

# Housing lawsuit settled

## Black residents, HUD conclude their 17-year legal dispute

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A Baltimore federal judge Tuesday approved a settlement in a 17-year-old legal dispute between black public housing residents in the city and the U.S. Department of Housing and Urban Development.

In the lawsuit, filed in 1995, civil rights attorneys claimed that thousands of black families were “perpetually” locked into areas of concentrated poverty in the city, which maintained racial discrimination nearly 50 years after the Supreme Court’s *Brown v. Board of Education* decision.

The settlement, signed by Judge Marvin J. Garbis in U.S. District Court, calls for the continuation of the Baltimore Housing Mobility Program, which enables public housing tenants in blighted areas to move to other parts of the city or the suburbs. The accord also includes the creation of an online housing locator that lists public and affordable housing options.

“It was a very good day for the cause of providing opportunity to low-income families,” plaintiffs’ attorney Andrew D. Freeman said of the accord. “It’s not enough to fully compensate for the generations of segregation in Baltimore public housing, but it is a major step in the right direction.”

Under the settlement, HUD will also provide incentives for private housing developers through mortgage insurance offered by the Federal

Housing Administration. In addition HUD will conduct for at least three years civil rights reviews of certain federally funded housing and community development proposals in the Baltimore region.

Noting the 17 years of litigation, Freeman acknowledged “some frustration that the wheels of justice turn slowly.” But he said that “on the whole, it’s a good result that was worth the years of effort.”

The settlement will enable 2,400 families in poverty-stricken areas to move over the next six years, added Freeman, of Brown Goldstein & Levy LLP in Baltimore.

HUD Secretary Shaun Donovan also welcomed the end to the long-running case.

“We know that when a family chooses a place to live, they are not just choosing a home, but also a school for their children, quality public services and a foundation on which to build their lives,” Donovan said in a statement.

“By building on the successful Baltimore Housing Mobility Program, today’s settlement goes a long way to achieving those goals and furthering HUD’s mission of creating more inclusive and sustainable communities that provide affordable housing opportunities for those who need them.”

The Housing Mobility Program, started in 2003, has helped more than 1,800 families move to new areas, according to court documents.

The NAACP Legal Defense &

Educational Fund Inc., which also represented the plaintiffs, said the settlement ensures the program will continue to enable public housing residents to escape blighted areas.

“Safe communities with good schools should be available to every American family regardless of their race,” Joshua Civin, an attorney for the fund, said in a statement.

Early on in the litigation, *Carmen Thompson et al. v. HUD*, a partial consent decree was reached in 1996 that allowed public housing high-rises to be demolished. In a precursor to the mobility program, the decree also enabled nearly 2,000 families to move with vouchers to what plaintiffs’ lawyers called “communities of opportunity” in the Baltimore region.

The subsequent 2003 trial looked at the history of local and federal housing policies in the city as plaintiffs’ lawyers attempted to prove civil rights violations had taken place.

In 2005, Garbis cleared the city and its housing authority of liability, but ruled that HUD had violated the Fair Housing Act by not taking a regional approach to desegregation in the six years before the lawsuit was filed.

Garbis held a separate trial in 2006 to consider proposed remedies but never issued a ruling as the parties tried to hammer out a settlement.