ❖ Kitchens |
| ❖ Auditoriums | ❖ Storage |
| ❖ Sanctuaries/Chapels | ❖ Classrooms |

The worksheet describes several of the issues relating to whether each space is suitable for alternative use. Every building and every space is unique, so *keep your eyes*

open to positive and negative factors relating to each space. Keep in mind that most spaces made available to the public should be compliant with the accessibility requirements of the Americans with Disabilities Act. Keep in mind also any legal restrictions that might apply to use of the space. See below at pages 9-10.

Facilities Utilization Assessment

Your committee then can evaluate the availability of spaces, once the physical characteristics have been evaluated. See above. For each space listed in the capital assessment, determine how and when the space is currently used. Here is an exemplar grid for “scheduling” the spaces and their uses. A larger format that can be copied is available in the Addendum at the back of this Guide.

		<u>FACILITIES UTILIZATION SCHEDULE</u>					
		Main Office	Conference Room	Sitting Room	Undercroft	Sanctuary	Parking
		3 work stations	20' x 30'	15' x 15'	40' x 60'	35' x 55'	62 spaces
Sunday	Morning						
	Afternoon						
	Evening						
Monday	Morning						
	Afternoon						
	Evening						
Tuesday	Morning						
	Afternoon						
	Evening						
Wednesday	Morning						
	Afternoon						
	Evening						
Thursday	Morning						
	Afternoon						
	Evening						
Friday	Morning						
	Afternoon						
	Evening						
Saturday	Morning						
	Afternoon						
	Evening						

To obtain an electronic file of this grid, email a request to Chris Meyer, cmeyer@diomass.org. The schedule should include both internal and external users of space. Be careful to address informal uses of space that may have no official recognition. Also, be sure to consider how uses will fare in sharing common areas, such as entrances, hallways, lavatories, and parking. This is not just an issue of overuse but of a potential conflict of uses, such as with a homeless ministry and a children’s program.

The point of this exercise is to map out the availability of space. You may see patterns: times of the day or days of the week when space is under utilized. You also can compare the schedule to staffing patterns at the church, to see when the church has both available space and available personnel for oversight. Finally, the schedule may be useful in “shopping” space to interested candidate users.

Personnel Assessment

Your committee's assessment should also include an evaluation of whether your staffing -- paid and volunteer -- will support a particular rental strategy. Nighttime renters means that someone needs to be available or, better yet, present to handle nighttime problems. This same issue applies to early morning rentals.

B. Brainstorming Potential Uses

You cannot easily *find* something without knowing *what it looks like*. Therefore, those persons tasked at a church with making better use of church property should first understand the goals for the search. In particular, there is a wide spectrum between uses that directly further the core ministry of the church and those that supply "only" rent. So, decide what your church hopes to accomplish: generate revenue, enhance vitality, or broaden the core mission.

The following are some examples of non-liturgical uses that churches in this Diocese have made of church space.

1. MISSION-ORIENTED USES

- ❖ Faith-Based Nursery School
- ❖ Outreach Storage (Clothes, furniture, baby gear, etc.).
- ❖ Christmas Fair
- ❖ Food Pantry
- ❖ Twice Annual Rummage Sale
- ❖ Feeding ministries

2. COMMUNITY USES

- ❖ AA
- ❖ Book Store/Café
- ❖ Coffee House
- ❖ Summer Stock Youth Theater
- ❖ Art Guild
- ❖ Rotary
- ❖ Community Theater
- ❖ Concert Series
- ❖ Crafts Fair
- ❖ English as a Second Language Rental
- ❖ Community Nursery School
- ❖ Daycare

3. PURELY FINANCIAL USES

- ❖ Gymboree/Gymworks
- ❖ Aerobics
- ❖ School Swing Space/After School Program
- ❖ Hall Rental: Wedding receptions, birthday parties, clubs
- ❖ Kitchen Rental
- ❖ Offices Rental
- ❖ Conference Room Rental
- ❖ Concert Practice/Performance Space
- ❖ Social services offices
- ❖ After school program by local college
- ❖ Telecommunications equipment

SECTION II – PRACTICAL CONSIDERATIONS

C. General Considerations

Those involved in the rental of church property will readily admit that there is no such thing as easy money. Management of rentals and renters can be a tough business. On the other hand, property management can be a rewarding ministry. A full church produces a happy feeling, even when the use is non-liturgical. Moreover, the Vestry should appreciate the income from rentals.

