

\$135 MILLION ACCORD

Poor here get housing aid

By PHIL FAIRBANKS

News Staff Reporter

More than \$135 million in new federal housing assistance, most of it in rental subsidies for the poor, will come into Erie County because of a landmark court settlement.

The settlement, filed Tuesday in federal court, is designed to give poor, minority families a greater choice of places to live, whether in Buffalo or its surrounding suburbs.

Under the agreement, the county will receive 1,550 new housing vouchers that can be used by low-income families to rent private housing in any city neighborhood or suburb.

Lawyers for the poor estimated the value of the subsidies at \$105 million. The vouchers are good for 15 years.

"We've had clients who would cry when they were told public housing was their only option," said Michael Hanley, a lawyer with the Greater Upstate Law Project in Rochester. "This is a breakthrough opportunity. People will finally have choices."

The settlement also provides for up to \$30 million in federal money to demolish and redevelop vacant public housing units at three inner-city complexes.

City Hall will contribute another \$7 million for use in upgrading and redeveloping Frederick Douglass Towers.

The agreement ends a 7-year old lawsuit that charged city and suburban housing officials with operating a system tainted by discrimination and segregation.

See Settlement Page A4

A LANDMARK HOUSING CASE

What it means for Erie County

- \$105 million in new rental subsidies for low-income, minority families in Erie County
- Up to \$30 million to upgrade three inner-city public housing complexes
- Construction of 50 new public housing units in upper-income city neighborhoods
- \$7 million in city funding to improve Frederick Douglass Towers
- \$3.5 million in city and federal money for a new, centralized housing referral agency
- Use of existing, suburban rental subsidies for minority families

Settlement: Class action suit resolved by HUD's action

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"Let me tell you, it's been worth the wait," said James M. Morrissey, executive director of the Western New York Law Center.

The lawsuit is believed to be the last of 19 civil rights cases settled by the Clinton administration. In the end, it was the U.S. Department of Housing and Urban Development that pushed for a quick resolution to the suit.

Lawyers from both sides described the settlement as unique because it goes beyond traditional public housing projects. At the heart of the agreement are Section 8 vouchers, a federal subsidy for poor families who rent private housing.

Unlike others, this agreement is also voluntary. Low-income families will not be forced to move, but they will have more options on where to live.

The settlement, which is still subject to changes by the court, would:

- Provide 1,550 new rental subsidies for low-income families. The subsidies, or vouchers, can be used in Buffalo or its surrounding towns.

- Give Buffalo an edge in the competition for new public housing aid from the federal government. The city is expected to ask for up to \$30 million.

- Create a regional referral agency known as the Community Housing Center to prevent the practice of "steering" minorities to specific projects and programs.

- Require the city to spend \$7 million on improvements to Frederick Douglass Towers, the city's largest housing complex.

- Create 50 new public housing units in city neighborhoods that do not have a high concentration of poor families.

Filed in 1989, the class action suit never sought to integrate public housing. The intent was simply to provide poor people with more housing choices.

- The agreement hits hardest on the county's two Section 8 agencies — the Rental Assistance Corp., which oversees subsidies in the city, and Belmont Shelter Corp., which operates a similar program in the suburbs.

The original suit argued that Belmont discriminated against mi-

norities by adopting a local preference policy. That meant a suburban applicant would always receive a subsidy before someone who lived in Buffalo.

In October of 1994, Belmont stopped using the local preference policy.

The settlement also may provide new city and federal funds for four public housing complexes in Buffalo.

Three of the complexes — Commodore Perry, A.D. Price and Lakeview Homes — will undergo improvements as part of a redevelopment plan that still needs to be worked out by both sides in the case.

Money for the projects may come from a new federal housing program. By settling this case, lawyers expect Buffalo to be given a strong preference when the money is allocated by the federal government.

A fourth public housing complex — Frederick Douglass Towers — will be upgraded over the next five years with \$7 million in funds from City Hall.

Hanley said the alternative at all four complexes could have been widespread demolition and a loss of housing for the poor.

HUD officials said the defendants — HUD, the Buffalo Municipal Housing Authority and the two Section 8 agencies — came together at their urging* to work out a settlement.

Lawyers for the plaintiffs said the impetus came, in part, from Nelson Diaz, HUD's chief counsel in Washington D.C. Diaz reportedly took it upon himself to resolve the Buffalo suit.

"It's HUD's policy to settle these cases," said James Brylinski, chief counsel for HUD's office in Buffalo.

The settlement ends an on-again, off-again lawsuit that, at times, seemed destined for failure.

