



SASKATCHEWAN
CONFERENCE OF
MENNONITE
BRETHREN
CHURCHES

Real Property Transfer Proposal

Beginning with some early research completed by Mike Zwarich in 2019, the Ministry Support Team (MST) has been promoting the idea of testing with the SKMB the idea of transferring all real property assets of the Conference into the hands of the local congregation or camp who use and manage those properties. This is an idea that has been debated for several years and the MST would again like to bring this forward.

Currently, virtually all real estate owned & used in the provincial Conference is titled with the SKMB – including church buildings, church manses, camp property, cemeteries, etc.. These assets are daily used, managed, and maintained by the local body even though ownership rests at the Conference level. Though the origins of this approach to property ownership are not clearly articulated in writing, the foundations of our denomination in eastern Ukraine began with the very first cluster of Mennonite Brethren “church houses” around the Molotchna Colony understood as being owned “in common,” likely influenced by the circumstances of the day where property ownership was a divisive reality in a place where sovereign land grants were contested between the “Mennonite settlers” and local “Cossacks”. This idea of communal asset ownership, rooted in our understanding & application of Acts 2:44, also migrated to Canada as the MB Church became established in Saskatchewan.

The implications of this approach to collective property ownership are not insignificant 150 years later, and half a world away. Today, if any congregation wishes to buy, sell, apportion, mortgage, or otherwise affect the title to the building they pay for and manage, permission and execution must be granted by the Conference. Likewise, local congregations are expected to include the Conference as a named co-insured on all CGL and Property insurance policies even though the Conference does not contribute to the cost of these policies. The Conference does not provide financial support to maintain these buildings nor to ensure their ongoing viability. All these duties rest with the local body. Lastly, we suspect every congregation & camp lists their real estate assets on their annual financial statements even though they are only “at will tenants” and not owners. Even our provincial Conference financial statements are technically inaccurate in that they do not list the millions of dollars in property assets legally owned by the SKMB. It is a beautiful and theologically sound approach to a “common purse” that may have outlived its practical application as our world has gotten increasingly complex, driven by legal documentation and processes.

One should also understand that there is a significant liability risk in our present “common purse” structure. If, for example, a successful legal action is brought against a member church, all member churches become responsible for damages if the named church in the legal action cannot cover the award. The legal counsel for the B.C. MB Conference has strongly argued that BCMB move in the direction we are proposing because of legal liability risk exposure.

The MST is inviting the Conference, through all her delegates and owners, to consider whether the time has come to alter our central property ownership reason for being a body in common in favour of a theological and relational purpose. We believe the “Common Understanding – Common Covenant” discussion and adoption provides a perfect opportunity to revisit the way we hold real estate. We invite the Conference to test the idea of dispersing all real estate to the local faith community or camp who actually use and manage those properties. This would involve each congregation or camp becoming legally incorporated (if they are not already) so they can actually hold title to their property. Though incorporating a Charitable Not-For-Profit (CNFP) with Information Services Corp. SK (ISC) is not an overly difficult exercise, we recognize the Conference may be required to offer technical support to help congregations ensure their bylaws and other documents are appropriately up to date so as to create a corporate entity under which they will receive their real estate assets. Consideration will also need to be given to aligning naming conventions between any newly incorporated CNFP and existing registrations with the Canada Revenue Agency for Charity & GST accounts. Again, the MST understands there may well be supports required for such a transition across the province and are willing to work with Conference members to make such a transition if approved by the delegates at Assembly.

Our proposal would be for this idea to come to the Assembly in spring 2023 and, if approved, to execute all necessary transactions by late 2023 or early 2024. In advance of this idea coming to the spring 2023 annual Assembly, we are introducing the idea as a topic of discussion and early discernment at our November Leadership Forum. We will have several subject matter experts on this subject (legal, financial, insurance) in attendance at the Leadership Forum and encourage forum participants to come with whatever questions, affirmations, or concerns they may have.

We believe this is a decision that needs to be made and owned by the provincial body and invite our leaders and delegates to begin praying about whether this is an idea whose time has come.

Blessings,

Scott Siemens

Chair - Ministry Support Team