

**A STUDY OF BLACK INNER CITY HOUSING  
PROBLEMS 1960-1972 (IN MAJOR U. S. CITIES)**

**BY**

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A STUDY OF BLACK INNER CITY  
HOUSING PROBLEMS  
1960 - 1972  
(In Major U. S. Cities)

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A Research Paper  
Presented to  
the Faculty of the Graduate School  
Austin Peay State University

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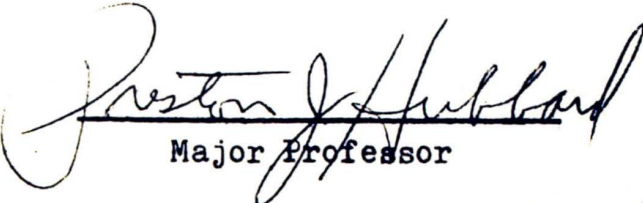
In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts

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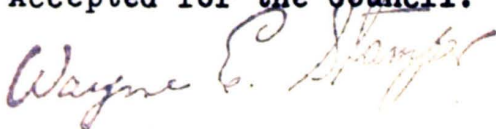
by  
Charles Ellis Bush  
January, 1976

To the Graduate Council:

I am submitting herewith a Research Paper written by Charles Ellis Bush entitled "A Study of Black Inner City Housing Problems." I recommend that it be accepted in partial fulfillment of the requirement for the degree of Master of Arts, with a major in History.

  
Major Professor

Accepted for the Council:



Dean of the Graduate School

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## Chapter 1

### INTRODUCTION

Most Americans have no conception of the filth, degradation, squalor, overcrowding, personal danger and insecurity which millions of inadequate housing units are causing in the nation's cities. These are wretched buildings with families herded and compressed within. They are sharing their tortured space with rats and cockroaches. These housing units are afflicted with leakage of sewers; accumulations of open garbage; broken or rotted beams; defective plumbing; holes in the floors, walls and ceilings. The inadequate heat permits icy blasts of winter to freeze the water supply or permit hot clammy weather to enter during the summertime.

The social cost of ghetto housing in the inner city is enormous. Crime and juvenile delinquency are rampant. City streets become very dangerous at night. For millions of city dwelling children, the inner city is an asphalt jungle.

Most people have no idea of what bad housing is really like. They have not smelled the stench of sewage and garbage or dead rats which decay behind the walls. They have not seen the rotting floorboards and stair cases or the unbelievable filthiness of the bathrooms. Until one has seen some of these conditions one can only imagine what it is like. Usually one's imagination does not do justice to reality.

Although not all inner city ghetto houses are this bad, many of them are and some are even worse. Many inner city houses are not homes. They are just what the name implies--houses.

The cities face a critical shortage of housing of the low and middle income families. Many times where there is housing available the cost is too high or the house is too deteriorated to live in.

These are just a few of the problems that exist throughout the United States, particularly in the Nation's inner cities. The author, throughout his research, has been unsuccessful in finding a solution to these growing housing problems.

The purpose of the author's research and this paper is to enlighten those people who have no idea of the conditions some United States citizens live under each and every day.

In city after city, the same problems can be found. In some cities they are worse than others.

The problems contained in this paper confront poor blacks and whites alike in most of the Nation's inner cities.

One must realize that when the inner city becomes fifty percent non-white the remainder consists of many poor whites. Although this paper is entitled Black Housing Problems, it could just as well be entitled White, Spanish, Puerto Rican, etc., Housing Problems.

Due to the color line, Blacks are more likely to remain in the inner cities all their lives while poor whites have a better chance of moving out.



This paper does not take a nation wide city to city account of problems; yet all the problems mentioned are common occurrences in almost every major inner city in the United States.

## Chapter 2

### BRIEF HISTORY OF THE FEDERAL GOVERNMENTS INVOLVEMENT IN HOUSING TO 1960

To understand the housing problems of United States inner cities, one must first get acquainted with the Federal Governments involvement in the Housing Programs. For without the Federal Government's early and continuous involvement there would not be so many laws concerning housing in the state statutes today.

The complex and many-faceted role of the Federal Government in housing had its origin basically in a single great event: the collapse of the housing economy during the Great Depression of the 1930's. The crisis which resulted from the collapse began a series of Governmental initiatives which have followed one upon another in the years since.

The history of the Governments role from 1931 through 1972 is intricate and tangled. However, it is possible to construct a somewhat systematic account of the reasons, rationales, or motivating forces behind the various housing initiatives and thereby throw some light on the forms in which those initiatives were cast.

During the authors research three broad areas of concern that have guided Government actions in the housing field have been discovered and are as follows:

- (1) The recognition that it had a responsibility to maintain and promote economic stability;

(2) A Social obligation to help provide for those in need; and

(3) An emerging interest in how the country's communities developed.

These concerns developed gradually as a result of the economic chaos that accompanied the Depression, replacing earlier notions that the proper role of government was minimal interference in the way the market place operated. In reaction to the economic crisis, the Congress and the Executive Branch of the Government developed their separate themes which have evolved through the years into a body of policy and programs with specific themes and sub-themes that in many cases have lost touch with original objectives.

The Government's recognition of its obligations to the social needs of the nation, especially to the disadvantaged, has expressed itself in a variety of ways in Federal housing policies. An example is the belief displayed in Government policy, since the beginning of its housing activities, that homeownership is a valid objective of public policy in and for itself. Thus, making homeownership available to the widest range of family incomes has been a continuing goal of Government policy. Where the poor are concerned, it has long been recognized that shelter is as basic a need as food. Many efforts have flowed from this recognition (some successful and some not so successful) such as public housing, rent supplements, the rental and homeownership interest subsidy programs, and others.



The history of the development of the Federal Government's present role in the housing field is very important. Some of the complexities and other features of existing legislative authorizations for Federal housing programs are described in the following pages.

Since President Theodore Roosevelt appointed the first Presidential Commission to evaluate slum conditions in 1908, presidential panels have developed into a prime source of housing recommendations and policies.

The Roosevelt Commission reported to the President and recommended.

"A little government aid extended to these unfortunates (District of Columbia slum inhabitants) in the form of a loan to build them habitable dwellings would tend immensely toward their uplifting and improvement. All unsightly and insanitary property should be condemned and purchased by the government, improved in a uniform manner and inexpensive and healthful habitations erected for the poor who could rent or purchase their homes on installment plans at low rates of interest."

For some unexplained reason, it would take ten years before the Federal Government began to lay the ground work for the first American housing program. During World War I Congress decided to act upon the Council of National Defense recommendation to build adequate housing for defense workers. Congress then authorized the United States Shipping Board and Emergency Fleet Corporation to build adequate housing for those people employed in the United States shipyards through loans to subsidiaries of ship building firms.

Congress also authorized a large sum of money for a newly created United States Housing Corporation to build dwellings and dormitory accommodations near defense industries for individuals and families. At the close of the war, these defense housings were either sold or demolished and there was no further Federal activity in the area of housing until the 1930's.

During the 1930's, President Herbert Hoover established a fact finding body to identify the weaknesses and inadequacies of housing and home financing.

In December of 1931, President Hoover addressed the Conference on Home Building and Homeownership. In his opening statements to the Conference President Hoover seemed confident that sentiment for homeownership was deeply embedded in the American heart. He believed the millions of people living in tenements, apartments and rented rows of solid brick had the aspirations for wider opportunity in ownership of their houses.

The recommendations made by the Conference did not call for increased or new Federal involvement in the national housing market, but the President's initiative in calling such a Conference would have much to do with the housing programs that were to come in the near future. The Conference brought awareness to the nation about the existing inadequacies of home construction and rehabilitation, the need for further research and distribution of information on the subject. The Conference also brought awareness to the crucial problems



of building and loan associations and other lenders arising from the Great Depression and the flaws in foreclosure, zoning and other state and local laws. The impact the Depression had on homeowners was unbelievable; most home mortgages in the Nation were in default; foreclosures were reaching an astronomical rate in late 1931 and 1932; and new mortgage lending and new homes building were sharply reduced.

In response to these problems Congress created three emergency and four permanent institutions to exercise influence over the housing industry. In 1932, 1933 and 1934, these agencies were established in rapid succession: the Reconstruction Finance Corporation;<sup>2</sup> the Federal Home Loan Bank System;<sup>3</sup> the Federal Deposit Insurance Corporation;<sup>4</sup> the Home Owner's Loan Corporation;<sup>5</sup> the Public Works Administration;<sup>6</sup> the Federal Savings and Loan Insurance Corporation;<sup>7</sup> and the Federal Housing Administration.<sup>8</sup> (FHA)

"Pump priming" was the chief objective of this Depression era legislation. But, while stimulating the economy, individuals could be helped to retain their homes and acquire new housing and private industries could be stimulated to build more housing.

The Reconstruction Finance Corporation sought to give emergency loans to financial institutions that were shaky. Another of its purposes was to pump credit into the economy and even directly to corporations formed solely for the purpose of providing housing for families of low-income or for the reconstruction of ghetto areas.



The Federal Home Loan Bank System was to provide long-term mortgages from the regular and long-term savings of individuals. Simultaneously the Federal Deposit Insurance Corporation provided new and more secure protection for the small depositor to insure his savings were protected.

To try to avoid future panic of homeowners and lenders the new Home Owners Loan Corporation was formed. The basic purpose of this corporation was to create emergency loans on a new long term basis to refinance defaulted and foreclosed home loans. The Public Works Administration's primary function was to create new jobs while at the same time clear slums and construct or repair low-cost housing projects. And finally, a new agency, The Federal Housing Administration (FHA) was created to insure long term home mortgage loans for new construction and rehabilitation of old homes.

During this day and age it is difficult to comprehend what the housing credit market was like before these agencies were created. Many people today, take for granted a private mortgage offering thirty year, low-downpayment loans on homes. But before these eight agencies were created there were almost none, if any at all, private long term, low-downpayment loans.

These agencies dealt primarily with urban affairs. In 1937 the Federal Government also recognized rural housing needs.<sup>9</sup>

Using emergency powers, that is given a President in a war time situation, Franklin D. Roosevelt created the National Housing Agency in 1942. The National Housing Agency centralized all Federal housing authorities under a single administrator for war needs. Nearly one million housing units of defense were constructed under the Lanham Act of 1940 and related acts of the early 1940's. Subsequently, lacking the stimulus of the war effort, the Federal Government abandoned its role of directly supplying housing; it demolished many war time constructed units and sold the remainder.

Enacted in 1941 and 1942 as Sections 603 and 608, the construction of private housing for defense and war purposes was assisted by the first special purpose FHA programs.

These programs provided mortgage insurance on liberal terms to builders providing housing in "critical defense areas;" they were reenacted and made available to veterans after the war ended.

During the war nearly all residential construction, except in defense areas, was shut down. This and the low housing production of the 1930's was compounded by the great number of returning veterans in 1945. As a part of the G.I. Bill of Rights (Servicemen's Readjustment Act of 1944) a new homeownership program was enacted for the Veterans. This act, to date, is the largest program ever enacted for a single target group.<sup>10</sup>

The Housing Act of 1949 was a lengthy series of bills which successively and continuously received the attention of three congresses.

Throughout the early and middle 1940's, both the Executive Branch and the Congress debated numerous ideas for programs to eliminate the slum housing in the Nation's cities. In 1941, a planning agency was proposed for each city. These agencies recommended the development of a local government corporation with authority to acquire, hold and dispose of real property for redevelopment. They also suggested the possible need for Federal financial aid.

From 1945 to 1949 Congress debated the details of a slum clearance program. During this four year period strong support in favor of new housing and slum clearance programs came from the general public. This support was stimulated by the nation wide housing shortage following the war, and from President Harry S. Truman who asked for enactment of comprehensive housing legislation in several strongly worded statements. Many members of Congress, led by Senator Robert Taft of Ohio, were identified with the development and enactment of the new legislation.

The Housing Act of 1949 was supported by both the Republican and Democratic parties. This act contained the clearest statement to that time of a national commitment to housing and reaffirmed the use of private resources, local governmental initiatives and Federal financial assistance in achieving housing goals. The general welfare and security of the Nation and the health and living standards of the people should require housing production and related community development. This could be sufficient enough to remedy



the serious housing shortage by clearing slums and blighted areas. The realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, would contribute to the development and redevelopment of communities and the advancement of the growth, wealth and security of the nation.