"The thing that kept us going was knowing we were right and knowing we had overwhelming proof of discrimination," said Ellen Yacknin of the Greater Upstate Law Project.

The settlement provides for a public hearing so people can comment on the fairness of the agreement. The hearing will be held at 10 a.m. Sept. 5 in U.S. District Court in Buffalo.

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Buffalo gets rid of a lawsuit and gains better housing, too

End of class action makes city more winner than loser

THE COMPROMISE settlement of a local housing lawsuit has much worth commending. It ends a contentious seven-year-old class action charging discrimination and segregation in public housing and federally subsidized rentals in Erie County.

Buffalo's Municipal Housing Authority was one of the defendants. (The federal government was the other.) But the resolution of the claim makes the city a winner along with the plaintiffs.

Housing opportunities for minorities and poor people are broadened, some public housing projects in Buffalo get much-needed renovation and several Buffalo neighborhoods should be helped.

And these activities occur without radical changes that might well have emerged from the battle.

For instance, while Buffalo public housing projects where whites predominate will receive minority tenants over time, no public-housing tenants will be forced to move out of their homes for desegregation.

Similarly, while the settlement provides for much greater opportunities for minorities to use subsidies for suburban rentals, a great increase in subsidy money will mean that whites on waiting lists will not be displaced.

A real winner appears to be the Buffalo Municipal Housing Authority, the city's public housing landlord, which has a smoother path to seek up to \$40 million in federal money for Commodore Perry Homes and the Lakeview project. They will be renovated to provide lower density and meet modern standards. There will be fewer units, but displaced tenants will be offered a wide choice of places in which to live.

The MHA, aided by \$7 million from the city over five years, will redevelop the Fred-

erick Douglass Towers, a mostly tattered 12-building project at Jefferson and South Division. There will be much demolition, but the agreement provides that no fewer than 310 units will exist when the job is done. That's the number of currently occupied units in the 763-unit complex. Tenants — fond of the place — objected to earlier redevelopment plans that would have displaced some of them. It's good they can stay.

In addition, the MHA will build or acquire 50 units for public housing in parts of Buffalo where poverty is not concentrated.

The city is obligated to provide revitalization plans for the neighborhoods near Perry and Lakeview and must undertake systematic enforcement of housing codes in areas near MHA projects. The provisions recognize that projects do not exist in a vacuum.

A community housing center will be established to provide counseling and referrals about housing and to promote "mobility" for low-income households countywide. It will be a handy way for poor people to find out about their housing opportunities.

The settlement provides a great outpouring of federal money for 1,600 subsidies enabling low-income people and families to move into privately owned rental units where the landlord has agreed to participate. They give poor people a chance to move out of areas of concentrated poverty.

Desegregation is a clear goal, too. It will be promoted by changed MHA tenant placement policies for projects and by new procedures for the subsidized rentals. To date, the great majority of the suburban subsidies have gone to white people while minorities got most of the subsidies in the city. The idea is to break that pattern. It's about time.

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NO-GOOD, LOUSY
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EVERYBODY'S COLUMN

State can make

New York has a chance to turn lemons into lemonade. The federal welfare bill that President Clinton pledged to sign is a lemon for New York State. It slashes federal funding for day care by 9 percent, even though at least 100,000 more children need day care when their mothers move from welfare to work. That to New York will be enormous, will the opportunity.

New York should seize the chance to offer 3- and 4-year-olds a rich prekindergarten program in day care rather than settling for mere custodial care. Early learning is the single best opportunity to help break the cycle of dependence and ensure that children of welfare mothers succeed in school.

New York State studies prove that disadvantaged children who attend preschool are 26 percent less likely to repeat a grade in elementary school and 50 percent less likely to need special education than non-preschool children with similar backgrounds. Even in the fifth grade, preschoolers still outperform other children on state mathematics tests.

Investing in early education brightens futures for children and

Hitting back at a plague of 'johns'

RENTAL SUBSIDIES



RONALD J. COLLERAN/Bufalo New

Glenda and Claude Fletcher are anxious to move out of Commodore Perry Homes after the settlement of a lawsuit filed. New subsidies will allow tenants to find private housing anywhere in the area.

\$135 million settlement would open housing choices for poor in city, suburbs

By PHIL FAIRBANKS
News Staff Reporter

Claude Fletcher is tired of the crime and drugs. He is tired of worrying about his young son. And he's tired of waiting for a new home.

After more than a decade in Buffalo's public housing, Fletcher's wait may be over. He finally might have the chance to leave Commodore Perry Homes and give his wife and son a safer place to live.

