



CO-MUNIDADE!

Um Guia
Abrangente

Sobre Como Adquirir Direitos
de Uso e Ocupação do Solo

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01



Gentrificação e a sua comunidade

02

What is Gentrification?

Gentrification occurs when increasing land values displace native populations and low-income residents. Gentrification is typically caused by concentrated public or private investment in a particular area or neighborhood. Because of the 2014 World Cup and the 2016 Olympics, many favelas and their surrounding neighborhoods have seen development similar to this.

The rising costs associated with concentrated investment and development can influence many residents to sell their homes and their land to investors for cheaper than what their property is worth. Investors will either develop this land or sell it at market rate or higher.

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illustration

When gentrification happens, it is typical for the character of a neighborhood or community to change. New construction occurs and sometimes replaces cherished neighborhood assets, new residents move in, and hotels and restaurants attract tourists and foreigners.

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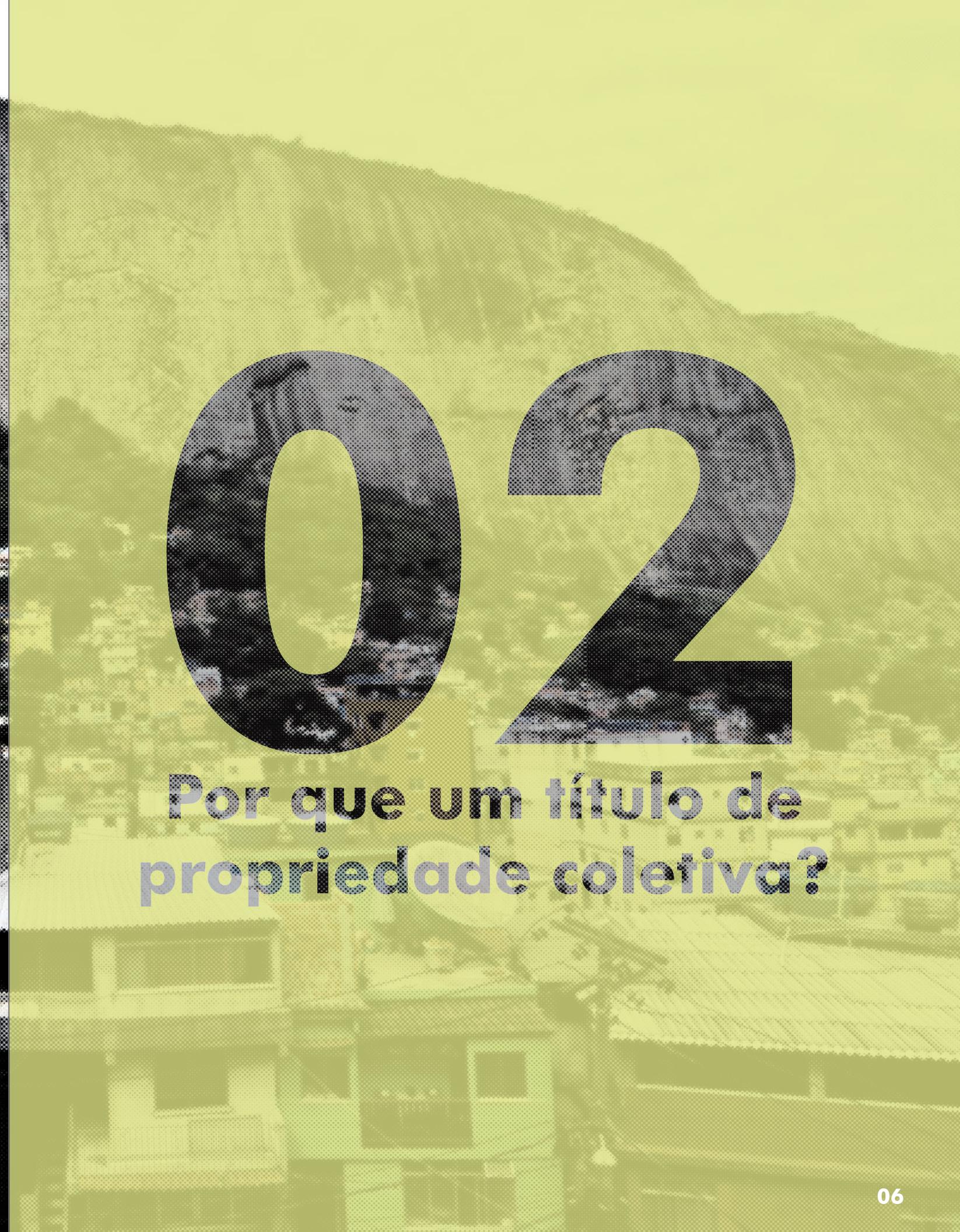
When gentrification occurs, prices can become too high for the remaining residents to afford, this has the potential to force residents to move from their community.