The 1949 Housing Act was a commitment on the part of the Federal Government to provide decent living conditions for all citizens and to remove slum conditions. This was an enormous step in the right direction but the act was a commitment without a timetable and without adequate means for accomplishment.

The 1949 Act created the Urban Redevelopment Program (Title I), which later became the Urban Renewal Program. Under Title III it increased the funds available for public housing. The 1949 Act also established new programs for rural housing under Title V.<sup>11</sup>

During the 1950's Federal housing policies became increasingly directed toward meeting the needs of special interest groups such as the elderly and servicemen. This was an era in which the housing goals outlined in previous years were broadened to include not only the removal of slums but also the rehabilitation of existing structures to provide housing for a wider range of people.

In 1953 President Eisenhower created a committee on Government housing policies and urban development programs. The Committee was to review the housing and urban development

programs and make recommendations for changing and eliminating programs or establishing new ones. The President's committee met over a period of months and issued its report in December of 1953. The report recommended the modification and elimination of some programs as well as the creation of some new ones.

The Eisenhower Administration was principally concerned with the large expenditures for bulldozing slum areas. Many times these areas would remain vacant for long periods of time due to problems in getting housing or other redevelopment underway. Taking this problem into consideration, the Eisenhower Committee recommended a redirection and broadening of the scopes of urban redevelopment projects to include the rehabilitation of existing structures. This change was enacted in the Housing Act of 1954 and eliminated the need to "bulldoze" areas where rehabilitation work could be done.

In this connection the name of the entire program was changed to "Urban Renewal." Urban rehabilitation efforts did not work as planned because of sponsorship and financial problems. However, there was general application of urban renewal powers in rehabilitation areas which involved expenditures for improvement of streets, parks, public utilities and other facilities. The 1954 Act also required a community to have a "workable program" for solving its overall development problems as a condition for receiving urban renewal and related Federal aid.

The difficulty of initiating housing construction on a cleared site was another problem taken under consideration by the 1954 Act. Up to this time a redevelopment project site either had to be "predominately residential" before clearance or be redeveloped for predominately residential purposes after clearance. The FHA insurance programs were wholly inadequate to attract credit and sponsors at this particular time.

Taking this into consideration Congress included in the 1954 Act a new mortgage insurance program, known as Section 220, to generate housing credit and production in urban renewal areas. Traditional insurance terms were liberalized in several respects and purchase of the mortgages by the Federal National Mortgage Association was authorized. In later years this program was severely criticized because of two reasons: (1) it produced housing for high income families and (2) it did not produce housing for those people displaced from the area. This program was never intended for low-income or displaced families. The purpose of the program was to provide housing needed in the community which would add to the city's tax base.

By 1954 the lack of adequate housing for the displaced was critical, and there was growing concern for the plight of those affected who were generally minority families.

Accordingly, the Eisenhower Committee recommended a special liberalized mortgage insurance program for housing



displaced families which was enacted in the 1954 Act as Section 221. This new authority required that the housing involved be "programmed" for each area on the basis of the number and income of families displaced by Federal State or local governmental action, and that they receive priority of opportunity to purchase or rent the completed dwellings.

This mortgage insurance program to assist displaced families marked the beginning of concern for adequate relocation of those displaced by slum clearance and other governmental actions.<sup>12</sup>

The remainder of this research paper deals with the years 1960 through 1972.

This paper discusses problems and possible solutions of housing problems through three Presidential administrations.

### Chapter 3

#### HOUSING UNDER THE KENNEDY ADMINISTRATION

During the Presidential campaign of 1960, Mr. Kennedy promised black voters that he could end racial discrimination in the nation's housing by a stroke of the presidential pen, but the stroke was a long time in coming.

Many Blacks became upset because the President, after elected, had not delivered that promised stroke. Some Blacks took to mailing the President pens as sarcastic reminders.

On one Presidential visit to Los Angeles in August of 1961 the local chapter of the Congress of Racial Equality (CORE) greeted President Kennedy with placards reading: PICK UP THE PEN, MR. PRESIDENT.<sup>13</sup>

Since he already had troubles aplenty in trying to get legislation through the House, the President was weary of doing anything more to anger Southern Congressmen. He was also considering that on Election Day 1962, the promised executive order might hurt Democrats in the South more than it would help Democrats in the North.

On the eve of the mid-term elections of 1962, the Republicans had high hopes of reducing the Democratic majority in Congress. Although President Kennedy's personal popularity was high, the Democrats were under several apparent disadvantages. There was unease about the stock market drop, unemployment and the spottiness of prosperity.

With an indefinite number of problems burdening the President he decided to delay the stroke of the pen until after the 1962 mid-term elections. In mid-term elections, the party in power usually sees a drop in their Congressional strength. This was not to be the case in the 1962 elections. In the 1962 Congressional elections, the party in power held its own for the first time since the height of the New Deal in 1934. The Democrats gained seats in the Senate and lost only a few seats in the House.

With the elections out of the way and a new Congress elected, the President finally delivered that stroke of the pen. On November 20, 1962 President Kennedy signed Executive Order 11063. While this order was limited to and applied only to federally assisted housing, it was to begin a chain reaction at the Federal level that would bring recommendations beginning in 1966 from President Johnson to the Congress urging the enactment of a fair housing statute.

The Executive order rejected the recommendations which had been made to President Kennedy in 1961 by the majority of the Civil Rights Commission and instead reflected the lowest common denominator of agreement which all its members, who included three Southerners, had been able to reach. President Kennedy's order barred "discrimination because of race, color, creed, or national origin" in the sale, leasing, rental or other disposition of housing (1) owned or operated by the Federal Government, (2) built with the aid of federal



grants or loans, or (3) financed by FHA or other federal mortgage guarantee programs.

At last a drive to end racial discrimination in federal housing had begun. President Kennedy's Executive Order 11063 was intended to apply to the following:

(1) All new houses and apartments for sale or rent on which the mortgages are to be insured by the Federal Housing Administration.

(2) All new houses for sale on which the mortgages are to be guaranteed by the Veterans Administration.

(3) Any houses that are taken over by the FHA or VA for resale and due to foreclosures on FHA or VA mortgages.

(4) All housing to be built on urban renewal tracts where the Federal Government helps to pay for the land, slum clearance or other costs.

(5) All new public housing to be backed by the Public Housing Administration.

(6) College dormitories to be built with Government loans.

(7) Rural houses to be purchased with loans from the Farmers Home Administration.

(8) Housing for servicemen's families built with federal money or backing.

(9) All housing for the elderly, and nursing homes to be constructed under federal programs.<sup>14</sup>

Executive order 11063 was aimed mostly at builders, developers, bankers, state and local officials. No fine or prison terms were provided for offenders. The order did give officials the use of threat to provide persuasion in cases where non-compliance occurs. This Executive order was considered as a first step in solving racial discrimination in housing.<sup>15</sup>

During the latter portion of President Kennedy's Administration, housing legislation took an evolutionary approach toward meeting the nation's housing needs. New

emphasis was placed on providing housing to special groups such as the poor. Instead of revising the financial ideas as in the 1950's, the Government began a new program of direct and indirect subsidies. The Government also put more emphasis on the 1949 housing goal of a decent home and a suitable living environment for all Americans.

When President Kennedy was assassinated on November 22, 1963, Vice President Lyndon B. Johnson became the President. Mr. Johnson began where President Kennedy left off.

## Chapter 4

### PRESIDENT JOHNSON'S HOUSING POLICIES

On November 22, 1963 President John F. Kennedy was assassinated. The Vice President, Lyndon B. Johnson succeeded President Kennedy and became the President of the United States. After taking office in November of 1963 President Johnson followed up and carried out most of Kennedy's programs.

In November 1964, President Johnson was re-elected as President in his own right by defeating Senator Barry Goldwater of Arizona by a landslide margin.

Goldwater alienated Blacks by the millions when he cast a vote against the Civil Rights Act of 1964 (a measure to ensure equal access to all public accommodations). No one was surprised when Blacks gave President Johnson the majority of their vote. This support was probably the greatest ever given a Democratic presidential candidate by Blacks.

Mr. Johnson became President at a time when more and more Blacks were shouting for equality in all phases of life. Freedom rides, sit-ins and boycotts by Blacks and white liberals, led by able leaders such as Martin Luther King, Jr., were occurring throughout the United States.

The latter portion of the 1960's was a time of turmoil and trouble. The Vietnam War was escalating and Blacks on the home front were demanding to be treated as equals.



During the Johnson Administration more housing laws were created and enacted than ever before. More goals and the means by which these goals were to be obtained were set down in writing. The Nation's housing problems were being brought before the people more than they had ever been in the past. The subsidy programs that were created by President Kennedy before his death were continued in the Johnson Administration.

The Housing Act of 1964 which extended the subsidy treatment given for housing the elderly to families displaced by urban renewal projects also authorized twenty-year three per cent loans to property owners, or tenants in urban renewal areas, to finance any changes that were necessary to make the property conform to the areas local housing codes.

Two new programs were enacted by the Housing Act of 1965 to begin dispersal of the very poor among varied income groups.

One of these programs was the rent supplement program where Federal payments are made to meet a portion of the rent of certain low income families<sup>16</sup> in privately owned housing built with FHA mortgage insurance assistance. Every tenant must pay at least one fourth of his income for rent. At first, this program was proposed for middle income families but Congress changed it to apply only to low income families.

The second new subsidy program enacted in 1965 was the Section 23 leasing operation which became one of the major public housing programs. Under this program, local housing

authorities were authorized to lease units in privately-owned existing structures and make them available to low income families eligible for regular public housing. The usual public housing assistance was made available so the local authority could pay the economic rent to the owner without charging the tenant more than the usual public housing rental.

On September 9, 1965 the Department of Housing and Urban Development Act was passed. This act created the Housing and Urban Development Department, although it was not actually organized until February, 1966. The act was considered as a milestone in housing legislation. The Department of HUD was headed by Robert C. Weaver, a Black man.

President Kennedy had considered creating the Department of HUD and appointing Weaver as its head, but due to Southern opposition, the Department of HUD was not created until President Johnson's Administration took office.<sup>17</sup>

The HUD Act raised the functions of the Housing and Home Finance Agency to cabinet level and consolidated most of the authority in the Secretary of the new department. The new department consolidated most authority under the new Secretary but did not consolidate housing and urban development functions existing in other parts of the Federal Government.

In creating HUD Congress assumed that the general welfare and security of the nation and the health and living standards of the people required, as a matter of national purpose, sound development of the Nation's communities and metropolitan areas in which the vast majority of its people live and work.



As a Senator Mr. Johnson had great influence and he maintained this influence while he was President. Mr. Johnson knew how to get favors from important people and he did this often. When it came to housing legislation President Johnson won some and he lost some.

Many open housing bills were passed by the House of Representatives only to die in the Senate. One such bill was the 1966 Open Housing Bill. The Open Housing Bill passed in the House of Representatives and died in the Senate. One key figure, House Republican Leader Gerald R. Ford (Mich.) opposed the 1966 measure and voiced early opposition to parts of the 1968 Omnibus Housing Bill.<sup>18</sup> Even though President Johnson was an influential man he nevertheless had his problems.

The middle and late 1960's brought about a new broader approach to the housing under supply and other problems of urban areas. A program which became known as "Model Cities" was authorized as the principal provision of the Demonstration Cities and Metropolitan Development Act of 1966.

Under the 1966 Act, the Federal Government was authorized to make grants and provide technical assistance to city demonstration agencies to enable the agencies to plan, develop and conduct programs to improve their physical environment, increase their supply of housing for low and moderate income people and to provide educational and social services vital to health and welfare.

This Act gave cities the broadest discretion ever in developing proposed programs. Although it gave cities broad



discretion it left the final say so in the hands of HUD.

