

## **§3100 LEASING OF CHURCH PROPERTY**

*On November 13, 2002, the members of the United States Conference of Catholic Bishops approved complementary legislation for the implementation of canon 1297 of the Code of Canon Law for the dioceses of the United States. The action was granted recognition by the Congregation for Bishops on May 2, 2007. The President of the United States Conference of Catholic Bishops decreed that the effective date of this decree for all the dioceses of the United States Conference of Catholic Bishops was August 15, 2007. Accordingly, the following policies and procedures shall govern leasing of church property in the Archdiocese of Chicago.*

### **§3101 CONSULTATION FOR LEASES OF GOODS VALUED IN EXCESS OF \$400,000 – ARCHDIOCESAN PROPERTY**

<p><b>3101.1. Policy</b> Prior to leasing of ecclesiastical goods owned by the Archdiocese, the Archbishop must hear the Archdiocesan Finance Council and the College of Consultors, when the market value of the goods to be leased exceeds \$400,000.</p>
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#### ***Procedures***

- a) The term “prior to leasing” throughout these policies does not necessarily require review of the terms of each individual lease, but may be understood to refer generally to the suitability of whether or not to lease the property or goods in question.
- b) The “market value” mentioned throughout these policies is determined by the Director of Finance in accord with normally accepted professional practices.

### **§3102 CONSENT REQUIRED FOR LEASES OF PROPERTY VALUED IN EXCESS OF \$1,000,000 OR FOR DURATION OF THREE YEARS OR LONGER – ARCHDIOCESAN PROPERTY**

<p><b>3102.1. Policy</b> Prior to leasing of ecclesiastical goods owned by the Archdiocese, the Archbishop must obtain the consent of the Archdiocesan Finance Council and the College of Consultors when the market value of the property to be leased exceeds \$1,000,000 or the lease is to be for 3 years or longer.</p>
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**§3103 CONSENT OF ARCHBISHOP REQUIRED FOR LEASES OF GOODS VALUED IN EXCESS OF \$100,000 OR FOR DURATION OF ONE YEAR OR LONGER – PROPERTY OWNED BY A PARISH OR OTHER PUBLIC JURIDIC PERSON SUBJECT TO THE ARCHBISHOP**

**3103.1. Policy** The valid leasing of ecclesiastical goods owned by a parish or other public juridic person subject to the governance of the Archbishop requires consent of the Archbishop when the market value of the goods to be leased exceeds \$100,000 or the lease is to be for 1 year or longer.

***Procedures***

Approval for leases involving ecclesiastical goods owned by a parish or other public juridic person subject to the governance of the Archbishop should be requested through the Archdiocesan Office for Real Estate.

**§3104 NIHIL OBSTAT OF ARCHBISHOP REQUIRED FOR LEASES OF PROPERTY VALUED IN EXCESS OF \$1,000,000 OR FOR DURATION OF THREE YEARS OR LONGER – PROPERTY OWNED BY A PONTIFICAL INSTITUTE OF CONSECRATED LIFE OR SOCIETY OF APOSTOLIC LIFE**

**3104.1 Policy** The valid leasing of ecclesiastical goods owned by a pontifical institute of consecrated life or society of apostolic life requires, in addition to the consent of the competent major superior and council, the *nihil obstat* of the Archbishop when the market value of the property to be leased exceeds \$1,000,000 or the lease is to be for 3 years or longer.

***Procedure***

The Archbishop's *nihil obstat* for leases involving ecclesiastical goods owned by a pontifical institute of consecrated life or society of apostolic life should be requested through the Archdiocesan Office for Canonical Services in consultation with the Office for Religious.

**§3105 CONSENT OF THE HOLY SEE FOR LEASES OF GOODS VALUED IN EXCESS OF \$5,000,000 – PROPERTY OWNED BY ANY PUBLIC JURIDIC PERSON**

**3105.1. Policy** The valid leasing of ecclesiastical goods by any public juridic person requires the consent of the Holy See when the market value of the goods exceeds \$5,000,000.

***Procedure***

Requests for the approval of the Holy See for leases in excess of \$5,000,000 involving ecclesiastical goods owned by any public juridic person subject to the governance of the Archbishop should be requested through the Archdiocesan Office for Canonical Services.