How To Make Your Tail Wag.

Does the proposed use/rental support mission and ministry?

Making money is not the goal of a church. Rather, the church has a mission and ministry that is supported by money. Ideally, such funds come from pledges and offerings of parishioners. Rental income can help to bridge the gaps in budgets. Certainly, more full use of space will add to the vitality of a church.

The church needs to set appropriate and realistic goals in seeking alternative uses of space. A balance must be struck between finding “the highest bidder” and finding users that are appropriate to the setting. Thus, the Vestry needs to consider what users would and what users would not be consistent with the church’s mission and ministry. And, no one should expect that rentals will solve all financial ills. At best, they are a piece to the puzzle. Overly optimistic projections for the net benefits of renting space can put undue pressure on those made responsible for managing the ministry.

Is The Tail Wagging The Dog?

A non-liturgical use can actually usurp the church’s main mission and ministry

Certain non-liturgical uses of church space create a risk, though small, of taking a disproportionate role in a church’s life. This is most often seen with smaller churches that take on a substantial non-liturgical use, such as a nursery school, day care, or social services program. The very strength and success of that use can affect the main mission

of the church. An exciting project can take volunteers and resources needed for the core ministry of the church. For example, a beloved nursery school renter may be given use of the church yard for a playground, after which the school realizes that state law prohibits any non-school uses of the playground. Does the church have the power to take back use of the church yard? As another example, a successful coffee house discovers that code requirements mandate significant upgrades to the kitchen and fire suppression systems. How will the church handle those needs?

Most of these problems are unusual, but they can create friction. Thus, a vestry should not accept any major renter or non-liturgical user of space without asking some hard questions:

- Will the use or renter command energy or commitment from parishioners?
- Will the user have “political” power in the church to make demands?
- Will the user encounter physical plant limitations if it grows?
- Will the user be difficult to “evict” should the relationship become unworkable?
- Will the user be difficult to “evict” should the church need the space later for core ministries?

The problems or needs of a new user should be those of the user. But, where a user has loyalty and clout with church members, the church may find it difficult to make business-like decisions.

A church also must take care that its reasonably foreseeable future property needs – the core mission of the church – are not displaced by outside users. This can be accomplished by coordinating rentals with the Vestry, as with periodic reporting from the persons responsible for rentals. Also, the rental agreements should be short enough and clear enough to allow moving or removing tenants when space is needed for core church functions. The discussions with potential renters should be clear that the liturgical and mission-related uses are of primary importance, meaning that the church uses must be accommodated. If there is any doubt that this message will be lost over time, add a provision to the rental agreement.

How Do I Know The Tail Is Wagging? **Predicting/Evaluating Success**

Measuring a successful use campaign requires two components: setting concrete expectations and implementing a formula for evaluating whether the expectations have been met. If the goal is to “get the church hopping,” then success should be measured by the energy in the church, not the net revenue. If the goal is deriving revenue, the true costs must be balanced against the gross revenue. In short, it is very easy to miss the true costs incurred in generating cash flow from a rental.

(1) Marginal costs (v. revenue)

Any accountant will tell you that you need to “know your costs.” A stream of income from rentals will mean little in terms of net financial benefit if the expenses equal or exceed the income. Thus, a church needs to evaluate, in advance of a rental, what the costs will be in supporting the rental: utilities, snow removal, supplies, cleaning, etc. Set a budget for the increased costs and then monitor the expenses.