Also in the Demonstration Cities and Metropolitan Development Act of 1966 the new communities proposal was enacted. The new communities program wanted to develop whole new communities as one of the ways of adjusting to the Nation's housing problems and urban congestion. A proposed new community had to be of such size and scope as to make a substantial contribution to the economic growth of the area. This contribution was to be in the form of economies in providing improved housing sites, sufficient housing for people employed in that area, accessibility to industrial and other employment centers and to recreational, commercial and maximum accessibility to any major central city in the area. This development also had to be approved by the local government body.

During the middle and late 1960's the Johnson Administration was plagued by riots in many major United States cities. These riots led to the creation of two Presidential Commissions that were to have a widespread impact on the expansion and redirection of Federal housing policies. In 1967 President Johnson created the National Commission on Urban Problems, known as the Douglas Commission after its chairman, Paul H. Douglas, Senator from Illinois 1948-1966. This commission was to recommend solutions where the efforts of the Federal Government, private industry and local communities could be marshalled to increase the supply of decent low-cost housing. The Douglas Commission's prime recommenda-

tion was to redirect the Nation's housing policy to cover the poor, a group which the commission found had been neglected in the Nation's housing endeavors up to that time.

Also in 1967 the President established a committee on Urban Housing known as the Kaiser Commission, after its industrialist chairman, Edgar F. Kaiser. Their prime objective was to find a way to provide the basic necessities of a decent home and healthy surroundings for every American family imprisoned in the squalor of the Nation's slums. The committee's primary recommendation was the establishment of a ten year goal of twenty-six million new and rehabilitated housing units, including at least six million for lower-income families. This recommendation was to have a profound impact on the shaping of future Congressional actions and Federal policies.

In 1968 the largest housing bill in the Nation's history was signed by President Johnson. One of the many purposes of the Omnibus bill was to help families in the income brackets between \$3,000 and \$7,000 to move into better housing than they could then afford.<sup>19</sup>

The Johnson Administration recommended and the Congress enacted, in the Housing and Urban Development Act of 1968, the housing goal proposed by the Kaiser Commission. Section 1601 of the 1968 act indicated that Congress was aware that the Nation's housing was not increasing rapidly enough to meet the national housing goal, established in the Housing Act of 1949, of the realization as soon as feasible of the

goal of a decent home and a suitable living environment for every American family. In Section 1601 of the 1968 Act Congress reaffirmed this goal.

In that provision Congress declared for the first time a national housing goal in terms of housing units to be produced, and established a time frame for production.



## Chapter 5

### HOUSING AND URBAN DEVELOPMENT ACT OF 1968

The 1968 Housing Act is considered by many as the greatest housing legislation ever enacted by Congress and signed by a President in the housing field.

In the 1968 Act Congress declared for the first time, in writing, a national housing goal in terms of housing units to be produced and established with a time frame for production.

In 1968 the United States Supreme Court in the Jones vs. Mayer decision, outlawed all discrimination in the selling or renting of property on the basis of an 1866 Reconstruction law that said, "all citizens of the United States shall have the same right, in every State and Territory, as is employed by white citizens there of to inherit, purchase, lease, sell, hold, and convey real and personal property."<sup>20</sup>

In the same ruling Congress declared, "Negro Citizens, North and South, who saw in the 13th Amendment a promise of freedom--freedom to go and come at pleasure and to buy and sell when they please would be left with a mere paper guarantee if Congress were powerless to assure that a dollar in the hands of a Negro will purchase the same thing as a dollar in the hands of a white man." "At the very least, the freedom that Congress is empowered to secure under the

Thirteenth Amendment includes the freedom to buy whatever a white man can buy and the right to live wherever a white man can live."<sup>21</sup> The Housing Act of 1968 reaffirmed the Housing Act of 1949 of the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family.

It took the 1866 Reconstruction Act 102 years, before the Supreme Court interpreted and applied the 1968 Act to prohibit a white man from refusing to sell a house to a black man because of his race. During the intervening 102 plus years, the Negro experienced little equality of opportunity in housing, but an insurmountable amount of discrimination and segregation.

The landmark June 17, 1968 Supreme Court decision, Jones vs. Mayer Company, interpreted the 1866 Civil Rights law (guaranteeing to all citizens the right to inherit, purchase, loan, sell, hold and convey real and personal property) to prohibit racial discrimination in the sale or rental of housing.

The Jones decision, however was not a substitute for a comprehensive fair housing law. The decision covered only racial discriminations and not discriminations on the grounds of religion or national origin. The Jones decision did not deal with discrimination in the provision of services or facilities in connection with the sale or rental of a dwelling. The decision did not prohibit advertising or other representations that indicate discriminatory preferences.

Also, it did not cover discriminations in financial arrangements or in the provision of brokerage sources.

Nor did it provide for administrative assistance to aggrieved parties or enforcement. Although courts could fashion effective remedies to enforce the 1866 statute, the statute contained no provisions expressly authorizing a federal court to issue injunctions or to order payment of damages.

The 1968 Civil Rights Act, on the other hand, covers these specific acts of discrimination omitted in the 1866 statute and fashions administrative and legal remedies as well. The 1968 law was designed to end discrimination and segregation in housing. The 1968 Act provides protection against the following acts, if they are based on race, color, religion or national origin (unlike the Jones vs. Mayer Co. Supreme Court Decision which only applied to racial discriminations):

- (1) Refusing to sell or rent to, deal or negotiate with any person (Section 804 (a))
- (2) Discriminating in terms or conditions for buying or renting housing (Section 804 (b))
- (3) Discriminating by advertising that housing is available only to persons of a certain race, color, religion or national origin (Section 804 (c))
- (4) Denying that housing is available for inspection, sale or rent when it really is available (Section 804 (d))
- (5) "Blockbusting ," For profit persuading owners to sell or rent housing by telling them that minority groups are moving into the neighborhood (Section 804 (e))



(6) Denying or making different terms or conditions for home loans by commercial lenders such as banks, savings and loans associations and insurance companies (Section 805)

(7) Denying to anyone the use of or participation in any real estate services, such as brokers, organizations, multiple listing services or other facilities related to the selling or renting of housing (Section 806)<sup>22</sup>

These are some specific acts of discrimination that were omitted in the 1866 Reconstruction Act. The 1968 law also fashions administrative and legal remedies. The remedies, however, are not strong enough to provide adequate relief in many cases for those who suffer discrimination. The Secretary of HUD may investigate complaints. His powers, however, are limited to conference, conciliation and persuasion. He may not issue an enforceable administrative remedy.

In enforceable relief under federal law, the aggrieved party must himself generally go to court.

The complainant usually states his complaint in a letter or uses a complaint form, obtained from HUD, the nearest HUD Regional office, HUD-FHA Insuring offices, or Post Offices. Complaints should be notarized if possible, and must be sent to HUD within 180 days of the alleged discriminatory act.

HUD will investigate the complaint. If HUD feels it is covered by the law and the Secretary decides to resolve the complaint, HUD may attempt informal, confidential conciliation to end the discriminating housing practice or inform the

complainant of his right to immediate court action. In appropriate cases, HUD may refer the complaint to the Attorney General.

The complaint might be referred by HUD to a state or local agency that administers a law with rights and remedies which are substantially equivalent to those of the Federal law. If the state or local agency does not commence proceedings within thirty days and carry them forward with reasonable promptness, HUD may require the case to be returned. In any case, the complainant will be notified of the type of action taken.<sup>23</sup>

A person may take his complaint directly to the United States District Court or State or local court under Section 812<sup>24</sup> within 180 days of the alleged discriminatory act, whether or not he has filed a complaint with HUD. In appropriate cases an attorney may be appointed for the complainant and the payment of fees, costs or security can be waived.

The court can grant permanent or temporary injunctions, temporary restraining orders or other appropriate relief. The courts may award actual damages and punitive damages. The courts are also directed to expedite cases under Section 812 and assign them for hearings at the earliest practical date.<sup>25</sup>

Information about possible discrimination in housing also may be brought to the attention of the U. S. Attorney General. If his investigation indicates that there is a

pattern or practice of resistance to full enjoyment of rights granted under Title VIII, or that a group of persons has been denied such rights and the denial raises an issue of general public importance, the Attorney General may bring court action to insure full enjoyment of the rights granted by Title VIII.

Protection against interference with an individual's rights under this law, and the rights of persons who have aided or encouraged any other person in the exercise of his rights is provided by Section 817, of Title VIII and by Title IX of the Civil Rights Act of 1968.

These provisions make it illegal to coerce, intimidate, threaten or interfere with a person buying, renting or selling housing, making a complaint of discrimination, or exercising any of his rights in connection with this law.

Under Section 817, appropriate Civil remedies are provided, under Title IX, criminal penalties are provided, and if violence is threatened or used, criminal prosecution may result.<sup>26</sup>

The 1968 Civil Rights Act did a great deal to help Blacks in their quest for equal housing throughout the United States. However, there is a great deal more to be done.



## Chapter 6

### INNER CITY INSURANCE

Insurance for Blacks in the Nation's urban areas has never been easy to acquire and in recent years it has been almost impossible to obtain. The plight of many blacks in the inner-cities depends on insurance companies. Without the insurance companies blacks are more likely to stay poor while slums remain slums.

In recent years, particularly since the riots of the late 1960's, insurance companies have been refusing to insure ghetto areas primarily because of the fear of outbreak of riots in these areas. A few months after the Los Angeles Watts riots, insurance rates more than doubled. The Watts riots caused millions of dollars in insured damages. Many merchants of the area complained that, "they couldn't get any insurance at all."<sup>27</sup> The insurance companies in this area of the country were becoming frightened by what had happened and what might happen again. On account of this the insurance rates, where people could acquire insurance, were raised much higher than ever before. People who formerly could afford insurance could no longer do so.

One article in Business Week Magazine reported, "One clear result of losses will be higher property insurance rates around the country."<sup>28</sup>

By now it was becoming apparent that the areas around the country that were riot prone (mostly inner city areas) would soon have difficulty obtaining insurance. Poor people in all inner-cities around the country would soon be paying higher insurance rates because of actions of other people in other cities.

Many insurance companies developed a practice of blacking-out whole sections of large cities, drawing red lines around these areas on city maps. Within this encirclement (or encirclements) companies would insure nothing no matter how well protected the property would be. If this area was a ghetto (it usually was) it would probably remain a ghetto since there will be little incentive to open new business, construct new housing or improve existing property where one mishap could wipe out the owners entire unprotected investment.<sup>29</sup>

This redlining process also hurts surrounding communities because they are too close to the redlined area and they cannot obtain insurance. So the decaying process of the ghetto instead of improving first gets worse.

Many people believed the riots were the cause of insurance problems but, the President's Riot Commission reported, "It is clear that adequate insurance was unavailable in the urban areas even before the riots."<sup>30</sup> The riots just served as an excuse for raising insurance rates or ending the entire insurance program in certain cities.

Lack of insurance in ghetto areas condemns whole portions of cities and insures that they will remain deteriorating slums. Insurance can be said to be the progressive factor in making a city grow but the lack of it can be said to be the deteriorating factor in the decline of the city.

Insurance in the ghettos of the cities is important to the growth and alleviation of slum conditions. Without the availability of insurance, these areas cannot expect new factories to be constructed which could create many new jobs for minority groups within these cities. In fact, insurance is vital to the growth and development of the inner-cities. Insurance can act as a deterrent in the growing slum conditions that now exist in the cities.

Many insurance companies such as the Royal Globe Insurance Company of London, began to cancel policies wholesale in several United States cities.

In Missouri, for example, the St. Louis Housing Authority reported the Royal Globe Insurance Company had "arbitrarily and capriciously" given notice it would cancel \$52.4 million of coverage on five public housing projects despite a three year contract that had nearly two years to run.

The insurance question became another of the many serious problems that people, who live in the inner-cities, had to adjust to.

A Presidential Advisory group headed by Governor Richard J. Hughes of New Jersey made a survey of 3,000



homeowners and businessmen in poor sections of the country in six cities and found that more than forty per cent of the businessmen and thirty per cent of the homeowners had serious property insurance problems. This advisory group studied insurance problems and proposed the following points:

(1) That the industry adopt plans in every state that would give fair access to insurance to all property owners, instead of shutting out even the most responsible among them because of the neighborhood they live in.

(2) That the states organize insurance pools when necessary to insure properties that individual companies are loath to accept.

