

UNITED NEIGHBORHOODS INTERTWINED FOR TOTAL EQUALITY

COMMITTEES

Communications
Cultural Appreciation
Community Development
Community Services
Education
Employment & Job Training
Fiscal Affairs
Health Services & Facilities
Housing & Rental
Human Services
Legal Assistance
Legislative
Membership
Public Relations
Utilities
Ways & Means
Youth

December 11, 1980

Judge Crowley
U.S. District Court
Northern District of Illinois

Re: Proposed Consent Degree of plaintiffs' claims
against Gautreaux V. Landrieu.

Speaking on behalf of class members who are in the membership of United Neighborhoods Intertwined for Total Equality (UNITE), a minority Chicago metropolitan research and consultant organization, I, Jean Oden, Executive Director wish to comment as to whether the named Consent Degree is fair, reasonable and adequate.

First, let UNITE commend this court in granting class members the opportunity to be inform of this Decree and to comment. It is a respect extended to class members that unfortunately has been lacking by DHUD, Mr. Polikoff, The Leadership Council for Metropolitan Open Communities, Fair Housing Network and NIPC in the decade since the original order was given. In recognition of this court's intent, UNITE wishes to inform the court of circumstances that dilute the court's obvious wishes to have class persons informed and speak on this issue before the final order.

1. There was not sufficient time given to class members to seek counsel and study implications of the Consent Decree upon their lives.
2. Inadequate system of distribution of notices resulted in thousands of class members living in public housing units not receiving the summary notices or only getting cards which did not have information of the decree, which is why many came to the Leadership Council's meeting with misunderstanding of the purpose of the gatherings.
3. The cost of the copies of the proposed Decree was beyond the financial means of the class members, thus establishing a barrier to access to thousands who could not attend the informational meeting or come to the court file room. It would have been helpful to have had copies available at convenient neighborhood locations.
4. At the file office of this court, UNITE was not permitted to sit at a table with the decree to study the provisions in the 100 page document. Therefore, we are unable to fully give comment on many provisions of the Decree.

UNITE

"Equal access to America societal benefits, facilities and services"

Of those provisions which we read in the Decree summary notice, we would like to comment on the following.

A. Decree Provisions

1. Housing Location (Chicago)

UNITE would like to see a clarification of written language in regard to concept and intent involving the availability ratio of housing units in the General, Limited and Revitalized areas. Because UNITE is committed to open housing based on freedom of choice, we oppose the concept of any area, whether the population is racially majority or minority, to be designated as Limited. However, because we realized there has to be a measurable basis to determine compliance with equal opportunity laws, we suggest a ratio that will clarify intent, provide a measurable determinant for compliance and yet bring the three-area designations under the intent of the original court order which dealt with two designated areas, established by the discriminatory placement solely in the black area of the city while limiting to zero in many cases placement in the white communities.

The statement on housing location should read as suggested: "To increase housing choice throughout Chicago, Section 8 new construction and existing non-elderly housing must be located as follows: not less than one-third of the units of each type of housing allocated to the city in any year must be in the "General Area", which includes predominantly non-minority neighborhoods, and not more than one-third of the units of each type of housing may be in the "Limited Area", which includes predominantly minority neighborhoods. From 1/3(one-third) to two-third of the units of each type of housing may be located in the "Revitalizing Area," which includes those Chicago neighborhoods with substantial minority population and undergoing substantial physical development. The one-third to two-third ratio in the Revitalizing Area should be related directly to the availability ratio in the General Area of Chicago".

This suggestion we think will open housing and better environmental options within the city recognizing the desires of those class members who want improved housing conditions and the convenience of city facilities, while avoiding the over-placement in minority communities or revitalized areas. Such a formula not only prevents discriminatory placement, expands options for the exercise of freedom of choice, but also allows observance of the following laws and regulations involving community block grant funded projects.

- a. 1977 Housing and Community Development Act Amendments, 42U.S.C. 5304(a)(4)(c) and 24C.F.R.570.304(b)(2)(v) which requires that neighborhood revitalization assisted with block grant funds must provide "a reasonable opportunity for residents displaced as a result of activities to relocate in their immediate neighborhoods."
- b. Sec.(104) as reported in S. REP. NO. 95--175, 95th Cong., 1st Sess.8(1977), which requires that the Housing Assistance Plan of each locality include specific programs to provide displaced residents with opportunities to relocate within their neighborhoods, and to ensure that existing residents

- c. 240.F.R.570 304(b)(2) which require that adverse effects as a result of neighborhood revitalization activity must be mitigated.

