

Diocese of Huron
Land and Property Subcommittee
Procedure for Sale of Rectories

When the Rector and the Parish Council have agreed that it would be wise to sell the Rectory after consultation with the Archdeacon regarding the viability of this action and the Bishop's approval, the following procedure should be followed:

1. Two appraisals or informal evaluations should be obtained from a Real Estate Appraiser outlining the value and sale-ability of the property. Appraisals should be reviewed by the Wardens and Parish Council.
2. If the Rectory is adjacent to the church and the property has to be severed, the parish needs to determine the legal aspects and related costs of severance and zoning issues.
3. All outstanding costs: mortgages, capital expenditures, outstanding liens etc., should be established. New anticipated annual costs should also be estimated and documented along with reasons for sale.
4. The location of the deed should be discovered (i.e. Parish archives or Diocesan archives or the local lawyers office).
5. A Vestry meeting should be called (two weeks notice required) and the Parish Council motion to sell, be presented to the congregation. This motion should include authority for the Parish Council to proceed with the sale at current market value. A motion by Vestry for the Parish Council to sell the Rectory should include a request to Diocesan Council to use the income for housing allowance and any request to Diocesan Council to use any portion of the sale proceeds for uses other than investment. It is normally encouraged that all proceeds from the sale are invested with the Diocesan portfolio (Canon 15), but the parish may, if Diocesan Council approves, have sufficient financial management skills and resources to invest locally with confidence of a good return.
6. If the Rectory is part of a multiple point parish the Bishop and/or Archdeacon need to be involved in the process to address pastoral concerns of all points. If the Rectory has been purchased and/or *maintained by more than one point, the division of the proceeds and any related income should be determined and agreed upon by all points before the sale is authorized. All churches in the parish with a capital interest in the Rectory must also hold a Vestry meeting to approve the Rectory sale.
 - The word maintained does not refer to operating costs (i.e. heating, light, taxes etc.), but to shared capital purchase, repair and major renovation costs.
7. Minutes of the Parish Council meeting(s) and the Vestry meeting(s) should be sent to the Archdeacon and to the Bishop for presentation to the Diocesan Council.
8. Once the Diocesan Council approves the request to sell, then the house may be advertised for sale by the parish or listed by a reputable real estate agent for a fair selling price.

9. When an acceptable offer to purchase is received and accepted by the Parish Council, the transfer of deed must be signed by the signing authorities of the Incorporated Synod of the Diocese of Huron, as owner in trust for the parish (Canon 14). The offer and final sale agreement must be reviewed by the Diocesan lawyer prior to signing.

10. If the sale of the rectory is to the Rector, then the agreed price should be confirmed after two independent real estate appraisals have been received.

Revised July 2003