(3) That the Federal Government create a National Insurance Development Corporation to provide emergency financial back-up in case of very large riot losses.

(4) That tax deferrals be given insurance companies participating in fair-access plans and pools.

(5) That "the necessary steps" be taken to ease the problem such as Government-sponsored programs to train residents of blighted areas as agents and brokers.<sup>31</sup>

The remaining members of the advisory group were William W. Scranton, former Governor of Penn.; Frank L. Farwell, President of the Liberty Mutual Insurance Company; George S. Harris, President of the Chicago Metropolitan Mutual Assurance Company; A. Addison Roberts, President of the Reinance Insurance Company; Walter E. Washington, the Mayor of Washington, D. C.; and Frank M. Wozencraft, the Assistant Attorney General in charge of the office of Legal Counsel at the Justice Department.<sup>32</sup>

The Federal Government and a small number of States began some work on these proposals. The majority of the states held off any immediate action. Meanwhile, insurance companies were continuing to cancel policies all over the United States. These cancellations together with a refusal to provide new coverage only worsened the long-standing scarcity of insurance (particularly fire and property insurance) in the ghetto.

When property owners cannot get insurance on their property they usually cannot obtain funds on their properties from financial institutions because most of them require property be covered by fire insurance before any money will be lent to the individual using the property as collateral. Thus, a property owner in the inner-city ghetto area who needs borrowed money to improve his holdings may be caught in a vicious circle. If he cannot get insurance, he cannot qualify for an improvement loan; but without such a loan, he cannot maintain his property, so it will deteriorate further, ending any chance of obtaining insurance.

This vicious circle is all caused by the lack of insurance. Insurance can help better a ghetto or help add to its deterioration.

New York City, New York deemed the cancellation of insurance policies in some parts of the city as racial discrimination on the part of the insurance companies. Thirteen companies, all components of Royal Globe Insurance Companies, were fined \$20,000 for having terminated 206 policies in



Harlem and the Bedford-Stuyvesant section of Brooklyn. Several cities followed in the footsteps of New York on the policy of insurance cancellations.<sup>33</sup>

In 1968 the Federal Government sponsored a program call FAIR (Fair Access to Insurance Requirements) which would take over some of the high risk that the insurance companies had been taking.

Any person, business, school or the like that cannot get regular insurance could apply to FAIR. An inspector from the federally backed plan examines the property. If it passes the inspection then the person qualifies for a fair rate insurance against vandalism, fire and malicious mischief from one of the private firms operating through a high risk pool. If the property fails inspection the owner has a chance to correct it and then upon passing inspection he automatically qualifies for insurance.

The FAIR program was never liked by the insurance industry. One third of the states have not adopted FAIR plans and the program is not operating in all the states that have adopted it. Moreover, many ghetto dwellers are against the FAIR program. They say that the program has driven insurance rates up too high.

In return for participating in the FAIR plan, insurance companies get from the Government reinsurance on all of their policies concerning claims for civil disturbances such as riots.



With the efforts of the State and Federal Governments, Insurance Companies continue to refuse insurance in certain areas of the Nation's inner-cities. In some cities where insurance can be obtained the insurance rates are unbelievably high. Many ghetto dwellers still find that insurance is a necessity they cannot afford.<sup>34</sup>

## Chapter 7

### HOUSING IN THE NIXON ADMINISTRATION

When Richard M. Nixon was elected President of the United States in 1968 the nation was entering its third decade of unfulfilled housing promises, and the backlog continued to mount.

At the first meeting of the Committee on Housing, President Nixon said, "People need not only decent homes but also healthy surroundings."<sup>35</sup> President Nixon had a sound idea but he did not describe the manner in which this goal was to be obtained.

Mr. Nixon's Administration took over when there were many unsolved problems. Housing scandals in the F.H.A. were being discovered. Foreclosures and abandonment of Federally subsidized housing were reaching enormous highs. The Vietnam war was reaching its peak and people in the United States were continuing to have housing problems with no solutions in sight.

Unpleasant housing was continuing to drive people from the country and welfare payments drew them to the city. Between them, these two problems, produced the greatest mass migration in the history of America, during the past thirty or forty years, while most of this time Congress was playing its little games about subsidized housing. Congress passed plenty of laws; the U.S. has some of the finest laws in the

world. Unfortunately what Congress did not do was to put up the money. Many housing programs in the past have been inadequately financed and during the Nixon Administration there seemed to be no change.

In 1969 George W. Romney became Secretary of the Housing and Urban Development (HUD) Program. With the housing situation what it was, Mr. Romney had many serious problems in his department.

Many different programs were initiated by Mr. Romney, one of which was Operation Breakthrough.

The primary objective of Operation Breakthrough was to establish a self-sustaining mechanism for rapid volume production of marketable housing at progressively lower costs for people of all income levels with particular emphasis on those groups and individuals which have had difficulty in obtaining satisfactory housing in the past.

Operation Breakthrough hoped to:

- (1) Reduce the real cost of housing;
- (2) Produce quality homes in volume for persons of all incomes
- (3) Reduce the cost of subsidizing low and moderate income family housing.
- (4) Create a housing industry with year round employment.
- (5) Increase the job opportunities for minority groups.
- (6) Encourage continuing innovation of housing.



- (7) Help to reduce one cause of urban tension-inadequate housing.
- (8) Help to combat inflation in the housing market.
- (9) Make it easier for all people to have the housing they need.

Operation Breakthrough was to obtain all these goals in a three phase program.

Phase one was to select a number of Housing System Producers to utilize housing systems with a wide range. They were to range from pre-cast concrete or woodframed modules to units made mostly of plaster or metal. The idea was to produce the best possible balance of technical, financial, managing and marketing capabilities. Some of the Housing System Producers were giant corporations and others were small firms.

Phase two of Operation Breakthrough was prototype site development. The planners were to employ a mixture of housing types to demonstrate the interplay of different systems and to encourage a harmonious mix of social and economic groups.

Under Phase three of Operation Breakthrough (the volume production stage) HUD set aside funds for Breakthrough's HSP's (Housing System Producers) to build 25,000 subsidized units for primarily low and moderate income families (Section 236).<sup>36</sup>

Up to the completion of the author's research the funds for Breakthrough had not been appropriated by Congress.

A major obstacle in achieving full results of this program has been inflation.

Homebuilding has become a principal victim of the fight against inflation and the Nixon Administration has been resisting many of the industry's pleas for special help.<sup>37</sup> As long as the economy is caught in an inflationary spiral with ever increasing costs the government will not be able to meet the nation's housing needs. Inflation not only raises the cost of new housing but by cutting production and increasing the housing deficit it puts further pressure on the market price of housing already available.<sup>38</sup> Inflation makes it impossible for many poor people ever to own their own homes. With the amount of the nation's housing decreasing and inflationary costs making prices rise, poor people are still forced to take on boarders and live in over-crowded conditions just to make ends meet.

The Urban Institute (a non-profit research corporation supported by the Government and private funds whose research is intended to assist the Government in the formation of policies and programs) has found that wages and prices were rising so much faster than the incomes of tenants (in Government subsidized housing) that in most cities operating costs were exceeding rentals.<sup>39</sup> A family's whose income is \$400 a month must pay \$100 a month for rent and if the cost of operating is more than the cost of rent this means the family is paying \$200 or more a month for the apartment or house. Half the families income is spent before it is even received. This



is one of the many reasons blacks are forced to take in boarders and live in over crowded conditions.

Almost every major program which the United States Government has undertaken to solve the housing problem has proven to be, at best, costly and useless. Housing in the United States, because of inflation and other economic obstacles, is having serious problems.

Senator Stuart Symington once said, "It seems incredible that we could go into a program to build 20,000 homes for military families in a foreign country, when in my home town of St. Louis last year (1970) we built 14 single family homes." Senator Symington was referring to the housing that was built for South Vietnamese military families by the United States Government. The Government seems to be able to build homes when they want to, yet in the U. S. thousands of Americans are living in substandard homes or apartments.<sup>40</sup>

There are many houses in the nation's inner-cities that need to be destroyed because they cannot be renovated, on the other hand, there are many houses that are torn down that could be renovated and made liveable (the same goes for apartment buildings).

No one really has more than a vague idea of how much housing needs to be replaced. "The HUD has only one measure of 'substandard' and that measure has to do with plumbing."<sup>41</sup> In many cases if a house has rotted floors, cracked ceilings, or defective wiring they are not considered substandard by HUD.<sup>42</sup> HUD gets much of its information on housing conditions



from the Census Bureau reports and they do not ask questions about the general condition of the building. If a house has plumbing it is considered as being adequate. The Census Bureau data forms have no place to describe leaky faucets, broken windows, rotted floors, etc. They are concerned more with what you have than the quality of what you have. These are just some of the serious problems that HUD and the Federal Government seem to be overlooking in their quest for a "decent home and a suitable living environment for every American family."

The Nixon Administration did recognize a problem that many people face when moving into new government subsidized housing. These people (tenants) just do not know how to use the equipment in these new houses or apartments. For many the operation of an electric stove is simple but to someone who has used one infrequently it is not so simple. Modern electrical appliances are problems to people who have never had these comforts before. The lack of knowledge about the use of these appliances often cause them to be destroyed before the tenant can learn to use them properly. Once destroyed they have to be repaired and this takes extra money which the tenant usually does not have. HUD has started a program to teach people about these and other things but the program is not large enough and does not reach enough people in time. Numerous poor blacks in the central cities face problems that seem absurd to other people but just the same these problems do exist.

The Federal Housing Administration in the early 1970's has been accused of dishonesty, greed, wasting public funds and widespread ineptness.

There have been many abuses of power in the FHA housing programs. The worst abuse has come from Section 235 (single and double family houses) and Section 236 (apartments) of the 1968 Housing Act. These subsidy programs guarantee mortgages and pay exceptionally low interest rates for eligible buyers and investors.

The typical case of fraud is described by Assistant Attorney General Henry E. Peterson who says, "the fraud requires a cast of characters that includes the speculator to pick up run-down houses at fire-sale prices; a "friendly" FHA appraiser to put an appraised price on the house well above what the seller paid for it, sometimes as much as four or five times the purchase price; a mortgage company to write the FHA-insured mortgage from which the speculator pockets his profit, and a credit rating company to certify, often falsely, the potential buyers income."<sup>43</sup> When these forces work together many poor blacks (and whites alike) are defrauded and lose money (usually the down payment).

A good example of how all these forces work is as follows. A young couple in Detroit bought a house under Section 235 for \$17,500, a "bargain" because the FHA had appraised it at \$18,500. Three weeks after they and their small children had moved in, a city inspector found so many code violations that he condemned the property and ordered them to move.<sup>44</sup>



As a result of cases such as this one many FHA offices across the country are undergoing investigations.

These poor people are looking for fair and equal treatment by the Government. Instead they are being defrauded. These kinds of scandals are widespread throughout large central cities in the United States.

In many cities the FHA houses have been condemned and the occupants are forced to move. Any downpayment made on the house is usually lost.

In numerous Government Section 236 housing programs dealing with apartments, the tenants run into shoddy construction, cutbacks in service and rising rents. More stable families move out whenever they can afford it. However, this leaves behind those that are not so fortunate. This creates a concentration of problem families. The Federal Housing Administration and the Federal Government have not done their policing jobs of keeping agencies under them trustworthy.

FHA has allowed real estate speculators using the program to make high profits at the expense of the poor through fraud and deceit. The FHA did nothing or was not aware of unscrupulous operators who bought or built ramshackle dwellings, obtained inflated valuations from FHA appraisers and unloaded them on ignorant but trusting buyers.

In new construction FHA has appraised houses for figures that are inflated by several thousand dollars above the true value of the home. The construction is of the cheapest type



of materials. Instead of buying a home, many poor blacks purchasing these houses are buying disasters. In many central cities supposedly renovated Section 235 houses can be found with faulty plumbing, leaky basements and roofs, cracked plaster, faulty wiring and heating, and rotting wood in floors, stairs or ceilings. Two projects in Elmwood, Missouri and Everett, Washington were proclaimed by many as "instant slums" because of shoddy construction, flimsy materials and fire hazards.