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New investment and development does not always lead to gentrification, however. If community members can benefit from market changes in the area, then new investment has a lot of positive potential.



**Por que um título de
propriedade coletiva?**



Por que um título de propriedade coletiva?

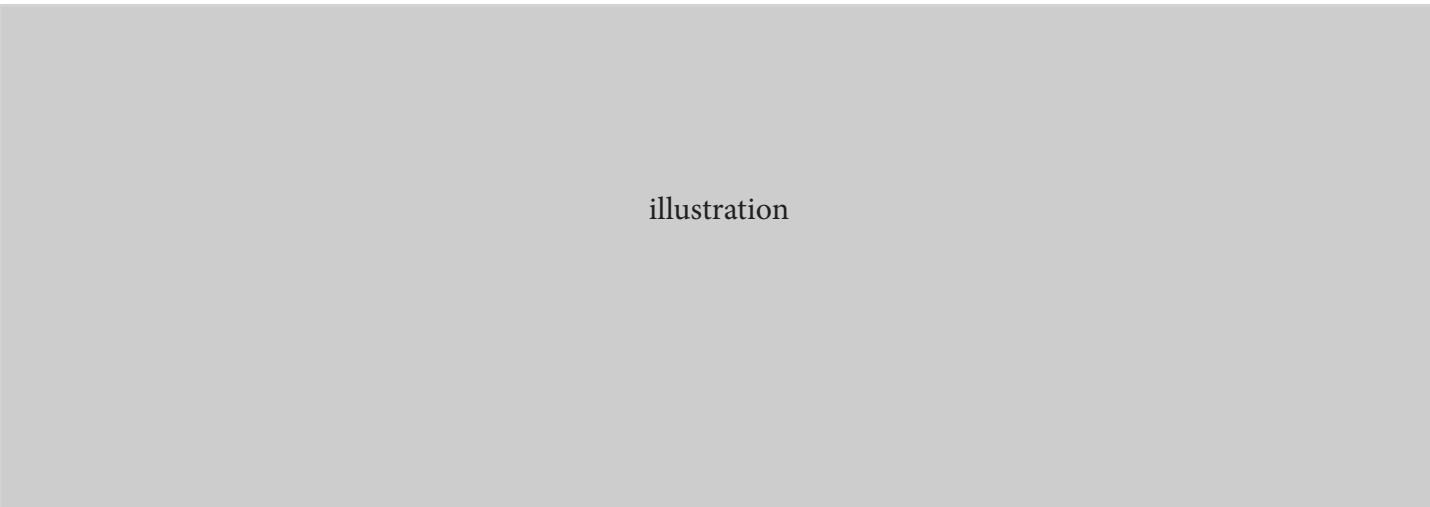
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How does a community land trust work?

Residents occupy either publicly or privately owned land. Depending on the type of land your community occupies you will receive either "freehold" or "leasehold" (adverse posession) title. Collectively, you can form a Community Land Trust with either "Freehold" or "Leasehold" (adverse posession) title.

