



WRITTEN TESTIMONY

St. Croix Foundation for Community Development Before the Committee on Disaster Recovery, Infrastructure and Planning Thirty-Sixth Legislature of the Virgin Islands

Hearing: *Heirs Property, Prolonged Probate, and Vacant & Abandoned Historic Properties in the U.S. Virgin Islands*

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Introduction and Standing

Good morning, Madam Chair and Honorable Members of the Committee.

St. Croix Foundation for Community Development (“the Foundation”) thanks the Committee on Disaster Recovery, Infrastructure, and Planning for the invitation to testify at today’s hearing and for the opportunity to contribute to this important and timely discussion. We appreciate the Committee’s leadership in examining the intersecting challenges of heirs property, prolonged probate, and vacant and abandoned historic properties in the Virgin Islands

At the outset, the Foundation wishes to state clearly that we are **not offering a formal position on the draft legislation presently under consideration**. Rather, our testimony is intended to share institutional experience, lessons learned, and guiding principles informed by more than three decades of place-based, people-centered community development work—particularly within the historic towns of Christiansted and Frederiksted.

As one of the Territory’s oldest Community and Economic Development nongovernmental organizations (NGO) and owner of several historic properties in Christiansted, namely around Sunday Market Square (one of the oldest planned public squares under the U.S. Flag), St. Croix Foundation for Community Development has served as a dedicated steward of what we consider to be some of the Territory’s most sacred cultural assets. Seated in the Historic District of Christiansted, Sunday Market Square (“the Square”) represents a unique history linked to Denmark’s colonial rule, but more significantly built by African laborers and craftsmen.

Serving as a center for trading among enslaved Africans in the 1700s, the Square was a designated convening space where the enslaved colonial subjects were permitted to sell produce, trade goods, connect with loved ones, and commune in the marketplace on Sundays - their only day off from forced labor and often their only day of Humanity each month.

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The Foundation is acutely sensitive and devoutly humbled to fulfill our role as a Community Steward for such a meaningful and historic SPACE. We remain convicted in our commitment to Place-keeping, to Social Equity, and to Holistic Community Development. What we believe is indisputable is that Sunday Market Square **(along with every single piece of land in our historic districts)** *is a Sacred Space*. How we address the issues of blight and abandonment is secondary to how we address the legacy of systemic social and economic inequities that undergird the Story of so many of the People who own historic properties.

Having traveled to a number of other historic districts throughout the nation, particularly in the Rural South- many with similar demographic, political, and economic landscapes- one of the most significant priorities the Foundation has set for all of our programming is around Equity... and *Coherence*. We also believe that there is no other predominantly Black Community under the flag where so many Black property owners still hold a significant share of legacy assets, as is the case in St. Croix and most specifically in Frederiksted. This is a story that we believe must be preserved and protected. It is also a story that should be the foundation of all future economic development and revitalization policies and Vision.

Of course, when one looks beyond the glaring aesthetics of blight and derelict properties (which is admittedly difficult), acknowledging the struggle and unhealed trauma that our People have had to overcome has softened the Foundation's position and thus our approach to Community Development. So, while our Towns, like our People, are precious resources and while some see them as tangible commodities, to us they represent a legacy of local and colonial negligence. But, they also represent great possibility and demand great responsibility from their owners *as well as* from those of us called (and elected) to Lead.

St. Croix Foundation's Institutional Credibility on this Issue

For over 35 years, St. Croix Foundation for Community Development has served as a conduit for millions of dollars in direct and leveraged community development investments in the historic towns of Christiansted and Frederiksted. These investments have included 1) the acquisition, stabilization, and rehabilitation of an expanding portfolio of historic properties; 2) the restoration of public infrastructure and streetscapes; and 3) sustained programming designed to improve public safety, commercial viability, and quality of life for residents.

HISTORY**Historical Context for St. Croix Foundation's Community Development Portfolio**

Founded in 1990, one year after Hurricane Hugo, the Foundation continues to serve as a nongovernmental, nonpartisan organization, established specifically to address a broad range of community needs by providing civic leadership and philanthropic resources in key areas of community and economic development.

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We were the collective brainchild of a steering committee comprising some of our Community's most courageous activists and progressive minds, including the likes of Arnold M. Golden, Ruth Beagles, Judge Patricia Steele, Claudette Young-Hinds, and Attorneys Richard Austin and Eddie Rivera. But our founders were Phillip Gerard (a local municipal government activist and stalwart in the insurance industry) and Michael Neuburger (a German transplant and aeronautics engineer). I offer this contextual history as the *framing* for how St. Croix Foundation was conceived and birthed; how we currently sit in this Community, and why some of the core principles we hold around Community Development and Civic Leadership remain sacrosanct 35 years later.