The 235 program seems to be the one most misused by speculators. Yet the Government is reluctant to do much about these scandals since the program has broad bipartisan support, partly because it provides low-income families with housing at considerably less cost to tax payers than public housing projects.

Although the Government is now doing something about these scandals, it is not enough. The indictments and judicial red tape could take years before the situation is improved. Meanwhile more and more trusting poor blacks are being defrauded.

The Nixon Administration with it's "new federalism" policies wants a shift of responsibility from the federal to state and local governments and from government made decisions to individual decisions. This shift is a basic reversal of the role of the Federal Government that began in the 1930's and reached its climax during the 1960's.

The Nixon Administration in recent years has developed trouble with Congress because of his impoundment of Federal funds already appropriated by Congress. The power of the office of President of the United States allows Mr. Nixon to impound Federal funds and this is exactly what he has been doing. Without these funds, many departments such as HUD, are not running full scale operations.

Although Congress has won some short term victories by forcing the release of additional money, the withholding actions of the President's Office of Management and Budget have been effective in impounding most of the funds appropriated by Congress.<sup>45</sup>

This has caused a continuous battle between Congress and the President. These growing confrontations between the White House and the Congress on the withholding of Congressionally approved federal assistance funds may affect future directions for domestic programs, such as the effectiveness of HUD.

## Chapter 8

### URBAN RENEWAL

The Urban Renewal program is one that was designed to clear the slums of the central cities by giving public agencies Federal subsidies and the power of eminent domain to condemn sites, to demolish buildings and to resell the cleared tracts to those who would build on them in accordance with a general plan that would improve the city.<sup>46</sup> The objectives were to reduce substandard housing; to replace it with better housing; to retain in the central city middle class white families tempted to move away or to pull them back from the suburbs if they had already moved; to strengthen the base of the central cities, threatened by this loss of wealthier citizens, so that the cities could provide better education and social services.<sup>47</sup> Urban renewal was a program that was supposed to produce in the end, better cities.

Since the 1949 Housing Act, which inaugurated the urban renewal program, local redevelopment agencies have been charged with renewing areas within cities and towns and with preventing further decay in deteriorating neighborhoods.

Local urban renewal agencies generally take on responsibility for planning, site acquisition and clearance, relocation of persons displaced, installation of streets and utilities, assisting the rehabilitation of structures, and disposition of land for redevelopment. Their plans often



include such public facilities as parks, schools, police and fire stations and parking lots. Cleared areas are redeveloped by private developers for residential, commercial or industrial uses, and by governmental authorities for public facilities and uses, including in many cases, public housing.

Urban renewal agencies in some states are part of city government but in most they are separate public authorities. An urban renewal agency is responsible for the preparation and execution of a plan for the total improvement and reuse of a specific area that has been designated as a slum or blighted area. Their plans, which must be approved by the local general purpose government, may call for clearance and redevelopment, for rehabilitation, or for both. Redevelopment is generally executed by private developers. With the assistance of Federal subsidies urban renewal agencies are able to write down the resale price of the land as a major inducement for such developers. The agencies have the power of eminent domain, which enables them to acquire and assemble land of appropriate size for development. Rehabilitation on the other hand, is generally carried out by homeowners and other property owners, with Federal loans and grants plus help and technical assistance from the renewal agency.

In recent years and because of Congressional pressure, urban renewal agencies have placed steadily increasing emphasis upon the preservation and rehabilitation of existing housing.

Urban renewal has been called by many blacks as "Negro removal." In most cases the people that are moved are low income blacks located in the inner cities.

In some instances, especially in Southern and border cities and some small cities outside the South, it was planned to redevelop these areas for the exclusive occupancy of white families. Even when this was not clearly indicated in the local plans, it would sometimes become a de facto situation due to elimination of minority groups on economic rather than racial grounds. Where, in a few Southern cities, there had been a protest against this, a compromise was sometimes reached involving a proposed re-use for other than residential purposes. Thus, a ghetto area formerly housing both Black and white families was proposed as the location for industry or a public institution.

Relocation has been a controversial problem with many urban renewal projects.

Most of the people relocated by government action are non-white and the great majority of these are Blacks. Very few of these Black relocatees return to the renewal areas. In the first place, almost half of the cleared land is given over to the automobile-highways and parking lots. Secondly, a good portion of the remaining land is used for office, shopping, civic, and cultural centers as well as a sprinkling of schools, playgrounds and parks.

The remainder--perhaps a quarter, at most, of the land where ghetto houses once stood is used for new housing, and



this remnant does little to rehouse the evicted Blacks. These urban renewal apartments and townhouses provided for fewer housing units than they supplant. There are fewer people per room and fewer rooms per acre, for the acres are generously endowed with landscaping, while the rents or purchase prices are almost inevitably in the luxury class.

A relatively small number of relocated Blacks find accommodations in a new public (and a very few private) low-rent housing projects. With shocking consistency however, these projects have been placed in the all Black districts of the cities where they remain entirely segregated, even in communities where the theory is that they be accessible to all. Overtly or covertly, race appears to be the predominate issue of urban renewal and urban life. Racial design seems to dictate just about all city planning. It appears that no auditorium, no downtown apartment house, and rarely a supermarket is built in any American city today whose site was not determined by where Blacks live and where they are likely to move.

For many years there was no relocation assistance for displaced families. On account of this problem President Nixon signed on December 31, 1970 the Uniform Relocation Assistance and Land Acquisition Act.

The Uniform Relocation Assistance and Land Acquisition Act provides that before a local public agency may carry out relocation, it must satisfy HUD that a feasible plan for relocating displaced individuals, families and businesses has



been made. Since one purpose of urban renewal is to upgrade the living environment of those affected, the plan must show how displacees will be afforded opportunity to move to decent, safe and sanitary dwellings at rents or prices within their financial means. Relocation can be described as the "achilles heel" of urban renewal since the extent to which this requirement has been met has been a matter of controversy in some communities. Most communities need a greatly enlarged supply of housing available to low and moderate-income families in order to carry out a feasible relocation program. The execution of the relocation plan must be accompanied by a full range of social services in addition to a conscientious matching of housing needs to resources.

Federal grants are made available to communities to reimburse individuals, families, business concerns, and non-profitable organizations displaced by urban renewal or other activities related to urban renewal and the Uniform Relocation Act.

The provisions of this act apply to anyone displaced by any federally financed program (e.g. highway construction, public housing) as well as to urban renewal. Under the Uniform Relocation Act, an individual displaced by a federally financed project is entitled to his actual expenses in moving, direct loss of tangible personal property as a result of moving, and actual reasonable expense in searching for a replacement residence. In lieu of the actual expenses, a person displaced from his home may elect to receive a spe-

cified moving expense and a dislocation allowance. A person displaced from his business may elect to receive a fixed payment in an amount equal to the average annual net earnings of the business. However, no such payment can be made unless the business cannot be relocated without a substantial loss of existing patronage and the business is not part of a commercial enterprise having at least one other establishment not being acquired by the project.

The Uniform Relocation Act authorizes additional payments to a homeowner to compensate for the amount additional to that received for his present dwelling needed to buy a comparable dwelling for any increased interest costs that the homeowner must pay on a new mortgage and for title, recording, and other costs incidental to the purchase.

For a tenant, the act allows such additional payments for the rental of adequate accommodations in an area equally desirable to that from which he was displaced or for the necessary down payment on the purchase of a home in such areas. Relocation payments are not available to those who move from the area during the planning period, which often lasts for a year or more after the project is announced.

Since 1971, the Nixon Administration has asked Congress to terminate the Urban Renewal Program as a separate categorical grant-in-aid program and in lieu of it authorize a broad urban community development program putting local general purpose governments in charge of urban development activities. Entitled the "Better Communities Act, the proposed reform is

a key piece in the Administration's plans for a "New Federalism" that will strengthen the powers of State and local general purpose governments. Under this proposal HUD would allocate billions of dollars in the fiscal year 1975 to cities, urban counties, and States to spend on their own locally-determined, high-priority developmental needs.

The problems of urban renewal and relocating individuals may be coming to an end if Congress passes the Better Communities Act.



## Chapter 9

### ZONING

Zoning is the most common form of local land use control. Zoning is primarily a regulatory device, limiting the possible uses of land without directing what the actual use will be. Until the introduction of zoning in the early 20th Century, regulation of land use consisted largely of the doctrines of "nuisance" and "trespass," which inhibited one's use of his land only where it interfered quite directly with the use of another's.

What a zoning law sets forth, in effect, is what you can or cannot do to a given piece of land that you own.

Modern zoning ordinances seek to segregate conflicting land uses by establishing districts or zones and separating residential, commercial and industrial uses. These categories are the framework of zoning legislation. Their uses can be defined further within this general framework: Multi-family residence typically will be located apart from single family homes; two or four family structures may be separated from highrise or larger developments; industrial and commercial zones are redivided into light and heavy uses to separate retail sales from warehouse and warehouses from factories.

Within each district, regulations can be (and usually are) placed on building height, bulk, portion of land occupied and population density. Regulations controlling the size of

these structures often specify maximum and minimum floor areas. Population density is often controlled by specifying minimum lot sizes.

Over the last decade numerous minority leaders have been accusing these zoning ordinances of creating residential segregation.

An article in the Nation Magazine describes zoning as follows:

"The local ordinances placed on the books by thousands of towns and villages to fortify themselves against the invasion of poverty, crime congestion and ugliness from the central cities, have screened out all but the most expensive single-family houses on large lots, thus keeping the working class and the poor safe distances away in the decaying ghettos. The laws often prescribe minimum lot sizes of an acre or more, simply ban all apartment houses."<sup>48</sup>

The suburbs in particular are using zoning as an exclusionary measure to keep out low and moderate income family apartments.

Perhaps of greater importance with respect to lower income individuals who often reside in apartment buildings is the outright exclusion by many municipalities of multi-family developments.

Forbes Magazine compares zoning to the border guards of the 1930's. Forbes says, "During the Great Depression of the 1930's, border guards in California turned away Okies and Arkies, the dispossessed tenant farmers from Oklahoma and Arkansas. The border guards were in the end, declared unconstitutional. But today, zoning and pollution laws and court

decisions do a similar job, on a national and local level of keeping out people and industries.<sup>49</sup>

Zoning serves to keep out whoever the municipality wants to keep out. In most cases those that are kept out are the poor.

The problems involved in zoning codes leads to another problem. Zoning in the suburbs tends to keep the poor locked in the inner-cities.



## Chapter 10

### POPULATION TRENDS

"A great tide of migration is segregating American life, as most of us live it faster than all our laws can desegregate it.<sup>50</sup> From the 1950's to the present a great demographic change has occurred in the United States, but it was largely unrecognized. The 1960 Census produced evidence of the absolute loss of white population and gain of Negro population in many large central cities."<sup>51</sup>

Due to the loss of the white population in central city areas and the gain of the Black population the central cities of many states are fast becoming predominantly Black. The natural increase in the white population has prevented the decline in total numbers and disguised the greatness of the transformation. Census population has increased rapidly in many of the larger central cities.

The United States Census Bureau conducted a special census in thirteen various cities to obtain information about population changes. The thirteen cities studied were as follows: Buffalo, New York; Cleveland, Ohio; Des Moines, Iowa; Louisville, Kentucky; Memphis, Tennessee; Shreveport, Louisiana; Evansville, Indiana; Fort Wayne, Indiana; Providence, Rhode Island; Raleigh, North Carolina; Sacramento, California and Greensboro, North Carolina.

Most of these cities experienced a decline in total population. In each city the Black population grew more rapidly than the White population. As a consequence, the percentage of Blacks rose after 1960.