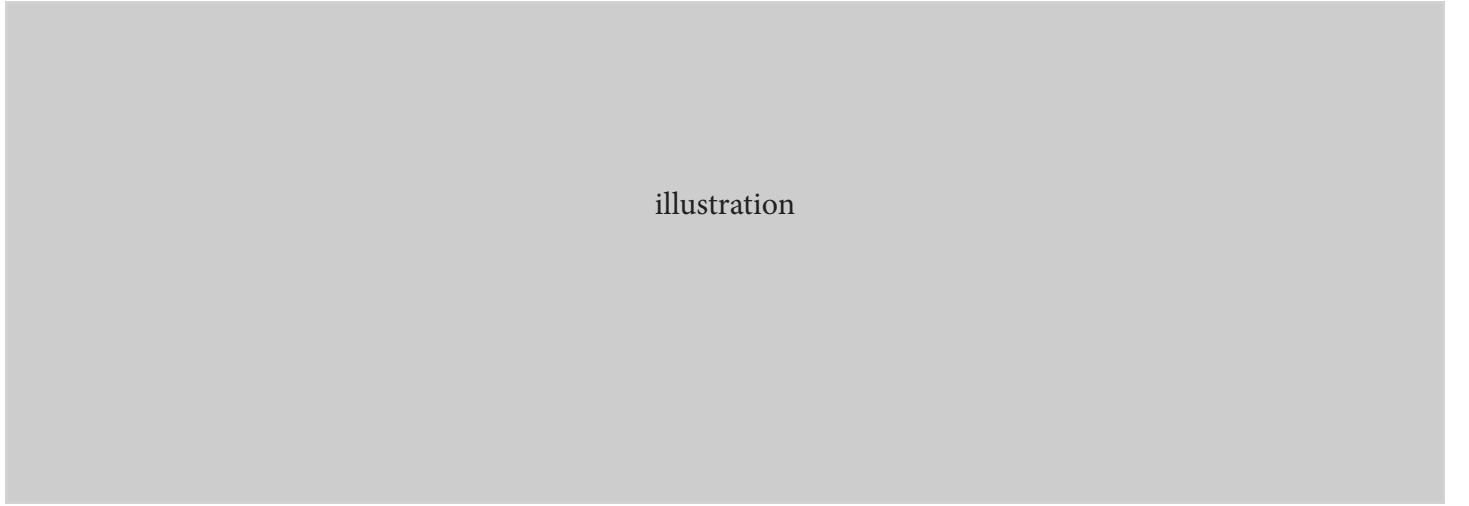
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How does home buying work in a Community Land Trust Model?

The prospective resident will buy their home outright, yet lease it under the Community Land Trust, they pay an annual fee to the CLT, and the CLT retains permanent ownership over the land.

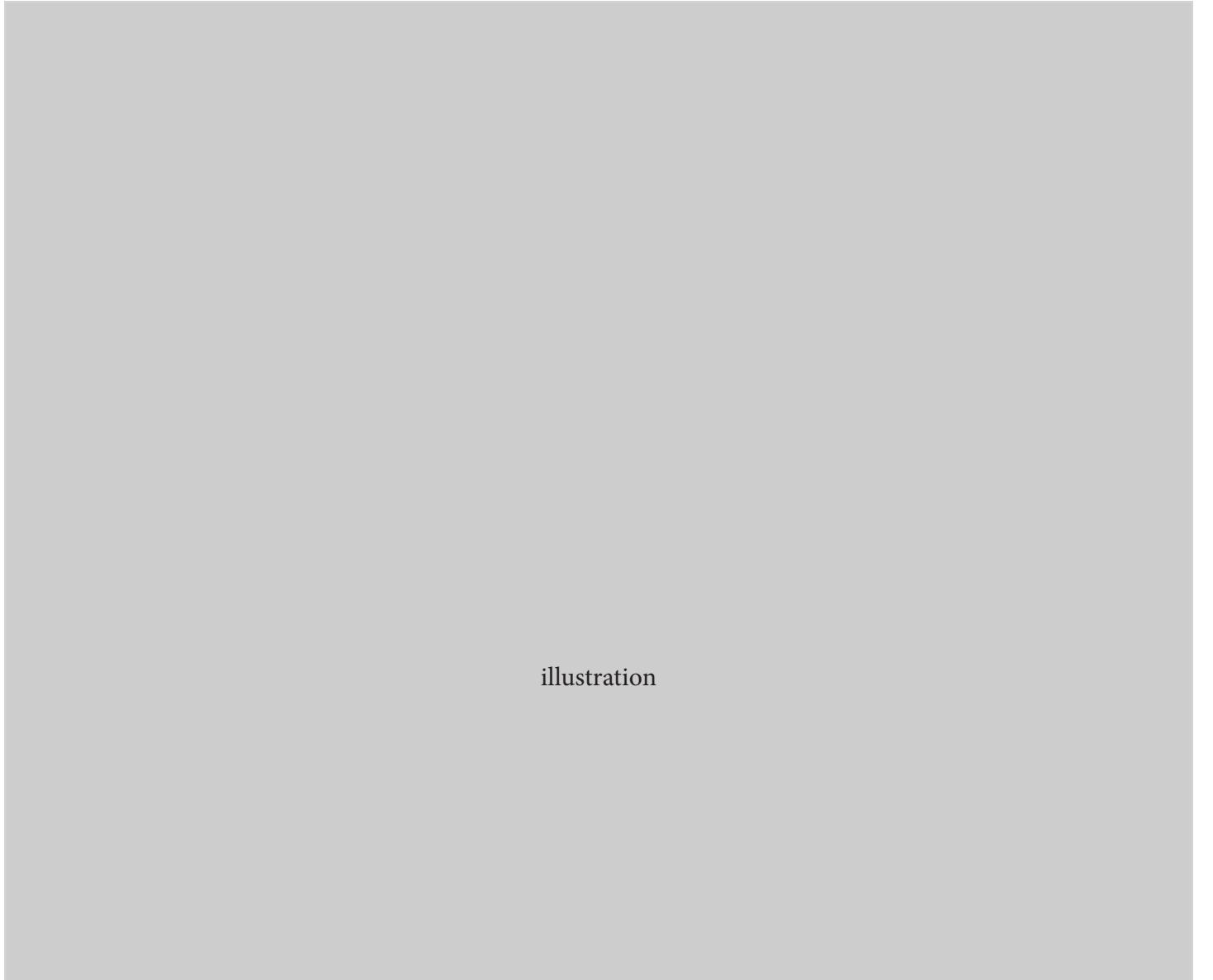
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How does home selling work in a Community Land Trust Model?