(2) Capital Costs (v. revenue)

The true cost of any use of property includes the capital costs of the use: how the wear and tear of the use affects the long-term expense of repairing and upgrading the physical plant. This factor is not always easy to calculate, but it is important to recognize the capital costs in deciding whether to rent space and to whom.

(3) Personnel usage (sexton, secretary, volunteers)

Managing users or rentals takes time. A church needs to consider what labor will be involved in supporting the new uses and who will supply that labor. If the church administrator and sexton will be taking on new work, will that mean additional cost? If volunteers will be handling the support, will that take them away from other church activities?

(4) Small renters v. Big renters

There are pros and cons to big renters and to small renters. The choice may not even be available to your church, but here are things to consider.

A big renter is intended to represent a stable relationship and predictable source of income. Special steps should be taken to make sure that these expectations can be met by the applicant tenant. A big renter is more likely to have a stable point of contact to deal with problems. A big renter should follow more of the formalities designed to protect the church.

A big renter is a bigger commitment. A big renter displaces more uses or potential uses of your space. A big renter commands more attention and can be harder to evict, particularly if the church has become accustomed to the use or income. A big renter can garner more attention from municipal officials and neighbors.

Small renters tend to be more transient. That can mean more energy, and renters often are found by word of mouth from like renters. Small renters tend to be easier to “evict” if there are irreconcilable differences.

Small renters are less likely to adhere to formalities that protect the church. They are less likely to come with insurance and with cash reserves. Small renters are more

likely to “disappear” one night. Small renters require more monitoring and do not often lead to stable, long-term relationships.

D. **Practical Considerations**

Legal and Liability Issues

A church has exposure to liability whenever someone walks through the doors. This is just a fact of modern life: a property owner can be liable for injuries that occur on premises. The rental of property means additional users/potential claimants, and ones without the same level of concern for the longevity of the church. Since elimination of all risk is not possible, even through proper maintenance and operations, the goal is to shift that risk to others.

There are several methods by which risk of property ownership and operation can be shifted. This Guide discusses a few of these techniques, though in the most general of terms.

(1) **Your Insurance**

The first and best line of defense for a church and its officers is the church’s own insurance. Although the ideal is for the renter to bear the risks arising from the use, church insurance is an essential component of risk management. One cannot control absolutely what the renter does with, or has for, insurance and assets. Thus, always have your own coverage, and make sure your policy covers (and does not exclude) the risks being incurred.

(2) **User’s Insurance**

A church increases the chances of avoiding loss if the renter/user has its own source of recovery in the event of a claim. As a practical matter, the church is more likely to avoid or minimize loss if the renter/user has its own insurance coverage. In particular, workers compensation (generally required of employers by law in Massachusetts) and general liability coverage for the renter/user is important. Also, the church and the renter should understand what insurance applies in the event that the renter suffers damage or loss to its property, as through fire, flood, freezing, or theft.

(3) **Indemnification**

Indemnification is an agreement that the renter will bear loss arising out of its operations. This agreement typically would be included in the rental agreement, but it might also be included in a stand alone document. The language used in such agreements is highly variable, from aggressive language that indemnifies the church even if the church is at fault, to weaker language. Also, the indemnification is only as valuable as the assets that stand behind the agreement. Insurance sometimes, but not always, will

cover agreements to indemnify a lessor. If there is no insurance coverage, then the value of the indemnification depends on the availability of resources of the renter itself.

(4) “Additional Insured” Coverage

The best form of protection, more common for a major renter like a daycare center, is insurance coverage naming the church under the renter’s policy. In such a circumstance, the church becomes an “additional insured” under the renter’s coverage. This has several advantages. First, the church then is sure to have coverage for itself for the risks covered under the policy. Second, the church should receive notice from the insurer if the policy is cancelled, such as in a non-payment circumstance.