In the early part of the 1960's, the Black population in large cities appears to have increased, while the white population in the same areas gives the appearance of having decreased. The survey of March 1966 confirmed that to an increasing extent, Blacks were living in metropolitan areas and within these areas in the central cities. "Between 1960 and 1966, the Black population living in metropolitan areas increased by 21% from 12,198,000 to 14,780,000 and almost all of this increase occurred within central cities. The white population living in metropolitan areas increased by 9% from 99,688,000 to 108,983,000 and all of this metropolitan increase occurred outside central cities."<sup>52</sup>

Between 1950 and 1960, the twelve largest cities in the United States lost more than two million whites and gained almost two million Black residents.<sup>53</sup> Most of the Black population growth occurred in the central city urban areas. Most of these urban areas are located in the central core of the cities. Between 1950 and 1966 the Black population rose 6.5 million and more than 98% of the increase took place in metropolitan areas, 86% within the central cities and 12% on the urban fringe.<sup>54</sup>

As evidenced by this report the Black population continues to grow in the central cities while the white popula-

tion continues to decrease. More and more the inner-city throughout the United States is becoming Blacker (in population) than ever before. Due to these and other facts the white population continues to flee the central cities for the suburbs. This action leaves Blacks behind and puts them in worse economical shape than ever before. Most of the inner-cities are becoming predominately Black and it is progressively becoming evident that residential segregation is on the rise in the United States central cities.



## Chapter 11

### RESIDENTIAL SEGREGATION

The freedom to move out of the ghetto to better surroundings beyond has been a hallmark of upward mobility in the United States. Its denial to Black America has been to a large degree responsible for the cycle of despair in the ghetto.

The forces at work in the city and the suburbs are cumulative. They all move together toward making the city a more desirable or less desirable place to live. The federal subsidies that have encouraged highway construction instead of mass commuter transportation has drawn industry out of the city and has reduced the city's tax base. A lower tax base means less money for education and for the adjustment of rural migrants to urban life. Poor schools and changing neighborhoods encourage middle-class white families to move to the suburbs. Higher welfare costs increase the tax rate and thus encourages industry to relocate in outlying areas. All these factors are interrelated.

Most poor Blacks who live in the central cities depend on public transportation for their daily travels. The poverty of close-in living conditions compels those who have automobiles to escape to the suburbs, leaving behind the poor and less fortunate.

As more and more interstate highways are built, the plight of poor blacks (and whites alike) is worsened. With

new access to the suburbs being built every day less and less jobs are being offered in the central cities. The suburbs are getting more industries to locate there. Poor blacks who live in the inner-cities with no transportation, can not get to or afford to get to these new jobs.

Due to the residential segregation that has been developing in this country for years Blacks find it very difficult to find homes in the suburbs. If they could find homes in the suburbs they would be closer to the new jobs. Unfortunately, most blacks can not afford the type of housing that many suburb zoning laws require.

Perhaps of greater importance with respect to lower-income individuals who often reside in apartment buildings is the outright exclusion by many jurisdictions of multi-family developments. Some jurisdictions impose exorbitantly high permit fees or require substantial donations of land for public use as a precondition to granting building permits. These restrictions tend to increase the price of the housing provided.

Some localities are limiting growth by establishing an artificial geographic line, such as an "urban limit line," which prohibits development beyond that line. In some suburbs, land beyond the "line" is zoned agricultural as long as the zoning is not so restrictive as to constitute a "taking of property," which would entitle the owner to compensation, development can be prevented without cost to the municipality.

The effect on housing is to reduce the amount of land available for development and consequently to raise its price.

Suburban sprawl and urban decay have not come about solely because people have made a free choice in a free enterprise market. That choice has been influenced by Federal housing subsidies, which purporting to be neutral, have in fact subsidized low-density middle-income living in the suburbs and have thereby financed the flight of the white population from the city.

Results of the Federal programs for slum clearance, urban renewal and public housing so far have not given any reason to expect that the trend toward city decline and low-density regional settlement will be reversed. Slums in the cities are growing faster than we can clear them. We should not expect urban renewal to work so long as there is no place for persons evicted from the slums to live. People displaced by urban renewal and by the construction of new expressways have created new slums.

Moreover, no one is satisfied with public housing. By rejecting all those whose incomes exceeded the prescribed limits, public housing has developed a concentration of those members of society who are not able to support themselves, coupled with the fact that most cities have followed a deliberate program of segregation in public housing. The result has been to create in many places an environment lacking in all the positive attributes of urban life. The second generation of many public housing occupants are not coming to



maturity and it is already clear that many of them will never become viable, self-supporting members of society.

Public housing has also contributed to the condition of our central cities. Public housing has been the prison of its opponents, who have largely determined its character. Locating public housing projects in the inner-city has contributed to keeping lower-income people in the city and has strengthened the patterns of segregation, except in a few cases where careful planning has been able to achieve successfully integrated projects.

In recent court cases challenging some zoning practices, judges have been reluctant to impose their planning judgment as a substitute for that of local officials, except in some cases of racially motivated policies. Various courts have upheld minimum lot size requirements, minimum floor size specifications and certain restrictions on multi-family housing. But a few recent decisions notably in Pennsylvania<sup>55</sup> and New Jersey<sup>56</sup> have called for the municipalities to accept a "fair share" of regional growth by permitting the construction of more housing.

In the National Land Investment case, the Supreme Court of Pennsylvania, struck down a four-acre minimum zoning requirement because the court described zoning as a tool in the hands of governmental bodies which must not and can not be used by those officials as an instrument by which they may shirk their responsibilities.

Zoning has long been a tool of segregation. It has been primarily white and exclusive of Blacks. Despite this and other drawbacks, the growing Black population in many cities have expanded into housing outside the previously established Black residential areas. Inspection of census tract data reveals this type of change. Census tracts are small areas containing on the average about 4,000 persons for which basic census data are tabulated.

In Buffalo, New York, for example, in 1960 most Negroes lived in a belt of tracts extending south and west of downtown. By 1966, this belt had grown to include several more tracts. In Cleveland, Ohio, tracts were added to the principally Black areas on the east side. Almost all of Cleveland Blacks in both 1960 and 1965 lived east of Cuyahoga (Koo-ya-ho-ga) River in a broad belt stretching from downtown to the city limits. Local estimates indicate the development of several predominantly Black residential areas in the eastern suburbs.<sup>57</sup> Few Blacks lived on the other side of downtown. In 1965, the special census counted 700,000 Clevelanders west of the Cuyahoga, of whom more than 99 percent were white.

In Providence, Rhode Island, Blacks replaced whites in tracts in the Federal Hill area and south of downtown along the Providence River. In most cities of the United States the development and spread of predominantly Black residential areas can be easily traced. K. E. and A. F. Taeriber, using city block data for a large number of United States cities,



found that trends in residential segregation were growing rapidly.<sup>58</sup>

In cities of all sizes and in every part of the country Blacks and whites can be found to be residentially segregated. Because of the growing Black population and the demand for better housing in northern cities, many Blacks are able to overcome these residential barriers. In southern cities where the Black population growth rate is slower and the economic gains are less, this residential segregation is almost the same as it was in the 1940's.

Today more and more Blacks are leaving the inner cities and migrating to predominantly "White Suburbia."

According to Census Bureau estimates millions of Blacks are making the shift each year from inner cities to suburbs. This is more than ten times the number who were able to move into the suburbs each year during the early, middle and late sixties.

Blacks are beginning to make the move for numerous reasons. Crime, bad schools, and a shortage of housing in the inner city are the major reasons why they leave. Many times families seeking good housing must look outside the city. With more and more Blacks increasing their wages, more can afford to leave the inner city.

Real estate firms are beginning to show more suburban homes to Black families. In some instances, they refuse. Due to these refusals, many states have their own fair housing laws and the Federal Government is also applying pressure.



Federal officials, for instance, have said they plan to withhold federal funds from suburbs that try to keep Blacks out or discourage construction of homes for people of low and moderate incomes.

In Massachusetts, a special appeals board has been set up with the authority to overrule local zoning regulations (although this could help Blacks seeking homes in suburbia, it could also hinder them in their search). In theory this board can compel suburban communities to see that a certain percentage of all new housing is available to low income groups.

Also a number of private groups are now asking the courts to declare that local zoning regulations are illegal if these tend to prevent construction of housing that low-income groups, Blacks included, can afford to buy or rent.

Although Blacks have made many advances in the suburbs they nevertheless have a considerable distance to go before the ever growing trends of residential segregation can be ended.

## Chapter 12

### EVICTIONS, ABANDONMENT AND FORECLOSURES

Evictions, Foreclosures and Abandonments are three ever present problems confronting people in the inner cities every day.

Evictions continue to be a problem many slum dwellers are faced with.

Landlords who want to sell or demolish their buildings use a variety of tactics to get tenants to move out. They use many of these tricks to avoid relocation costs. Some of the tactics they use range from shutting off heat and hot water and removing locks on doors to permit derelicts to enter at will.<sup>59</sup> Situations such as these are almost enough to make anyone move. Those who can afford to, and have another place of residence in mind, do move. For those who are not so fortunate, they have to remain until they can find somewhere else to live, if possible.

One of the most greivous forms of evictions, in the past and to a great degree today, is "retaliatory evictions." The term "retaliatory eviction" refers to an eviction undertaken in retaliation for the tenant's complaints to municipal authorities of building code violations and health regulations. This practice has not been challenged in the courts to the date of this paper (refers to 1960-1972). Because of this reason landlords can begin eviction proceedings without

giving any reason. This is a perfectly legal maneuver on the part of the landlord because he has the right to do this according to the statute books in most states.

Whether one realizes it or not it is a serious problem when a person is evicted and has no place to go. If a person has a family with small children, it is doubly serious.

Many tenants who are evicted for one reason or another, and have no place to go, move into old abandoned buildings for shelter until they can find a suitable place to live. These old abandoned buildings are usually infested with rats, mice and derelicts. If a tenant does not want to live in the streets he has to live wherever he can, even if it means living with rats and derelicts. At least it is some kind of shelter from the elements.

The admission and eviction of tenants is the source of most controversy in public housing practices. Due to the silence of most state enabling statutes and the special concern of the federal government with financial aspects of subsidized housing authority operations, the local authority typically sets its own admission and eviction policies. These standards may not be published or if published may not be clear; they often relate to the "social desirability" of prospective or existing tenants as determined by the management.

Tenants seeking to resist this eviction from public housing projects have found the courts frequently analogizing public landlords, with private landlords, or using other



rationales to avoid reviewing the merits of such cases. Although there have been exceptions to this rule, the results of most cases leave local housing authorities with power legally to evict, or refuse admission to anyone, without cause. Each year throughout the United States people are evicted. Some of these do not know why they were evicted. Evictions in our inner cities have always been a problem and will probably continue to be a problem as long as tenants have no say so over the buildings they are renting.

Abandonment of buildings occur on both sides of the fence. A landlord can abandon a building the same as a tenant can.

One favorite tactic of landlords is called "dead ending." This is a process by which slum landlords stop all repairs, they fail to pay taxes and hope the city will delay taking over the building until they have regained their investments from rents.<sup>60</sup> This is landlord abandonment of a building. The tenants are forced to undergo these hardships until they can find other living quarters. Until they find other quarters, some residents of abandoned tenements in New York have been known to descend to the streets every day to draw water from fire hydrants.<sup>61</sup> These are just a few of the problems that many tenants face every day.

There are many reasons people abandon relatively modern buildings. In many of the Governments Section 236 housing programs dealing with apartments the tenants run into shoddy construction, cutbacks in service and rising rents.

Scandals in many of the Governments FHA programs have caused tenants to become disillusioned with Government housing and so they just leave and seek housing elsewhere. In many new constructions the FHA has appraised housing for figures that are inflated by several thousands of dollars above the true value of the home. The Construction is of the cheapest type of materials. Instead of buying homes many people are buying disasters that the Federal Government is backing.

In many central cities Section 235 houses can be found with faulty plumbing, leaky basements and roofs, cracked plaster, faulty wiring and heating and rotting wood in floors, stairs and ceilings. The cost of repairing these defects are usually more than the tenant can afford. So when he gets "fed up" with the situation he just leaves. The house then reverts to the owner--the Federal Government. The Federal Government because of the frauds in Section 235 and Section 236 houses, is fast becoming the nation's largest slumlord.

The number of FHA foreclosures rises each year. FHA foreclosures in Detroit rose from an average of 96 a month in 1968 to 381 a month in 1971, with the agency taking possession.<sup>62</sup> Where 810 properties were held by the FHA on September 30, 1969 nearly 5,300 were held on the same day two years later.<sup>63</sup>

For the calendar year 1970, a total of 3,686 units were foreclosed in housing programs for poor families, and 12,641 owners were in default.<sup>64</sup> In 1971, this rose to 9,414 foreclosures and 27,402 in default last December 31 (1971).<sup>65</sup>

Also in the same article it was reported that there had been 5,995 foreclosures for the first six months of 1972.