Current resident sells their house at a price set by the CLT, this keeps land speculation to a minimum. New resident buys house at a price that is affordable and agrees to the same requirements in the case of resale.

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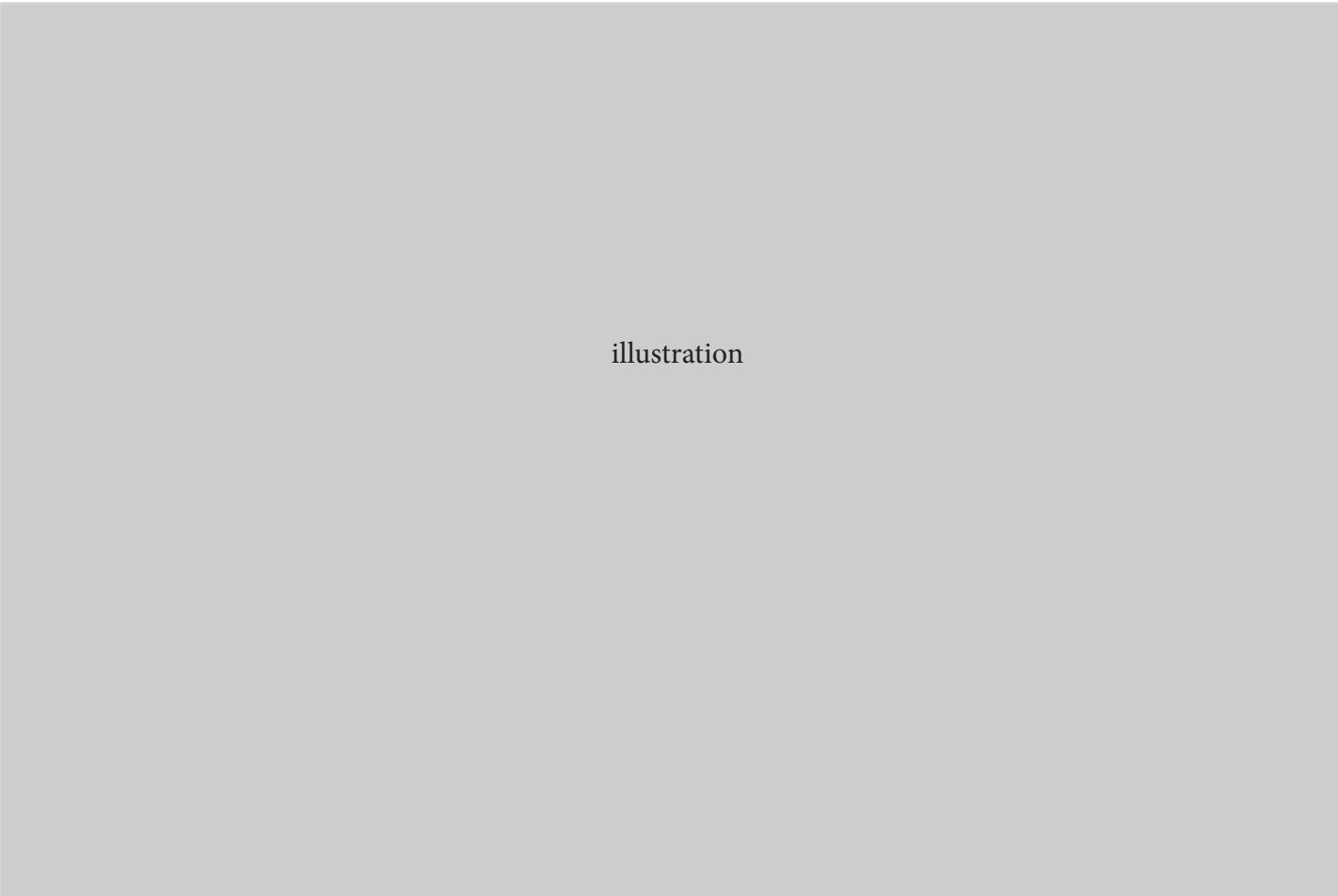
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Como é o processo?