From our inception, the Foundation has held firmly to the belief that the health of our Historic towns, namely Christiansted and Frederiksted, is *interconnected* with the overall health of our Communities. It is also an important factor in incentivizing social development as well as economic growth and vitality.

Because of the devastating impact Hugo had on property assets and the physical infrastructure in our historic towns, community and economic development represented the Foundation's primary priorities and investments, as evidenced in our leadership around the long-term rehabilitation of Sunday Market Square. Beginning in the late 1990s, the Foundation was granted receivership of 7 severely deteriorated properties, navigating complex title, financing, and preservation challenges over an extended period.

Those properties were previously held by the then bankrupt VITIED (Virgin Island Tri Island Economic Development Corp), which had significant holdings on St. Thomas (including Tri-Mart and Sunday Market Square on St. Croix), and where Phillip Gerard once served as a Board member. Through Phillip's leadership, St. Croix Foundation requested and was subsequently granted receivership of the properties. We boarded and cleaned the properties, and shortly afterward, through a Community Reinvestment Act (CRA) partnership with Bank of St. Croix, we were able to purchase the properties outright.

The restoration of the Square has not been a siloed capital project, but rather a multi-phase effort spanning more than two decades, requiring patient capital, iterative planning, and continuous stewardship. These early investments were intended to serve as a model to encourage more independent restoration and catalyze renewed commerce, nonprofit tenancy, and cultural-based programming within Christiansted's historic core—ultimately demonstrating what holistic redevelopment can achieve.

For two and a half decades, holistic community development and Historic District Revitalization have framed much of our investments and programming. Through these priorities, the Foundation has demonstrated a deep commitment to improving the quality of life of residents while catalyzing socially conscious development. With an expansive and proven track record in both the restoration and beautification of historic properties, the Foundation has spearheaded a number of deeply impactful initiatives and programs including;

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1. Most notably, we conceptualized and spearheaded the Scrape, Paint, & Rejuvenate Program (SPR), which supported the painting and beautification of over 200 historic building facades and the clearing of abandoned lots throughout Christiansted, Frederiksted and Charlotte Amalie. Through the SPR Program, we worked intimately with historic property owners providing grants and hiring contractors to beautify their properties.

Funded by the former Anti-Litter and Beautification Commission (ALBCX), the Foundation's SPR Program was recognized by the International Downtown Association in Curacao in 2006 for the comprehensive nature of our work. We subsequently provided the programmatic policies and procedures for SPR while marshaling resources to Our Town Frederiksted and to the Historic Commission in St. Thomas to replicate this successful program which now lives on at EDA's Enterprise Zone Commission.

2. In addition to our SPR Program, SCF served as the 3rd Party Fiduciary and Program Administrator for ALBCX, administering the following programs for just shy of a decade:
 - a. **Junk and Abandoned Vehicles (JAV) Program:** which *funded the identification, tagging and safe removal of abandoned vehicles*
 - b. **CARE Grant Program:** which *awarded grants to neighborhoods, youth clubs and individuals to beautify roadways, neighborhoods and beaches*
 - c. **Youth Environmental Summer (YES) Program:** which *provided an environmental conservation and anti-litter, youth summer program*
 - d. **Afterschool Greenhouse:** which *educated youth on the varieties and maintenance of local plants*
 - e. **Roadside Cleanup:** which *was a partnership between the Foundation and the Department of Public Works to hire crews to maintain roadways*
3. The Foundation also co-authored portions of the original Enterprise Zone legislation, led the restoration of Sunday Market Square roadway and adjacent properties, and supported the VIPD by writing the first grant that secured funding for the first installation of security cameras in the historic districts on all three islands. We subsequently maintained those cameras for 7 years, as well as spearheaded walkway lighting initiatives- all funded by private philanthropic donations.

The first phase of our Community Revitalization investments included two low-income rental housing units, nonprofit commercial rental units, private commercial rental units, the Foundation's Headquarters, a small business incubator, internet-conference facilities, the VIPD Bicycle Patrol Unit precinct (which operated rent-free for 20 years) and Catholic Charities' Soup Kitchen (which also operated in one of our properties rent-free for 20 years).

Ultimately, our early portfolio was expansive, and it offered us a central lesson around the distinction between *comprehensive* (i.e., broad-based) vs. *coherent* (i.e., deep and intersected) approaches to community development. While most of our early initiatives were

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indeed very visible and physical, in recent years, we have dedicated much more focused investments around “*Holistic*” and “*Just*” approaches to community development.