Becoming an “additional insured” requires the agreement of the insurance company. Do not simply take the word of the renter. You want to see the policy language, usually an add-on “endorsement,” adding the church as an insured. At a minimum, you should get a certificate of insurance (see below) from the insurance agent stating that the church has been named as an insured. Or, some policies provide blanket coverage to additional insureds falling into certain categories. Again, you need to see this language.

(5) Certificates of Insurance

Certificates of insurance are evidence that a particular insurance coverage exists. The certificate is not itself an insurance policy, nor is it a guarantee that the coverage will remain in place. But, a certificate is a statement to you that coverage of a particular type exists as of the date of the certificate. You should make sure that the certificate is addressed to the church; otherwise, it has no binding effect. You should make sure that the certificate lists the types and amounts of insurance that the tenant has. You can request that the certificate be reissued periodically, every six months or yearly is normal, to evidence that the insurance remains in place.

(6) Safe Church Practices

The Diocese of Massachusetts expects that all churches will be compliant with the Safe Church Policy. That means that any new user that can be considered part of the church program must follow the mandates of the policy. For non-church users, the rental agreement should acknowledge that the church adheres to such a policy and that the renter will be responsible for meeting like standards.

Agreements For Use Of Property

There are several categories or labels that the law places on the right to use property. The goal of an owner is to grant the user the minimum amount of rights possible, so as to make dispossession of the user as easy as possible in the event of default or at the end of the agreement. The law imposes heightened requirements on residential tenancies, and those formalities and requirements must be strictly followed.

All agreements for the use of property should be in writing, signed by the parties to be bound. The complexity of the writing may depend on the scope of the relationship involved. A lawyer should review an agreement involving fully ceding possession of a portion of church property, an agreement for more than 12 months, or a complicated arrangement. The agreement should specify exactly what the user can and cannot do with the property, including physical changes to the involved space.

(1) Tenancies

A lease or tenancy creates a right of exclusive use and possession of property for a period of time. This legal interest endows the renter with greater rights and greater responsibilities than a lower form of interest.

(2) Licenses

A license is a non-exclusive, non-possessory right to use property, usually for a limited purpose and a limited duration. This label is helpful to use in agreements with users, to help avoid claims that the church is obligated to follow formalities for a lessee, such as eviction procedures.

Zoning and Permitting Considerations

A major new use of property raises the issue of whether the use is allowed under municipal zoning regulations. Traditional church uses generally are exempt from use restrictions under zoning. However, a significant non-church use may draw attention and raise questions as to whether the use is allowed in the zoning district in which the church property is located. Should you have questions as to whether a use is permitted, you will need to review (a) the local zoning map, to determine what zone your building is in, and (b) the local zoning by-law, to determine what uses are allowed in that zone. Although your rental agreement should make the renter responsible for determining conformity with land use regulations, the owner of property ultimately is responsible for what uses are made of its property.

Certain uses of property will require proper permitting. The types of permits that could be required are numerous. Therefore, the church's agreement with the users should state (a) that the user, and not the church, is responsible for all needed permits and licenses, and (b) that no representation is made by the church that the contemplated use is allowed. Of course, this language is no basis to ignore permitting problems, as a governmental agency is always going to look first to the record owner to remedy permitting violations.

Scope of Uses Permitted

There are restrictions on the uses that may be made of church property beyond governmental regulations.

First, certain uses are disfavored by the Diocese, such as gambling or gaming. Most disfavored uses will be self-evident, but contact the Diocese (Steve Pierce, 617-482-4826 x 501) if you have questions.

Second, your church may be uncomfortable with unrestricted uses of certain spaces in the church. In particular, sanctuaries and chapels are sacred space, generally reserved for sacred purposes. Your vestry should have a discussion about the church's appetite for broader use of such spaces for secular purposes.