The tenants who can not meet their payments are foreclosed. In many instances it is the government's fault. Many of the houses that were built by the Government were not of the best construction. Families began to find fault in the construction of these new buildings as soon as they moved in. However, their initial investment was already lost (usually the down payment). Many tenants just stop paying and move while others are foreclosed and evicted by the Government.

Due to the unscrupulous practices of many FHA appraisers many tenants can not afford the new house when they buy it. Phony credit ratings used to entrap tenants just serve to cause them to move in the future. On account of these credit ratings, tenants get new houses which they can not afford. The repairs to be made and the general upkeep of a house is too expensive for many. So many just find places elsewhere to live while the Government takes the house away from the people that were supposed to benefit from it.

Evictions, Abandonment and Foreclosures are just some of the many obstacles people in the inner-cities must deal with.



## Chapter 13

### FIRE AND HEALTH HAZARDS

In the slums of our nation's inner-cities, where poverty runs rampant, ghetto dwellers-children as well as adults-must contend with the darkened hallways and shadowy alleys which often conceal unconscious drunks or junkies (drug addicts, usually heroin addicts) "shooting up" (taking intravenous dosages of drugs). Poverty in the slum is an awesome problem to overcome. Most slum dwellers are born in the ghettos and most of them die in the same ghetto.

Heating in the ghetto becomes a problem every year, especially during the winter months. Many tenants in old and deteriorating housing in the nation's slums are confronted with heating problems every year. Old radiators, many times, do not work or the landlords forget to refuel them. In many instances landlords just do not care about heating problems. In New York City alone thousands of families are driven out of their homes by the cold and forced to seek shelter and heat elsewhere.

When heating systems fail and temperatures drop to near or below freezing many families seek shelter in nearby churches or move in with friends, whose heating at least works. Often women and children are forced to leave their homes and apartments while the husbands remain to protect what little belongings they have from vandals. Those who

live in apartments in which there is no heat often try to warm themselves by keeping the gas oven going or by using electric heaters and all too often the ovens or heaters start fires that drive the families that use them into the cold.<sup>66</sup>

There are many serious fires in the ghettos each year because of heating problems. Tenants are forced to keep warm any way they can. Many times this leads to apartment fires that kill and maim more and more people each year.

As the New York Times reported, "When bedtime comes to 6 West 118th Street tenants carry cots and mattresses into the kitchens and dining rooms and make their beds around the gas stoves and pans of steaming water set on the floor."<sup>67</sup> This is a common place occurrence for many tenants in the nation's inner-city housing. A situation such as this is a very dangerous one--especially to the tenants.

When the temperature goes down, the threat of fire goes up. Regular heating systems are overtaxed; portable heaters are plugged in and left unwatched; electrical appliances are used whenever possible and this causes overloaded circuits. When trying to keep warm, tenants do not worry about overloaded circuits and this is a very dangerous situation.

The winter season is a dangerous and trying time for inner-city residents, yet little is done to alleviate these problems. Landlords who do not have enough money to adequately heat their apartments frankly, just do not give a damn. Poor Blacks (and whites alike) face heating problems annually and annually little is done to solve the problem. This is



just one of the many problems that people live with in the city. Heating in the cities is always a serious problem but there are many more problems that exist there also.

Rats are man's worst enemies among the mammals. Rats are terrible pests, destroying millions of dollars worth of property each year. Rats in the inner-cities destroy more than property. These menacing pests destroy lives as well. Rats often attack unwatched, sleeping small children in the slums. Many mothers are afraid to leave sleeping children alone, even for a moment. Rat and Roach infestation in the inner-cities is a growing problem. Mrs. Lillian Hill, a mother of four children said, "Now I've got to go back to putting cotton in the kids ears at night so the roaches don't get in them when they sleep."<sup>68</sup> Problems such as this are a common occurrence in the ghettos. Roaches are just another problem that tenants have to put up with instead of shrieking at.

Cotton in the ears at night; cooking for families of eight on hot plates; washing dishes in the bath tub; litter in the stairwells and on staircases; rats and mice feeding on piles of garbage left in hallways and alleys<sup>69</sup> only add to the mass frustration of ghetto dwellers. These are everyday things in the ghetto. Nevertheless there is not much being done about these problems.

During President Johnson's administration a Slum Rat Control bill was proposed to deal with the rat problem. Due to the seriousness of the problem the Johnson Administra-



tion thought the bill would easily pass, but it did not.

To many people the rat problem seemed to be a big joke. Instead of spending 40 million dollars, Florida's James A. Haley teased to loud guffaws, "why not just buy some cats and turn them loose on the rats;"<sup>70</sup> demanded Iowa's H. R. Gross, "What about country rats?;" and "punned Virginia's Joel T. Broyhill, "Let's vote down this rat bill rat now."<sup>71</sup> The vote was 207 to 176 against even permitting the bill to come to the floor for a vote. The Rat Control bill was defeated before it even began. A solution to this grave and serious problem was postponed because to those who do not see the problem almost every day, it did not seem to be that serious.

In 1970, a Federal anti-rat program was initiated under the Nixon Administration. Many congressmen were satisfied but it did little to satisfy the slum dwellers, "The nation's slum dwellers, each year suffer 14,000 rat bites, 6,000 cases of disease and an uncalculable number of electrical fires,"<sup>72</sup> all caused by rats. This may not seem to be a great loss as compared to the total losses suffered by people throughout the United States in one year but one child bitten by one rat is too much for a great nation such as the U. S. to tolerate.

The Federal Anti-Rat Campaign was one to try to poison rats in the nation's urban centers. However, this is not enough. City health officers have been busy poisoning rats in countless numbers but the urban rat population has continued to rise, encouraged by the failure of other city

services--notably poor garbage collection.<sup>73</sup>

Rats and roaches are commonplace sights in the ghettos. Even with the Anti-Rat Control Bill little has been done to eradicate them and they continue to menace poor families in dilapidated housing throughout the United States.

## Chapter 14

### LEAD POISONING

#### "EXCLUSIVE URBAN SLUM DISEASE"

Lead poisoning in young children is becoming an increasingly larger problem than ever before in the central city slums.

Dr. Paul B. Cornely, President of the American Public Health Association, has said, "the lack of concern about lead poisoning stems from the fact that the affected children are Black and Puerto Rican."<sup>74</sup> Blacks and Puerto Ricans constitute the largest portion of inner-city populations and they are the people most affected by lead poisoning.

There have been many instances of children in the age group of 1-6 years dying or becoming critically ill because of lead poisoning.

One article in the New York Times read, "city medical authorities disclosed today that a 2 year old girl had died and seven other youngsters had been hospitalized from lead poisoning caused by eating paint and plaster from tenement walls."<sup>75</sup>

Urban children consume the poisonous lead in various ways and all are dangerous. Inner-city residents are delivered the same city water as other residents but frequently added problems spring up. Water pipes in inner-city housing are usually old and ill kept. Almost always they contain



pipe or joint cementing compounds that are made of lead (it is no longer used in new constructions). Under such conditions water containing large amounts of micrograms of lead per liter have been found in central city areas as compared to small amounts of micrograms per liter elsewhere. The water pipe problem with poisonous lead is a burden that is added to the lead already present in paint, plaster and caulking of older houses and apartments in decaying neighborhoods.

About 35 years ago non-toxic paint was developed and paint that has an excess lead content of 1% or more was made illegal. However, the newer paint only covers the older more poisonous paint. As the years wear the newer paint off, eventually the old more poisonous paint returns to its once before deadly form, killing and crippling many inner-city children. Flaking and chipping make leaded paint available to the unwitting grasp of a child who, all too often, puts just about everything he gets his hands on into his mouth. Unfortunately, the mouth of a child is his primary avenue of experimenting and sensing what the world is all about.

Ingestion of lead occurs mostly among children between the ages of one and three years who exhibit pica, a craving for non food substances. During this stage of child development and growth the child is extremely vulnerable. Prolonged lead ingestion produces an abnormal amount of lead in the blood stream. The higher the amount of lead in a child's blood the more chances he will suffer from mental retardation and all too often, death.

Lead poisoning has been referred to by many as an exclusive disease of urban slums.

Small concentrations of lead in the body are not considered too dangerous. But when a child consumes enough lead, soluble forms of the metal accumulate in soft tissues of their bodies, resulting in high concentrations of lead in the blood. External symptoms of lead poisoning are many. They range from listlessness to convulsions; complications include cerebral palsy, behavioral disorders, kidney disease, blindness and death.<sup>76</sup>

Lead poisoning has also been called "the silent epidemic." Since lead accumulates slowly over a long period of time a child can have the disease without showing any overt signs of the illness. When the level of poisoning increases to excessive amounts of milligrams in the blood stream, the lead destroys nerve cells and can result in incurable brain damage.

Under the Health Code in urban New York City, New York, a landlord can be made to remove all lead paint that contains over 1% of lead.<sup>77</sup> But removal of the lead almost always means removing plaster behind the paint, a process that is extremely expensive. This is the primary reason landlords have not been ordered to do so.<sup>78</sup> When landlords do not remove the lead paint innocent young urban children fall prey to a disease that kills, cripples and maims.

Lead poisoning sometimes causes moderate to severe brain damages. Many children receive brain damage severe

enough to require care for the remainder of their lives. Lead poisoning probably kills and cripples more children than did polio before the advent of the Salk Vaccine.

Scientists working with the problem of lead poisoning have found that it is primarily a summertime disease, with 80% to 85% of all cases occurring between July and October.<sup>79</sup> Many scientists believe the reason for this is that lead in the intestines is absorbed at a greater rate of speed during the summertime because of the sun's ultra violet rays. Higher temperatures may cause the lead in the blood to be absorbed quicker by the body absorption process.

A safe dose of lead is .5 milligrams, one expert said, but children have been known to ingest more than 250 milligrams in one foray to the window sill.<sup>80</sup> Lead poisoning, however, can be treated. Two drugs called BAL and EDTA act as chelating agents (from the Greek term meaning claw). The drugs, acting like claws draw the metal out of the system.<sup>81</sup> These two agents act as a deterrent against the disease in children when the disease is detected in time. For those cases where the disease is not diagnosed in time the child is doomed to a life time of misery because the lead poisoning has already had its devastating effects.

Lead poisoning has been a problem in urban slums for many years. Not much legislation has been introduced by Congress to deal with the lead problem.

In the latter portion of 1970 Congress enacted the Lead Base Paint Poisoning Prevention Act. This program authorized



about \$30 million for a two year program of grants to United States cities for prevention programs, a survey of the full extent of the problem, and research into more efficient means for the removal of old paint.

President Nixon's Administration ignored the act and the lead problem in the fiscal 1971 budget. In his 1971 Presidential health message, Mr. Nixon did not mention the lead poisoning prevention act.<sup>82</sup>

The Nixon Administration finally asked Congress for the money in 1972 after pressure was exerted by the Public Health Services. Congress did not respond and the Nixon Administration did not ask again. It was because of William F. Ryan (D-NY) that two million dollars was given to the Program. He used his influence and got H.E.W. to amend the 1972 budget to include two million dollars for the program.

Vicent Gynes, Director of the existing New York Prevention Program called the two million dollars "outrageous" and said, "New York could use two million dollars itself just to improve its own program."<sup>83</sup>

Although the money was appropriate (two million dollars) it was not nearly enough to start programs in cities where programs did not exist. Before the Congress and the Presidency realizes the seriousness of the lead poisoning problem more and more children of the inner-cities will continue to be plagued by the horror of lead poisoning and be subjected to its damaging effects for life.

## Chapter 15

### THE ELDERLY

The older citizens in the central cities face the same problems as everyone else. Their age and education makes them vulnerable to almost everyone.

A recent study on elderly non-white citizens reported that about 52% of the nations elderly non-white live in dwellings that are either dilapidated or lack basic plumbing, while 19% of all elderly live in rundown housing.<sup>84</sup>

Here, again, dilapidated housing is most concerned with the plumbing. If a building has plumbing it is considered not to be substandard, even if the plumbing does not work properly, and if there are cracks in the walls, no windows and rotting floors. These conditions do not make a slum dilapidated house unless it has no plumbing.

