

**DISPOSITION OF REAL PROPERTY  
(BY SALE, LEASE, MORTGAGE, GIFT OR OTHERWISE)  
AND DEMOLITION OF BUILDINGS**

**Purpose**

Policy A-3 assists applicant Corporations by ensuring that their real property dispositions and demolitions are well thought through. (Real property means land and things attached to land.) It helps the Bishop and Synod discharge their legal responsibility to ensure that such actions further the mission of the Church and are otherwise prudent.

**General**

1. This Policy applies to **Parish Corporations**, the **Cathedral** and the **Synod** itself (referred to herein as Corporations) when disposing of any interest in real property or demolishing buildings.
2. When a Corporation proposes to demolish a building (whether deconsecrated or never consecrated), it informs the Synod Property Committee in writing, outlining its rationale for the proposed demolition. The Property Committee passes its recommendation to the Finance Committee and the Bishop, who grant or withhold permission.
3. The **Anglican Church Act** provides that no Corporation may dispose of an interest in real property without the consent of the Bishop and the Synod. **Disposing of real property** means any form of disposition, including by sale, lease, mortgage, gift and grant of right of way.
4. Where a disposition takes the form of a **mortgage** of real property and the mortgage is **part of a purchase transaction** with mortgage financing, the applicant Corporation need comply only with [Policy A-9](#).
5. Appended to this Policy is an application form that Corporations complete when seeking Synod consent. Applications are transmitted to the **Property Committee**. The Property Committee examines them in appropriate detail and then passes the file and its recommendations to the Finance Committee.
6. Acting on behalf of the Synod, the **Finance Committee** reviews the application and the Property Committee's assessment and grants or withholds the Synod's consent to the proposed disposition. On occasion, the Finance Committee may refer the matter to the Diocesan Council.
7. The same application package considered by the Finance Committee on behalf of the Synod is considered by **the Bishop**. No separate application for the Bishop's consent is necessary.
8. Corporations must take care not to commit themselves legally to a transaction involving disposition of an interest in real property before the required consents from the Synod and the Bishop are in place.

### **Application Process and Requirements:**

1. Where the applicant is a Parish Corporation, it writes the Territorial Archdeacon to explain what is to be proposed.
2. Where the application is for permission to **list a property for sale** or to sell property **at a price already tentatively agreed**, the Corporation completes the form set out in [Policy A-3 Appendix A](#).
3. Where the application is for permission to grant a **lease, mortgage or right of way or to make a gift**, the Corporation completes the form set out in [Policy A-3 Appendix B](#), adapting it to the particular transaction as necessary.
4. Applications for approval are submitted to:

Property Committee  
Diocesan Synod of Fredericton  
168 Church Street  
Fredericton NB E3B 4C9

or

property@anglican.nb.ca

Adopted  
September 2003  
Revised  
September 2020  
December 2020