Third, limitations on the use of property may be affected or limited by restrictions placed on donated property. For example, the original grantor of donated real estate may have conditioned the gift on use of the property for certain purposes only. The grant to the church even could state that the property could revert to others if a religious use is not maintained. The enforcement of such conditions becomes a complicated legal matter, but they are matters that should be considered before entering into any major rental.

Fourth, any encumbrance on, or major commitment of, church property requires approval by the Diocesan Standing Committee. Any lease **for exclusive use** of space for **a period longer** than twelve months requires such approval. **Guidelines for how to obtain Diocesan approval are attached as an addendum to this Guide.**

Alcohol Issues

Use of church property by renters that serve alcohol is a significant issue. First, alcohol creates liability issues, no matter how tight the agreements with the renter. Second, alcohol creates the risk of negative publicity, which no church wants. Third, most insurance policies, other than special coverage, exclude liquor liability. Special riders sometimes can be obtained for special events where liquor is served to public invitees. Fourth, the sale of alcohol is strictly regulated and generally prohibited without a license. Special events in which alcohol is served to public invitees requires a special permit from the Board of Selectmen or City Council.

Facilities Issues

Your committee needs to evaluate the costs and effects on capacity to your facilities as a result of any rental. You do not want a renter that overwhelms your facilities. You probably do not want a renter that creates more costs than justified by its benefits.

- (1) Snow and ice removal (timing; frequency)

Any rental agreement should address who bears the obligation to remove snow and ice. If the church is responsible, then it should be prepared for the potential additional burden of clearing snow at new hours due to the timing of the renter's operations.

(2) Heating (timing; frequency)

Heating and utilities costs are a major expense for most churches. You should consider the impact on those costs created by a potential new user. For example, many churches reduce temperatures to maintenance levels during off hours. Those off hours may be affected by adding a new user.

Special planning and agreements will need to be done if you intend to allocate utilities charges. Again, special rules apply to separate metering for residential renters.

(3) Storage

Some users need or want storage. Storage oftentimes is scarce in even a large church facility. Moreover, storage implicates risk of damage, loss, or theft of the property. The rental agreement should address these storage issues, including the risks of loss.

(4) Shared use of equipment and supplies

Renters oftentimes want to make use of church equipment: copiers, phones, refrigerators, microwave ovens, etc. The rental agreement should specify the limits on use of such equipment. And, you need to be aware of the costs, sometimes hidden, of the use of equipment, such as a copy machine. An arrangement should be made to account for such use, because of creeping increased use of church equipment and supplies.

Financial Issues

(1) Tax Consequences

The use of church property wholly for generating income can have a negative effect on the exclusion of such property for property tax purposes. For example, municipalities can take the position that a rectory that is rented out for income is subject to local property tax. A municipality may require the filing of a particular tax form. You can expect municipalities to be particularly aggressive in seeking to expand their property tax base during hard economic times. Therefore, you need to include this potential cost in your cost-benefit analysis and budget.

(2) Assessment Consequences

The Diocesan assessment for Massachusetts Episcopal churches has, for several years now, been calculated based on expense, rather than income. The assessment formula excludes from such includable expense the amounts spent to generate rental income. Thus, the church should track the expense directly related to generating rental income, for exclusion from the assessment formula calculation.

A church can even see a benefit from letting space for free. The assessment formula excludes expense devoted to charitable outreach ministries. Thus, expense (direct or properly pro rata) involved in the provision of space to charitable users can be excludable under the diocesan assessment formula.

(3) Ability to pay

The ability of prospective renters to pay the agreed rent is a CRITICAL issue. Because it can be difficult to evict a tenant who is non-paying, the best advice is to make sure that the tenant has the ability and the willingness to pay the rent. There are numerous ways to minimize the risk of non-payment, but no way to exclude the possibility. First, a church should gather as much information about the prospective renter as possible. If the organization has an operating history, then it should have vendors and lessors who can report (at least verbally) on prior payment histories. Second, most lessees should pay a security deposit, to secure against the possibility of default and of damage. Third, the church should seek personal guaranties of the renter organization's obligations whenever possible. Most church renters are likely to have little or no assets to back up its promises. A personal guaranty often helps to ensure that the organization complies and may provide an avenue for recovery in the event of default.