Como é o processo?

Organizing Around Collective Title

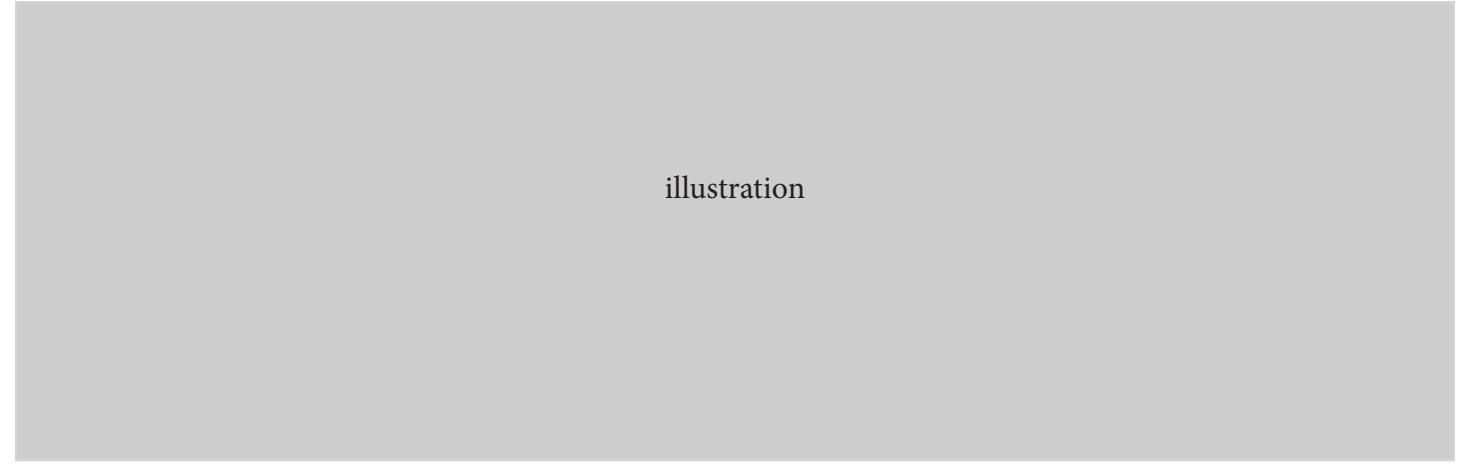
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Organize your community