We have concurrently cultivated new relationships with national civic brain trusts who are spearheading progressive initiatives in similar communities around the country. The lessons we are learning from them and from our own local initiatives have transformed our thinking and have deepened our approach relative to Socially Conscious Development and Historic Place-keeping.

HEALING HUMANITIES: SCF’S CURRENT DEVELOPMENT INVESTMENTS
Evolving Community Development Approaches: Healing, Culture, and Place

Currently, through our Healing Humanities Initiative in Sunday Market Square, not only has our Vision for the Square evolved, but we have intentionally integrated cultural preservation and *healing* as essential components of balanced, place-based revitalization. We have also grown more deeply aware of some of the complexities and nuances surrounding property acquisition, probate, and blight.

In the 2nd and Current Phase of our Sunday Market Square Renaissance, we have advanced our original Vision exponentially. Our Blueprint for the Square now includes;

1. The transformation of the old Alexander Theater into a state-of-the-art Safe Room and Disaster Shelter capable of housing up to 600 residents during a disaster. In Blue Skies, it will double as one of the territory’s largest (at over 28,000 square feet) indoor performing arts centers and after-school educational spaces.
2. Sunday Market Square will also host 7 additional affordable rental apartments, a joint intake social service co-working space, a community food and wellness garden, several affordable commercial rental units, a community resilience hub with an independent cistern, and a solar micro-grid.
3. Through our Healing Humanities investments, the Foundation is also supporting initiatives that center historical truth-telling, cultural memory, creative expression, and collective healing as foundational to sustainable community development.

This holistic Initiative has ultimately required us to add additional properties to our portfolio. Our newest acquisitions have all been legacy properties previously owned by native Virgin Islanders who have entrusted us with the stewardship of their family assets. One property is, in fact, an heirs property ensnarled in the complex web of multiple, deceased and/or expatriated owners. Today, we understand the vexing challenge of navigating the underbelly of what we must contend with to address our abandoned, blighted and derelict property issue.

But, we remain encouraged because over the past 7 years, we have come to recognize that there are models for just development everywhere! In many communities that are faced with and overcome challenges around blight and heir properties, like South Carolina, Lowcountry

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and Africatown, Seattle, civic leaders are building important models that can both ensure and *insure* social equity AND economic vitality.

FUNDING REALITIES: Lessons Learned From 35 Years of Community Development

Undoubtedly, the issue of securing funding for comprehensive restoration of historic properties is central to this challenge and a complex hurdle that is rooted in more systemic racial and institutional inequities surrounding financial capacity, blatant banking discrimination, and economic profiling, which have all served as barriers for many willing property owners, preventing them from accessing the funding necessary for property restoration. The banking issues, in particular, highlight the need for a holistic response that cannot simply include policy, but must encompass a comprehensive system of supports- comprising things often overlooked when economic exigency drives the agenda-things like civic engagement, and data collection.

Over the past decade, and particularly through focused community engagement efforts, the Foundation has worked closely with native Virgin Islanders who own historic properties. In partnership with two of the local nonprofit testifiers here today, the Foundation convened historic property owners to better understand their aspirations and the barriers faced in restoring and retaining family land.

A consistent finding was that **cost (not lack of interest or commitment) is the primary impediment**. Owners frequently cited the high cost of basic structural assessments to determine the structural integrity of the property as an early and oftentimes insurmountable hurdle. Without these assessments, owners felt that they could not determine whether restoration was even feasible, or whether they could secure financing, or simply make informed decisions about ownership succession.

Of course, these challenges are further compounded by longstanding inequities in banking and lending systems that disproportionately affect Black and Brown property owners, limiting access to capital even when families are motivated to invest in their properties.

Leaning on our Organizational experience with financing, it is also important to note that throughout the Foundation's early downtown revitalization and community development initiatives, including historic property rehabilitation (from 1998 – 2008), we were almost exclusively supported by direct LOCAL government capital funding. From PFA and Anti-Litter and Beautification Commission, to Community Development Block Grant, the Casino Control Commission's legislated community development allocations, and VI Housing Finance Authority, we benefited from public sector support and buy-in.

Recent realities have limited all funding supporting our Community Revitalization efforts to very expensive and time-consuming Federal funding and National Private Philanthropy. St. Croix Foundation has received ZERO dedicated funding from any of the aforementioned Local

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Government sources for over 15 years in support of our community development Initiatives. Today, as we sit here before this Committee, with 35 years of exemplary civic leadership under our belt and a proven track record around strategic, measurable impact in our Community Development portfolio, it has been incredibly frustrating, to say the least, to reconcile the systematic *dis*-investment concurrent with the push and pressure for radical restoration.