2. Housing Location(Suburban Areas)

The study of the Gautreaux Demonstration Project of the Leadership Council showed that many complaints centered around the distance from the city, transportation and in some cases lack of convenience supports. Therefore, it is suggested that limitations on suburban placements be based on a criteria which takes into account the necessary needs of the poor including public transportation, thus increasing opportunities to access of improved living conditions.

3. Size Requirements

Unless there is an increase of housing options with sufficient bedrooms for large families, these families will still face discrimination and denial of opportunity. UNITE submits the figure of 15% to fully accomodate the percentage of reserved apartments(6%--12%)for eligible Gautreaux families and allow at least 9% to 15 %increased availability for other low-income persons. Where projects have 31 or more assisted non-elderly units, at least three of the units included in the 15% will be required to have at least four bedrooms. This suggestion, we think will satisfy the intent of providing equitable option in city and suburban areas.

4. Availability of housing to eligible persons.

Since all 350 extra new and substantial rehabilitation units will be counted toward the 7,100 units once they are occupied, it should be specified that they are counted on when occupied by eligible persons or class members or other minority low-income persons.

- B. The role of the Leadership Council for Metropolitan Open Communities (Leadership Council)

UNITE opposes the role of the Leadership Council as defined in this degree for the following reasons.

1. There is a national controversy concerning the policy of spacial deconcentration as it has been administered by DHUD and Fair Housing groups under the guise of promoting equal opportunities in housing. UNITE and other minority groups have taken their concerns to the federal level regarding methods used which interfere with freedom of choice in housing, the exclusion of low-income persons affected from advisory or management positions in relationship to programs, the contemptuous regard of these persons' needs in placement selection, the stigma of inferiority placed upon these persons by agencies involved in assisting them in locating housing, the discriminatory steering of them into certain areas not based on choice or meeting their needs, but the concern of white residents and the prevention of white flight.
2. The Leadership Council is a front for white corporate structures who believe in the spacial deconcentration theory based on Anthony Down's theories of maintaining white majorities and by population control. Thus, persons of low-income means and black would be subjected to their philosophy.

3. The Leadership Council has permeated the entire Fair Housing network with this philosophy and has assisted suburban communities in the western and southern suburbs to establish controls which are based on benign quotas of blacks entering those communities.
4. The Leadership Council organization itself has a structure which relegate minority employees to middle or lower decision making positions and its board is composed of minorities who are in the "elite" class, occupy high positions in the corporate structure or has relationships with the corporate structure and in no case represent the class members or their interests.
5. The lack of understanding of the Leadership Council in dealing with class members and their right to a voice is demonstrated by the incidents on Wed, Jan. 7, 1980 when persons in attendance at the information meeting emphasized their dissatisfaction with the information given rather loudly and walked out of the meeting. Persons who attended on Thursday were greeted with the spectacle of uniformed police at the meeting. If the Leadership Council is afraid of these class persons, how can they adequately work with them in their interests?
6. A consent decree should not be used to establish a monopoly of a contract which involves millions of dollars of Community Block Grant funds, thus allowing the by-pass of the usual procedures of citizen participation in the granting of these funds. Open bidding should be available so that minority organizations with class members on board and staff and understanding of unique needs could compete for access to public funds to assist class members and not use them for manipulation according to a discriminatory philosophy.

Because of concerns given and the fact that many class members were not a party to the original suit, discussions prior to the present agreement, little time to study the Consent Decree and yet affected greatly by the availability of housing options, class members who are in membership with UNITE has requested UNITE to petition the court to have UNITE established as a monitoring agent for this court to oversee the implementation of the Consent Decree when approved by this court, thus giving them and other class members greater protection of their interests and civil liberties. Because of the conflict of interests that exist with the interrelationships of Attorney Polikoff, Leadership Council for Metropolitan Open Communities, Fair Housing Network and DHUD which as a federal agency has established a track record of discriminatory policies in regard to black citizens and disregard of rights of black citizens, even to refusing to process complaints, it is urgent that an independent party be admitted to this decree.

UNITE is a metropolitan organization with knowledge of suburban condition as well as city conditions, class members on the board and volunteer staff, track record with NIPC in concerns relating to the low income housing area, track record as a spokesperson for rights of low income persons, channels to Congress and policy makers in housing and other civil liberties organization and the experience and structure to assure the court that its Decree will be administered so as to be fair to all, reasonable for and to all and adequate to carry out the intent of the court. The chief counsel for UNITE is Turner, Ward & Associates who can assist with legal interpretations of the decree.

Thank you,