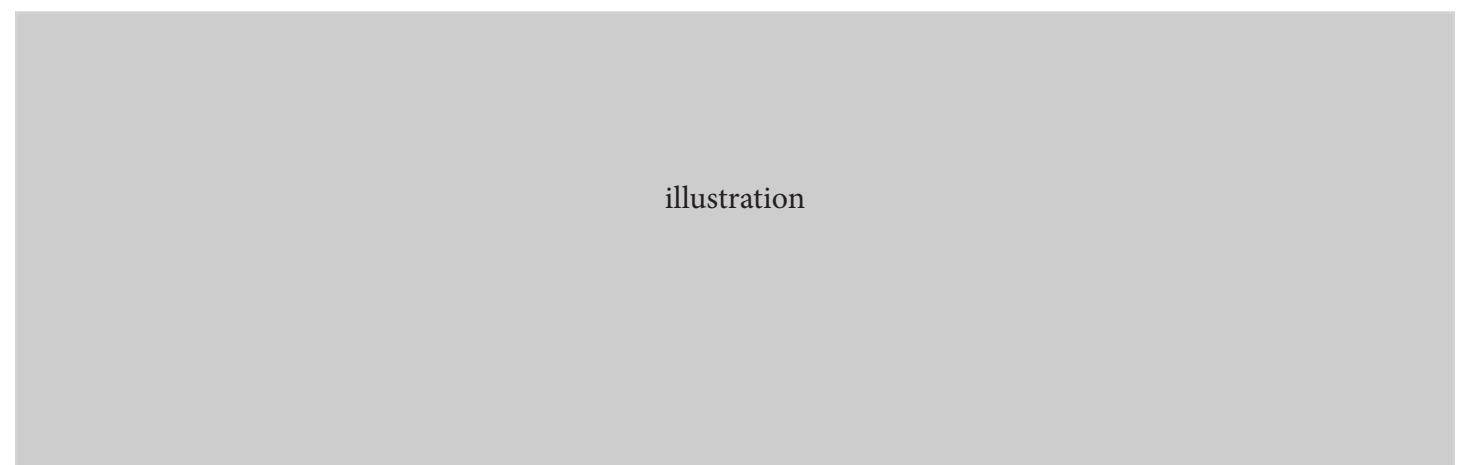
Organize your community to gauge interest in anti-eviction and anti-gentrification measures like collective titling. This can be a multi-step process and should be made to fit the needs of your specific community. If organization is not currently happening in your neighborhood around these issues, one great way to start is to host an educational workshop on the effects of gentrification in your community - this can serve as a catalyst for future organizational efforts and can eventually lead to a community decision for collective title. Whether or not your community decides to eventually gain collective title, however, is up to community consensus. No matter what the outcome it, organization and unity are essential to combating gentrification.

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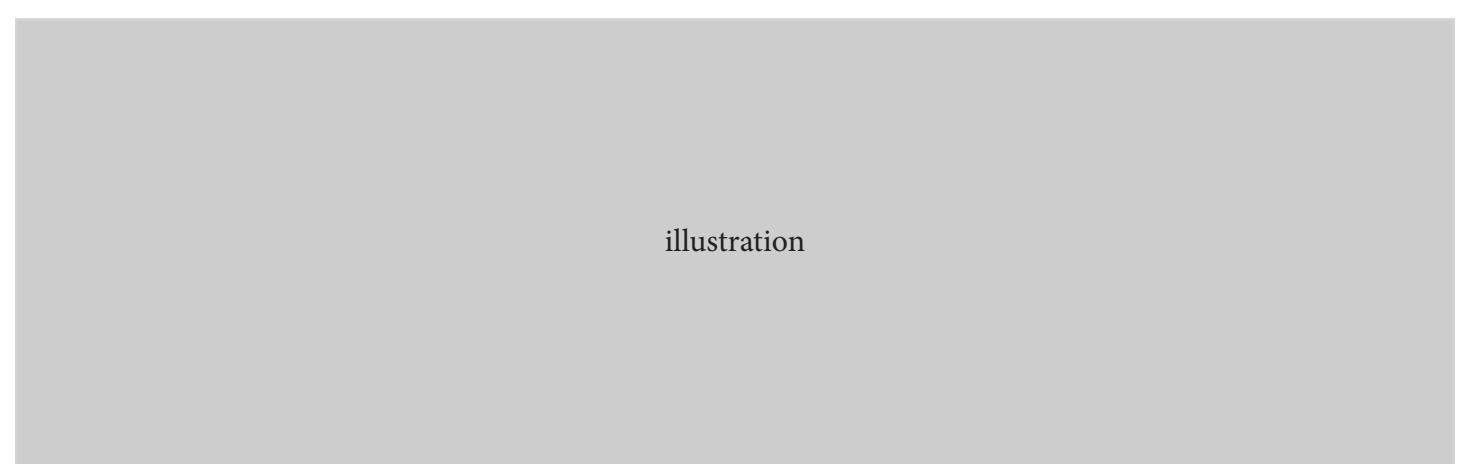
If the community decides that collective titling is the best solution, host a community meeting to survey the area. This will require speaking to all neighbors and business owners in your area of interest to gauge an interest in collective title and ownership.

