

## **C-1 Amend Canon 15.4 - Sales or transfers of property owned by the Bishop**

Amend Canon 15.4 as follows:

Section 4. The Bishop, or Ecclesiastical Authority, is hereby authorized to acquire by deed, devise, gift, purchase or otherwise, any real property for use or benefit of the Diocese. Property so acquired shall be held and transferred by the Bishop or the Ecclesiastical Authority of the Diocese in accordance with the provisions of Section 57-16 of the Code of Virginia (1950), as from time to time amended, provided that no such real property shall be alienated, sold, exchanged, encumbered or otherwise transferred for any purpose by the Bishop or the Ecclesiastical Authority without the advice and consent of the ~~Trustees of the Funds of the Episcopal Church in the~~ **Standing Committee** of the Diocese of Virginia ~~or the Executive Committee of such Trustees,~~ unless prohibited by the instrument by which title to such property is acquired. The Executive Board shall have the care of the Episcopal Residence and other property held by the Bishop or the Ecclesiastical Authority of the Diocese for which no other custodians are provided and the Bishop or the Ecclesiastical Authority of the Diocese may delegate all authority with respect to such property, save and except the right to hold, transfer or encumber title to real property, to the Executive Board.

Rationale: Under Canon 15.2, the Standing Committee gives its advice and consent to the Bishop's approval of the sale, encumbrance, &c. of property owned by churches. Canon 15.4 is the parallel canon for the sale, encumbrance, &c. of property owned by the Bishop, but Canon 15.4 requires the advice and consent of the Trustees of the Funds. Although the Trustees have faithfully performed their duties under Canon 15.4, this amendment proposes to amend Canon 15.4 to require the advice and consent of the Standing Committee for the sale, encumbrance, &c. of property owned by the Bishop.

Canons 15.2 and 15.4 are part of the checks and balances in our Canons. The Trustees of the Funds are a related organization which is focused on providing investment services to the Virginia Dioceses and their churches and organizations. The Standing Committee is a Constitutional body (Article XV) whose members are directly elected by Convention, which I believe makes it a more appropriate body to provide advice and consent to the Bishop on dispositions of property. In addition, having one body provide advice to the Bishop on both dispositions of property owned by churches and by the Bishop should provide more consistent and efficient advice to the Bishop. The Standing Committee has indicated its willingness to perform this additional task if this amendment is adopted.

Submitted by:

J.P. Causey, Chancellor