

## Report From the Administrative Commission on Congregational Property

1/22/19

### *Important Information for Churches*

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#### **G-4.0206 Selling, Encumbering, or Leasing Church Property from the Book of Order**

##### a. Selling or Encumbering Congregational Property

A congregation shall not sell, mortgage, or otherwise encumber any of its real property and it shall not acquire real property subject to an encumbrance or condition without the written permission of the presbytery transmitted through the session of the congregation.

##### b. Leasing Congregational Property

A congregation shall not lease its real property used for purposes of worship, or lease for more than five years any of its other real property, without the written permission of the presbytery transmitted through the session of the congregation.

#### **All leases executed by NCP Sessions must contain the following language:**

"Notwithstanding anything contained in this Lease/License to the contrary, in the event that the Landlord as a religious organization is dissolved, Lessor or the National Capital Presbytery may terminate this Lease/License, provided that notice of such dissolution is provided to Lessee at least ninety (90) days prior to the anticipated date of dissolution, and (ii) the Lease/License shall not terminate for ninety (90) days after the date of such dissolution unless otherwise agreed by the Parties."

The Presbytery has empowered the Administrative Commission on Congregational Property with the powers of an Administrative Commission to consider and approve requests from churches to lease, sell or encumber the real property of a church. Any action in this regard by a congregation without the Presbytery's permission will not be recognized as legally valid.

**If your church is considering leasing, selling or encumbering real property** please contact Todd McCreight, Director of Business Operations, at 240-514-5356 or email [tmccreight@thepresbytery.org](mailto:tmccreight@thepresbytery.org).

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#### **7/23/19 15<sup>th</sup> Street Presbyterian Church (e-vote)**

Under its authority as an Administrative Commission of National Capital Presbytery (NCP), the Administrative Commission on Congregational Property (ACCP) grants approval for 15<sup>th</sup> Street Presbyterian Church, a member in good standing of the NCP, to approve the sale of a small home at 508 Duke Street in Beaufort, South Carolina, in which 15<sup>th</sup> Street has

a fractional ownership due to being named in the previous owner's will as one of several beneficiaries of the property sale.

This approval is for a period of one year from this date and is subject to review by the ACCP if rental is not completed within that time period. ACCP also authorizes the officers of NCP as agents of the corporation to sign any documents required to complete the transaction.

*Unanimously approved*

### **7/23/19 National Presbyterian Church (e-vote)**

Under its authority as an Administrative Commission of National Capital Presbytery (NCP), the Administrative Commission on Congregational Property (ACCP) grants approval for National Presbyterian Church, a member in good standing of the NCP, to apply to have the church and a portion of its grounds designated as a historic district. NCP anticipates the possibility of a neighborhood commission soon submitting a somewhat similar proposal that could substantially limit NCP's future growth on their property. NCP wishes to preempt the neighborhood group's proposal.

This approval is for a period of one year from this date and is subject to review by the ACCP if rental is not completed within that time period. ACCP also authorizes the officers of NCP as agents of the corporation to sign any documents required to complete the transaction.

*Unanimously approved*

### **8/27/19 New Hope Presbyterian Church**

Under its authority as an Administrative Commission of National Capital Presbytery (NCP), the Administrative Commission on Congregational Property (ACCP) grants approval for New Hope Presbyterian Church, a member in good standing of the NCP, to amend its lease with the Creative Learning Center to allow CLC to request the opportunity to sub-let or assign a portion of their rented area in the church. ACCP makes this approval contingent on the acceptance of ACCP edits to the amendment intended to ensure New Hope has the upper hand in any negotiations concerning sub-lets or assignments.

*Unanimously approved*