illustration



Once you have surveyed the area for potential trust-members, it will be essential to start a community asset map. Community asset maps provide information about the strengths and resources within your neighborhood that must be protected under the trust.

illustration



Once your trust is organized and the area is delineated, the trust must decide on sponsorship - generally this will be a non-profit, an NGO or an individual or institution. The CLT must then design a resale formula, marketing plan, selection criteria, and organizing strategy.

Como é o processo?

Melhorar a sua comunidade em conjunto

1. Obtain a 20 year Certificate (Certidão Vintenária) or Proof of 5 Year Ownership

Through your local residents' association obtain 20 year chain of title or ownership of all property that is expected to be part of the trust. If there is no prior title held on any land within the trust, all trust property must have proof of ownership for the past 5 years. (Proof of ownership can include: Residents' Association Record of purchase, electricity or phone bills, etc).



2. Obtain Civil, Fiscal, Commercial and Legal Documents from Seller.

(Only complete this step if the trust will have to purchase land from a seller with title) Through your local residents' association or Rio Rapido, obtain certificates of disputes (Certidão dos Cartórios de Protestos), distributors certificates (Certidão dos Distribuidores Cívies), Fiscal Executive Certificate (Certidão de Executivos Fiscais) and Bankruptcy Certificates (Certidão de Falencias e Concordatas) from the City Court Office. These certificates guarantee that all civil, fiscal, and commercial legal settlements have been finalized.



3. Request a Land-Tax Certificate and a Cadastral Certificate (Certidão de Dados Cadastrais do Imovel) from City Hall

Through the Municipality of Rio de Janeiro, obtain a Land-Tax Certificate and a Cadastral Certificate. These certificates show any pending tax debts associated with the property. If obtained online, the certificate is free, or R\$ 11.85 if obtained in person. The trust can waive this certificate if it assumes the obligation to pay all pending land tax debt related to the real state.



4. Acquire Clearance Certificates

Acquire a Clearance Certificate from Tax Agency and a Federal Tax



Clearance Certificate. Both certificates are obtained online at www.receita.fazenda.gov.br.

5. Pay transfer tax (ITBI)

The trust will have to pay a transfer tax before the parties can sign the transfer deed. This can be done at any commercial bank. The notary will provide the payment form to the trust and all parties pay at the notary. The notary then is in charge of paying the tax on behalf of the trust.



6. Draft Public Deed of Purchase and Sale

Through a public notary, draft a Public Deed of Purchase and Sale (Escritura Pública de Venda e Compra). The notary will review all the documents obtained in the previous procedures and proceed to notarize the sale deed.



7. Update the land taxation records (IPTU – Imposto Predial e Territorial Urbano) to the Trust at City Hall

Before registering the title, the trust needs to have an updated name on the municipality's records for the land that is to be acquired. This information can be submitted online at https://dief.rio.rj.gov.br/dief/asp/mcriweb/login_usuri.asp. Once the information is submitted, the trust will receive a protocol number for the name change request. Once this request is verified with the registrar, the updated information will be submitted and attached to the number of registration of the trust.