(4) Reliability

A renter that pays its rent but is difficult to deal with can be worse than a renter that simply does not pay. You should assess the people with whom you will be dealing. You can ask for references from prior lessors.

Special Considerations with Major Users

The relationship with a major user of church space is very different from the relationship with a periodic or occasional user. First, major users generally will want to control "their" rented space. Second, major users draw more outside attention. Do not assume that neighbors and municipalities are going to welcome a new use that generates automotive or foot traffic. Third, for organizations being organized from within the church, consideration of a separate not-for-profit corporation should be made.

(1) Nursery Schools and Day Care

Schools and child care centers are common major users of church space. That does not mean that the relationship is easy. For example, see the discussion above at Page 4. Schools and child care facilities are highly regulated, with strict requirements as to facilities and use of space. This means a high demand on the church, too, as the land owner. Therefore, a great deal of thought and planning is required. The church should set up a team of people to represent the interests of the church, which may be different than even a church-sponsored program. And, the church should strongly consider

assistance from a Diocesan-based help organization, such as the Congregational Coaches or the Congregational Business Consultants. See back cover.

(2) Thrift Shops

Thrift shops are another common major user of church space. Special consideration must be given to the fact that such programs are subject to sales tax collection. (Exceptions apply to rummage sales that occur no more than twice a year). Also, sale of items for children raises potential liability issues, as protections imposed by the U.S. Consumer Product Safety Commission recently were made applicable to thrift stores that sell children's products. A church can be subject to penalties if a children's product that the church sold is found to contain excess levels of potentially hazardous materials, particularly lead.

(3) Food Pantries and Soup Kitchens

Feeding ministries can be a wonderful addition to the work of a church. However, they also can be demanding on a facility. A food pantry means a large addition of foot traffic. A soup kitchen means additional use of the kitchen. These increases in activity should be carefully examined before undertaking them. If your church is considering such a ministry, you are urged to get advice and guidance from those who currently have such a ministry. Again, such help is available through the resources mentioned on the back coverage of this Guide.

(4) Telecommunications Equipment

Some churches have entered into agreements with telecommunications or cell tower companies to provide space for transmitters and antennae. The successful partnership can generate a steady stream of income. However, this use is not without its problems. In some communities, such equipment has raised neighborhood opposition, due to concerns about asserted health effects. And, as a practical matter, the telecommunications provider will need 24/7 access to the rented church space in the event of a failure of the equipment.

The Diocese has adopted a policy dated July 23, 1998, regarding the needed Diocesan approval for agreements on telecommunications equipment. First, the church must ensure that any agreement would not threaten the tax-exempt status of the organization. Second, the Standing Committee must be given advanced notice of any intent to enter into an agreement. Third, Standing Committee *approval* would be required unless the agreement clearly provides that the telecommunications company has no right to place or seek a lien on the property in the event of a breach of the agreement -- that is, any breach could only be remedied by money damages, not a lien or injunction.

(5) Residential Rentals

Massachusetts law is very strict in protection of residential tenants. Someone

with experience in this area should guide any rental for housing purposes.

FACILITIES CAPITAL ASSESSMENT

Parish: _____

Town: _____

Date: _____

Previous Report(s), if any

Individual/Company who produced report: _____

Date Published: _____

Description of Church Buildings:

Building 1: _____

Building 2: _____

Building 3: _____

Activities Inventory

Are the parish buildings and grounds already used by the community organizations? If so, please list below:

Name of Organization	Frequency of Use	Any Rent Paid
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Church Sponsored Activities Using Church Space

<u>Use</u>	<u>Space Used</u>	<u>Timing</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Sanctuary