The elderly citizens of the central cities (especially the non-white elderly) do not have houses like the white elderly population in the central cities. It has been estimated that 58% of the non-white homeowners lived in substandard housing as compared with 28% of the entire elderly population.<sup>85</sup> In almost every inner-city the non-white elderly live in more dilapidated housing than their white counterparts.

The elderly are trapped in the inner-cities by many forces. Because of their age and income many can not afford

to move. When the younger non-whites leave the inner-cities on their trek to the suburbs they leave behind the elderly.

Education is another hindrance for elderly inner-city residents. They usually have very little, if any, education. The educational factor disqualifies the elderly for many jobs except menial ones such as "handy man" or domestic servant.

Forty-five per cent of the non-white elderly homeowners lived in substandard housing, while 15% of the housing owned by all the elderly was substandard.<sup>86</sup> This would indicate that more non-white elderly people live in substandard homes than do whites while at the same time there are many more white elderly people than non-white.

Non-white elderly people are confronted with a very difficult time in the inner-cities. They must put up with rats, poor construction in houses and apartments, the rising crime rate (elderly people because of their age and lack of mobility are more vulnerable to crime than almost anyone else), drug addicts and all the other problems that confront people in the inner-cities each and every day.

With fixed low incomes the elderly are almost assured that they will remain where they are. They are also assured that they will continue to be poor because of the rising cost of living.

Although elderly residents have to put up with these things, the sad part is that many of the elderly are not able (physically, mentally or economically) to cope with these



problems like the younger people. Yet they have to survive by any means that they can.

Chapter 16  
WHY HAVE SOME HOUSING PROGRAMS  
FAILED?

The nation's housing laws today, after almost 40 years are a 'hodgepodge' of accumulated authorizations for numerous unsubsidized programs and many which are subsidized, including those administered by the VA and FHA. They contain internal inconsistencies, numerous duplications, cross purposes and overlaps as well as outright conflicts and gimmickry. In some cases, the objectives themselves are open to serious questions.

The complicated maze of HUD program laws, filling hundreds of pages in the statute books, are properly recognized as replete with inconsistencies, conflicts and obsolete provisions and without overall design or coordinated structure. All these problems are magnified in the bureaucratic red tape flowing from implementing regulations.

Testimony given in Congress by the Executive Branch has emphasized the number and complexity of these existing authorities, as well as the frustration, cost and red tape resulting from this program hodgepodge. Red tape seriously thwarts good administration; confuses even the experts; discourages participation by builders, lenders and sponsors; confuses consumers; and hinders Congressional oversight. In one of several statements to that effect, HUD Secretary George W.

Romney said to the Senate Subcommittee on Housing and Urban Affairs:

"To function properly, our housing programs must bring together private lenders, private housing sponsors, public agencies and private purchasers. At present the number and complexity of our existing statutory authorities act as a deterrent to the effective participation of these groups in our housing programs. Even the most sophisticated and experienced builders, lenders and sponsors find it frustrating and costly to accomodate their operations to the red tape and delay occasioned by the maze of our confusing authorizations and the regulations, circulars, forms and processing procedures that have grown out of them."

"The man most successful and at ease in the present statutory framework of our housing programs is the packager, knowledgeable in the intricacies of our forms and procedures, who can put together an attractive application and milk the most in subsidy out of the Federal program by combining the different forms of assistance available under our several statutory authorities. Too often the most efficient producers of housing refuse to participate in our programs because they are unwilling to deal with the intricacies of our processing and program requirements.<sup>87</sup>

Mr. Romney's complaints about the Federal Government's housing programs have been voiced on frequent occasions by leading members of the Senate and House Banking Committees, which have congressional jurisdiction over housing legislation. In fact, there has always been recognition that serious problems have resulted from the duplicative and conflicting nature of the numerous housing programs. As early as the 1940's, significant recommendations were made to have the entire National Housing Act of 1934 rewritten. In 1970 a HUD legislative proposal with this objective was submitted to the



Congress and has received considerable attention from legislative leaders. However, comprehensive legislation of this nature has not been enacted.

Perhaps the major reason why housing laws developed as they did has been the complexity and multiplicity of housing program objectives--economic growth, community growth, assisting the poor, furthering civil rights, and so on, all added one on top of another to each individual housing program. While reflecting the complexity of the problems involved, in many instances those multiple programmatic goals have been conflicting ones.

Another reason has been the sheer mechanics of the way the Federal Government has adopted housing policies. Until 1970, the Congress had enacted an omnibus housing bill almost every year since the conclusion of World War II. An omnibus bill covers many independent items of legislation over a broad subject and reflects the accumulation of proposals in the Executive Branch, and Congressional Committees over a period of a year or more.

Normally, the Congressional Committees responsible for housing legislation have not acted on housing bills referred to them in the interim years between enactment of omnibus legislation. The years of omnibus housing bills covered the period of increasing Federal involvement in housing and other social and economic matters. These years also covered frequent periods of substantial inflation, which upset the validity of numerous dollar ceilings in the housing statutes,

thus requiring extensive admendments. The enacted housing bills were usually a combination of Executive Branch recommendations, defined by the Congress to reflect its own interests and notions, as well as the pleading of special interest groups. Typically, each omnibus housing bill contained, as riders, various agency proposals and committee recommendations that could not have been enacted standing alone as separate pieces of legislation. To obtain the support, or at least remove the opposition, of organizations or individuals in Congress, a variety of amendments were added, such as amendment favored by a national interest group or special aid for a project in the district of a particular Congressman. With this "something for everybody" approach, critics often referred to an enacted housing bill as "Christmas tree" bill bearing gifts for all.

Generally, the Department's legislative proposals to the Congress were not based on a study or re-evaluation of the relevant policies and legislative authorities. Until recently there was not even a continuing long-range study looking toward the next year's legislative program. Typically, each year was characterized by a belated effort by the agency to meet the deadline for presenting to the Bureau of the Budget the legislative recommendations for the coming year. Sometimes new approaches of possible merit were discarded simply because of the lack of time needed for study.

The problems were further compounded by divided responsibility for policy development within the Executive Branch.

For example, the earliest Federal programs designed to generate mortgage credit for housing were placed in separate Government agencies. It naturally developed that the Executive Branch recommendations for such programs came primarily from the agency involved, which was deemed to know best its own needs, or how it would be affected by a given proposal. Accordingly, the recommendations were fragmented and narrow.

This practice still continues to the extent that separate housing credit programs are developed simultaneously but independently by the V.A., the Federal Home Loan Bank Board and the Farmers Home Administration, as well as by HUD. Other less extensive housing activities are carried on by the Department of Defense, the Interior Department (Bureau of Indian Affairs), the Atomic Energy Commission and others.

At the same time, there is some overlap of Congressional Committee jurisdiction over housing programs between the banking and the Veteran's committees.

In more recent years, the statutory complications have been multiplied by the separate authorizations for additional subsidy operations under several different types of major programs: Section 202 direct loans at below market interest rates; Section 221 (d) (3) mortgage insurance at below market interest rates supported by the Federal National Mortgage Association purchases and rental housing sponsors under Sections 235, 236, 501, and 521.



## Chapter 17

### CONCLUSION

Low income housing problems have been with us for a considerable period of time. To accelerate the solution of low-income housing problems, higher priority must be given at the national level. Housing our nation's low-income families is one issue among many issues. Surely it is a grave problem but when so many issues are demanding a larger share of the national resources, each demand must be carefully weighed. Consideration must be given to the question of whether housing deserves more attention at the expense of other goods and services for low-income families such as education, improved health care or income maintenance.

Two important factors weigh in favor of expanding the housing effort even if it means some other goals cannot be expanded as much.

First, federal housing programs have constantly fallen short of their goals. Since the 1949 Housing Act the Federal Government has not accomplished what it set out to do; essentially "To provide a decent home and suitable living environment for every American." The 1968 Housing Act seemed to be history repeating itself. With present construction rates, the Federal Government will be extremely lucky if it completes half of the six million subsidized units it promised to have completed in ten years.

A second reason increased priority should be given to the housing industry is central to the much broader problems of poverty. It is obvious that education, health, and social development suffers in the environment created by substandard and deteriorating housing.

A new indirect cause of housing problems is the automobile and other methods of rapid transit. During the past twenty years the automobile factor has taken the more prosperous elements away from the centers of our cities, leaving behind a vacuum which is ordinarily filled by those who are economically deprived. These individuals are trapped in the asphalt jungle with all the substandard living conditions.

Most of the Federal Government's programs need to be overhauled. Throughout the years, beginning in the 1930's, the Federal Government has discussed and enacted housing legislation dispassionately and as much as possible with objectivity. The human aspects are often lost behind the cold facts and figures of program performance.

To solve the complex maze of housing problems in the future the Federal Government will have to junk many of its existing programs. The Government will have to begin new programs that are more concerned with the human aspect of Federal Housing. The Government also has to centralize the many different effective programs and organizations so the right hand will know what the left hand is doing and vice versa.

If this cannot be accomplished, disruptive disturbances such as the 1960 riots may be kindled again. Kenneth B. Clark said it best when he said, "the Black population responds to the pressures of their lives, and react spontaneously into incidents which trigger explosions or demonstrations."<sup>88</sup>

Blacks are continuously expressing their dissatisfaction over inner-city housing. Unless something is done effectively to eliminate these problems the riots, as they occurred in the 1960's, may return. The author fears that if they return it will be much worse than before.



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## FOOTNOTES

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<sup>2</sup>Authorized by the Emergency Relief and Construction Act of 1932.

<sup>3</sup>Authorized by the Federal Home Loan Bank Act of 1932.

<sup>4</sup>Authorized by the Banking Act of 1933.

<sup>5</sup>Authorized by the Home Owners Loan Act of 1933.

<sup>6</sup>Authorized by the National Industrial Recovery Act of 1933.

<sup>7</sup>Authorized by Title IV of the National Housing Act of 1934.

<sup>8</sup>Authorized by the National Housing Act of 1934. Since 1934, new FHA mortgage programs have been enacted as amendments to the 1934 Act and are commonly known for their section number in the Act.

<sup>9</sup>Richard O. Davies, Housing Reform During the Truman Administration, (Columbia, Missouri: University of Missouri Press, 1966), pp. 1-9.

<sup>10</sup>Ibid., pp. 21-23.

<sup>11</sup>Ibid., pp. 102-115.

<sup>12</sup>Ibid., pp. 137-142.

<sup>13</sup>"Administration," Time, November 30, 1962, p. 18.

<sup>14</sup>"Kennedy's Housing Order: Where It Applies, What It Means," U. S. News and World Report, December 3, 1962, p. 59.

<sup>15</sup>Ibid., pp. 59-61.

<sup>16</sup>To qualify, a tenant is subject to public housing income limits and asset limitations and must be one of the following: displaced by governmental action; sixty-two years of age or older; handicapped; living in substandard housing or living in housing damaged by natural disaster.

<sup>17</sup>"A Head for HUD," Newsweek, January 24, 1966, p. 26.

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<sup>40</sup>Robert Sherrill, "The Black Humor of Housing," Nation, March 29, 1971, p. 401.

<sup>41</sup>New York Times, June 25, 1970.

<sup>42</sup>Ibid.

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<sup>44</sup>Ibid.

<sup>45</sup>Mary K. Nenno, "The Congress, The White House . . . And Housing and Community Development: 1972," Journal of Housing, November, 1972, pp. 548-9.

<sup>46</sup>Nathan Glazer, "The Asphalt Jungle," Book Week, Washington Post, January 3, 1965, pp. 1, 11, 13.

<sup>47</sup>Ibid., p. 13.

<sup>48</sup>David K. Shipler, "The Moral Dilemma of Zoning," The Nation, August 3, 1970, p. 80.

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<sup>71</sup>Ibid.

<sup>72</sup>"Civil Rats," Newsweek, September 21, 1970, p. 90.

<sup>73</sup>Ibid.

<sup>74</sup>New York Times, December 21, 1961.

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<sup>80</sup>Ibid.

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