"I just want better surroundings and better living conditions for my son," he said. "I feel a lot more hopeful now."

The hope arrived last week in the form of a settlement between local housing officials and lawyers for the poor.

The \$135 million settlement, if approved by the court, will increase the housing choices for poor minority families in the city, many of them in public housing.

At the heart of the settlement is choice. The plan provides low-income families with 1,550 new rental subsidies. The subsidies can be used to rent private housing anywhere in Buffalo or its suburbs. The vouchers are good for 15 years.

"I need to get away from it all," said Mary Alice Ross, a mother of two. "The drug dealers and violence are too much. It's stressing me out."

After waiting four years for a subsidy, Ms. Ross thinks her time has come. She's excited about the prospect of moving from her East Side apartment to her dream neighborhood on Buffalo's West Side.

Over and over again, you hear the same story. Poor minority families eager to move but constrained by long waiting lists and limited options.

No one expects the Buffalo settlement to

"I just want better surroundings and better living conditions for my son. I feel a lot more hopeful now."

CLAUDE FLETCHER
A resident of the Commodore Perry Homes

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Tenants: Prospects include better jobs, schools

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desegregate the city and suburbs, but it may go a long way toward giving families more choices about where to live.

Legal aid lawyers tell of clients who cried after learning public housing was their only option. They finally joined together in 1989 and filed a class-action lawsuit charging public housing officials with operating a system plagued by discrimination and segregation.

"They begged for an opportunity to move to the suburbs," said Ellen Yacknin, a lawyer with the Greater Upstate Law Project. "People want to live outside the city."

The suit was settled last week after seven years, and supporters hailed it as a landmark decision for public housing tenants. The settlement is modeled after a court-imposed desegregation plan in Chicago that started 20 years ago.

The Chicago plan, known as the Gautreaux program, has moved about 6,000 families out of public housing developments into private apartments.

About 70 percent of those families moved to suburbs surrounding Chicago.

"They're real pioneers," said Mary Davis, senior vice president of the Leadership Council for Metropolitan Open Communities, the fair housing agency in charge of Gautreaux.

"It was very hard convincing families to move from inner city Chicago to the suburbs. But what we're offering is more than housing. We're offering people a chance."

People opted for the suburbs because they saw it as a foot in the door to better housing, education and job opportunities, Ms. Davis said.

Others simply wanted to get away from the crime and poverty that permeated their public housing.

"Many of the families I know are no different than you and I," she said. "They want something better for their kids."

A study by Northwestern University found evidence that Gautreaux succeeded. It found improvements in the job experiences of adults who moved out of the city and in the educational prospects for their children.

Encouraged by the results, the U.S. Department of Housing and Urban Development put together a pilot project based on Gautreaux. The project started two years ago in five cities.

In Buffalo, no one is certain how last week's settlement will play out. The experts wonder how many families will move to the suburbs, how many will move to new neighborhoods in the city and how many will stay where they are.

Mary Rogers, a tenant representative on the board of the Buffalo Municipal Housing Authority, thinks people might opt for subsidized housing but most will stay in Buffalo.

"If your friends, family and church are in the city, chances are you'll stay in the city," Mrs. Rogers said.

From the start, the city's concern was the potential for a mass exodus of people from poor neighborhoods. Officials said they stood firm in their opposition to any

plan that would require families to leave the city.

"It was not in the city's best interest to lose a large chunk of people to the suburbs," said Gillian Brown, the housing authority's general counsel.

In fact, the settlement provides for up to \$30 million in federal money to improve public housing by demolishing and redeveloping vacant public housing units at three inner-city housing complexes — Commodore Perry, A.D. Price and Lakeview Homes. The city will contribute another \$7 million to upgrade and redevelop Frederick Douglass Towers.

But the bulk of the settlement — \$105 million — consists of vouchers, and that allows for people to move wherever they want. They also can stay in their neighborhood.

In Chicago, families who took part in the settlement were required to move into predominantly white or racially "mixed" neighborhoods in the city or suburbs. Over the past five years, the choice has been limited to the suburbs alone.

Despite the differences, Ms. Davis thinks minority families in Buffalo might opt for the suburbs.

"The key is making sure families understand they have options," she said.

Lawyers for the poor agree and point to a key element in Buffalo's settlement — a \$3.5 million housing referral agency that will offer counseling on everything from child care to job opportunities.

"This lawsuit wasn't about ending segregation," Ms. Yacknin said. "Our lawsuit was simply about giving minority families an opportunity to live wherever they want."