Service Times: _____

Practices: _____

Choir: _____

Seating Capacity: _____

Lighting and Sound Capabilities: _____

Handicapped Accessibility, Including Bathrooms: _____

Available Organ? _____ Piano? _____

Description of Other Parish Spaces

Name of Space: _____

Square Feet: _____ Handicapped Accessible: _____

Handicapped Bathrooms: _____ Distance to Exits: _____

Two Means of Emergency Egress: _____ Separately Zoned for Heat: _____

General Condition of Space: _____ Needed Maintenance: _____

Max. Occupancy: _____

Name of Space: _____

Square Feet: _____ Handicapped Accessible: _____

Handicapped Bathrooms: _____ Distance to Exits: _____

Two Means of Emergency Egress: _____ Separately Zoned for Heat: _____

General Condition of Space: _____ Needed Maintenance: _____

Max. Occupancy: _____

Name of Space: _____

Square Feet: _____ Handicapped Accessible: _____

Handicapped Bathrooms: _____ Distance to Exits: _____

Two Means of Emergency Egress: _____ Separately Zoned for Heat: _____

General Condition of Space: _____ Needed Maintenance: _____

Max. Occupancy: _____

Name of Space: _____

Square Feet: _____ Handicapped Accessible: _____

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Square Feet: _____ Handicapped Accessible: _____

Handicapped Bathrooms: _____ Distance to Exits: _____

Two Means of Emergency Egress: _____ Separately Zoned for Heat: _____

General Condition of Space: _____ Needed Maintenance: _____

Max. Occupancy: _____

Description of Office Capabilities

Hours Office is staffed: _____

Hours for Sexton: _____

Available Office Equipment: _____ Copier _____ Fax _____ Phones _____

Could these items be available to a renter?

Parking

What is the existing parking capacity? _____

Is the lot adequate for current needs and for future growth? _____

When is the lot used? _____

Is the lot in good condition, free of cracks, potholes or uneven surfaces? _____

Is the parking lot lit when evening activities or services are held? _____

Is a stop sign provided at the exit to the lot? _____

Handicapped spaces? _____

Are ramps provided for the elderly and handicapped? _____

Lavatories

How many bathrooms? _____

Capacity: _____

Are they code compliant? _____

Kitchen

Capacity? _____

Code Compliant? _____

Certification from Health Dept.? _____

Heating

When is the building heated? _____

Security

What security measures employed? _____

Do doors have modern locks and closers? _____

Does the church require staff whenever building is occupied? _____

FACILITY UTILIZATION SCHEDULE

		Space: _____					
		Size: _____					
Sunday	Morning						
	Afternoon						
	Evening						
Monday	Morning						
	Afternoon						
	Evening						
Tuesday	Morning						
	Afternoon						
	Evening						
Wednesday	Morning						
	Afternoon						
	Evening						
Thursday	Morning						
	Afternoon						
	Evening						
Friday	Morning						
	Afternoon						
	Evening						
Saturday	Morning						
	Afternoon						
	Evening						

NOTES

ABOUT THE CONSULTANTS

The Congregational Business Consultants is a group of volunteers who provide advice and guidance to churches on a variety of issues related to church viability, finance, and property. The Consultants can assist a vestry/executive committee or property committee in evaluating how to make efficient use of church facilities. To inquire about deployment of a Consultant or to comment on this Guide, contact Chris Meyer at 617-527-2739 or cmeyer@diomass.org.

ABOUT THE COACHES

The Congregational Coaches is a group of trained mentors who provide skilled consulting to clergy, vestries, and church organizations on a variety of church issues, including enhancing church vitality. To seek guidance on whether your church could benefit from a Coach, contact the Rev. Canon Cynthia Hubbard at 617-482-4826, x 400 or chubbard@diomass.org.

COMMENTS ON THIS GUIDE

The Consultants welcome comments on this Guide. Please contact Chris Meyer, 617-527-2739 or cmeyer@diomass.org.