I think I speak for many of my nonprofit colleagues in stating that relying solely on federal resources and philanthropic investment to advance this work is as challenging as we suspect it is for the untold number of local families who are navigating the multitude of probate and financial hurdles to find the pathway towards retaining and restoring their legacy properties. Ultimately, our journeys have required careful prioritization of agendas, rigorous compliance around federal funding requirements, and a deep appreciation for the true cost of time, money, and test of hope that undergirds the rehabilitation and stewardship of historic properties.

Why Heirs Property Matters in Historic Districts

The Foundation's experience has amplified the harsh reality that heirs properties and unresolved probate are not isolated legal issues. Instead, they sit at the nexus of multiple systemic challenges, including historic disinvestment, intergenerational wealth erosion, restricted access to capital, and displacement pressures within historic districts.

When title remains unresolved, families are often unable to insure, finance, rehabilitate, or legally transfer property. Over time, these barriers contribute to vacancy, deterioration, and blight- conditions that undermine public safety, weaken town centers, and place disproportionate burdens on familial relations and neighboring residents. In historic districts, these challenges are compounded by preservation standards that, while essential, can impose additional cost burdens on property owners already constrained by limited access to capital.

Policy Continuity and Institutional Perspective

It is important to note that the Foundation's engagement with issues related to heirs property and title clarity is not new. As early as 2016, the Foundation identified intestate succession and unresolved title as major impediments to downtown revitalization and economic growth and called for territory-wide approaches to understanding and addressing the scale of these challenges.

In subsequent legislative policy discussions, the Foundation has consistently emphasized that heirs property is a common challenge in communities of color and that sustainable solutions require a balanced combination of incentives, accountability, data collection, and community-led processes.

This continuity reflects not rigidity, but learning- grounded in practice, informed by national models, and shaped by direct engagement with Virgin Islands families.

Guiding Principles for Policymakers

While the Foundation is not advancing specific legislative prescriptions today, we respectfully offer the following guiding principles for consideration as policymakers continue this work:

1. **Equity must be central.** Equity is not synonymous with equality. Policies must recognize that those with the greatest barriers often require the greatest support if outcomes are to be fair and just.
2. **Heirs property is a systems issue.** Legal reform alone is insufficient. Effective responses must integrate legal assistance, financial tools, data collection, and community education.
3. **Native ownership retention matters.** Historic revitalization efforts should strengthen, not erode, intergenerational wealth and cultural continuity among Virgin Islands families.
4. **One-size-fits-all solutions carry risk.** Without appropriate safeguards, well-intentioned reforms can unintentionally accelerate displacement and/or speculative acquisition.
5. **Community trust is an asset.** Solutions developed with meaningful community participation are more likely to be durable, effective, and just. In this context, public institutions play an important role in modeling the standards and practices they seek to encourage. When government demonstrates consistency, transparency, and stewardship, it strengthens public confidence and reinforces shared responsibility.
6. **Nonprofits represent essential Levers for overextended Public Instrumentalities.** Our Founders were affirmed in the belief that in the absence of municipal government, holistic community revitalization would most effectively be achieved through sustained, trust-based partnerships between government and the nonprofit sector. As such, early public-sector investments and collaborations enabled transformative progress in our historic town centers, underscoring the importance of aligning policy goals with targeted resources and shared responsibility. As implementation strategies are considered, attention to capacity, funding continuity, and the true cost of long-term stewardship will be essential to achieving durable and equitable results.

In Closing

St. Croix Foundation views land in our historic towns (and throughout our entire territory) not merely as real estate, but as cultural inheritance and shared community legacy. As a Civic Organization committed to Place-keeping our Historic Towns, in particular, represent sacred spaces shaped by African labor, resilience, and collective memory- the stewardship of these properties carries both responsibility and obligation. This issue must be grounded by the stark legacy of displacement, land loss, and unresolved ownership, not solely economic

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desperation, to ensure that our collective revitalization efforts honor both the physical and human dimensions of historic spaces.

The Foundation appreciates the Committee's willingness to engage deeply with these complex issues and stands ready to serve as a continued resource as this dialogue advances. We share the Committee's interest in ensuring that solutions to heirs property and historic preservation challenges strengthen families, stabilize communities, and honor the people whose lives and histories are rooted in these places.

Thank you for the opportunity to testify.