8. Register the escritura (transfer deed) at the appropriate Real Estate Registry

Complete the registration of the trust title deed at a Real Estate Registry office. This step is required for the transfer of ownership of the property. In some cases, this can be carried out through a notary. By law, the Real Estate Registry has 30 days to analyze the documents and register the transfer deed. This process can take time given that the registry may come back to the trust and request necessary changes.





04

O que acontece depois?

O que acontece depois?

Melhorar a sua comunidade em conjunto

Develop or Improve Land

Some options for CLT land development include:



05

**Instrumentos e
recursos de apoio**

Instrumentos e recursos de apoio

Needs

Help with community organization or help hosting gentrification and eviction educational workshops.

ITERJ - Instituto de Terras e Cartografia do Estado do Rio de Janeiro can help with questions regarding titling and regularization.

Fundação Bento Rubião is a non-profit that can assist groups with regularization and titling processes.

Observatório de Favelas is a social organization that undertakes research, consultancy and public actions to produce knowledge and elaborate political proposals focused on slums and urban issues.

IPTU – Imposto Predial e Territorial Urbano can assist you in updating the trust name on your land taxation records when gaining collective title.

Contact

Catalytic Communities

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 catcomm.org
 +55 21 9919.7644

ITERJ

 iterj.rj.gov.br
 +55 21 2332.7236
 Rua Regente Feijó, 7
Centro - Rio de Janeiro

Bento Rubião

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 bentorubiao.org.br
 +55 21 2262.3406
 Av. Beira Mar, 216/701
Centro - Rio de Janeiro

Observatório de Favelas

 info@observatoriodefavelas.org
 observatoriodefavelas.org.br
 +55 21 3105.4599
 Rua Teixeira Ribeiro, 535
Maré - Rio de Janeiro

IPTU

 dief.smf@pcrj.rj.gov.br
 dief.rio.rj.gov.br
 Afonso Cavalcanti Street, 455
San Sebastian - Rio de Janeiro

Secretaria Municipal de Habitação e Cidadania. A Gerência de Regularização Urbanística e Fundiária atua na regularização de Áreas de Especial Interesse Social (AEIS), como favelas, loteamentos, reassentamentos e conjuntos habitacionais.

Following is a list of notaries in Rio de Janeiro. In order to receive collective title, the trust must use a notary.

26º Ofício de Notas

 +55 21 2429.5280
 Av. das Américas, 8445
Sala 116 - Rio de Janeiro

Pinto 24º Ofício de Notas

 +55 21 3553.6020
 Prédio do Jockey Clube
Av. Alm. Barroso, 139 - Loja C Gr.
503 - Centro - Rio de Janeiro

Cartório 5º Ofício de Notas

 +55 21 2579.3918
 R. Real Grandeza, 193
Botafogo - Rio de Janeiro

14º Ofício de Notas

 +55 21 2548.3646
 Av. Nossa Sra. de Copacabana 895
Copacabana - Rio de Janeiro

Cartório do 9º Ofício

 +55 21 2533.6430
 Av. Nilo Peçanha, 12 - 6º andar
Castelo - Rio de Janeiro

14º Ofício de Notas

 +55 21 3233.2600
 R. do Ouvidor, 89
Centro - Rio de Janeiro

SMHC

 fundiaria@pcrj.rj.gov.br
 rio.rj.gov.br/web/smhc/
 +55 21 2976.3699
 Afonso Cavalcanti Street 455
New Town, Estacio.

32º Ofício de Notas

 +55 21 3826.1842
 R. das Laranjeiras, 29
Catete - Rio de Janeiro

Ofício de Registro de Distribuição

 +55 21 2509.5935
 Av. Rio Branco, 131
Centro - Rio de Janeiro

23º Ofício de Notas

 +55 21 2509.2665
 Tv. do Ouvidor, 15
Centro - Rio de Janeiro

Registro de Imóveis 10º

 +55 21 2533.8177
 Tv. do Paço, 23 - 1103
Centro - Rio de Janeiro

14º Cartório de Notas

 +55 21 2560.3547
 Av. Brás de Pina, 110
Rio de Janeiro - RJ

Cartorio 9 Oficio de Notas

 +55 21 2252.4861
 R. Luís de Camões, 3
Rio de Janeiro - RJ



RECONHECERI LEGALIZARI INTEGRARI