

CCR  
3  
meet  
387

**LIBRARY**  
U.S. COMMISSION ON CIVIL RIGHTS

U.S. COMMISSION ON CIVIL RIGHTS

Syracuse University  
Sherman Hotel and Conference Center  
November 21, 1996

CCR  
3  
Meet.  
387

(202) 638-2400

**BETA**  
A Full Service Reporting Company  
... There is No Substitute for Quality  
1-800-522-BETA

(703) 684-BETA

## P R O C E E D I N G S

1  
2 CHAIRPERSON TERRISITO: Good morning.  
3 My name is Lita Terrisito. I'm a  
4 businessperson in my private life, and I'm the  
5 chairperson of New York State Advisory  
6 Committee to the United States Commission on  
7 Civil Rights.

8 We normally call ourselves the New  
9 York SAC. So if you hear me refer to that in  
10 the future, you'll know what I'm talking about.

11 Joining me today are the following  
12 committee members and commission staff:

13 Michael Hanley, attorney and housing  
14 specialist at the Greater Upstate Law Project  
15 serving Western New York;

16 Joan Johnson, town clerk for the Town  
17 of Islip, and member of the Central Islip Board  
18 of Education;

19 Gloria Lopez, to her right, attorney  
20 and Director of Human Services and Civil Rights  
21 Compliance Officer of the Urban League of  
22 Rochester;

1 Paul Nguyen, attorney with the Law  
2 Department of the Port Authority of New York  
3 and New Jersey;

4 Juan Padilla, administrator for the  
5 Rochester School District's Bilingual Education  
6 Project;

7 And Norman Wagner, Safety and Health  
8 Inspector for the New York Department of Labor.

9 And from staff, we have Fernando  
10 Serpa, who is a civil rights analyst for the  
11 United States Commission on Civil Rights.

12 And Ki Tach Chung, who is the  
13 Director of the eastern regional office of the  
14 United States Commission on Civil Rights, which  
15 has jurisdiction over 14 states, from Maine  
16 down to Virginia.

17 The United States Commission on Civil  
18 Rights was created under the Civil Rights Act  
19 of 1957 as an independent, bipartisan,  
20 fact-finding agency whose mission is to protect  
21 and promote the civil rights afforded all of us  
22 under the Constitution of the Acts of Congress.

1           The New York Advisory Committee is  
2           one of 51 committees created to advise the  
3           commission on matters relating to  
4           discrimination or denials of equal protection  
5           of the laws, based on race, color, religion,  
6           national origin, age, disability, or the  
7           administration of justice.

8           The mandate of the SAC is to bring to  
9           the attention of the Commission on Civil Rights  
10          issues of concern to the various states, and to  
11          assist the commission in its statutory  
12          obligations to serve as a national  
13          clearinghouse for information on these matters.  
14          Our role is primarily to gather pertinent  
15          information and report this information to the  
16          commission.

17          Today's fact-finding meeting is the  
18          first of three that are to be held to inquire  
19          into Section 8 housing programs. The others  
20          will be held in Buffalo and Rochester.

21          We're here to investigate allegations  
22          that minorities and other protected classes of

1 people have been encountering barriers and  
2 experiencing discrimination in the Section 8  
3 programs. This is the second time the New York  
4 SAC has looked into Section 8 housing.

5 We developed a report in 1982, called  
6 "Fair Housing in America: Section 8 Housing in  
7 Buffalo and Syracuse." And in that report, we  
8 found that Hispanics were underrepresented in  
9 the Section 8 program in Buffalo, and that all  
10 minorities were underrepresented in Syracuse.  
11 This was back in 1982, however. I understand  
12 that things have changed since then.

13 The focus of today's fact-finding  
14 meeting will be to collect data and testimony  
15 to accomplish the following:

16 1) to identify what barriers are  
17 being faced by the intended recipients of  
18 Section 8 Programs in utilizing Section 8  
19 vouchers and certificates.

20 2) to determine what strategies may  
21 help remove or overcome identified barriers  
22 faced by Section 8 protected-class recipients,

1 and;

2 3) to identify exemplary models of  
3 Section 8 Programs and practices.

4 The meeting is going to run from 9:00  
5 to 5:00 p.m. We're pleased to have,  
6 participation of some very, very knowledgeable  
7 people to address this matter that's before us.  
8 And as time permits, if there are people in the  
9 audience that wish to speak, we certainly would  
10 like to hear from them.

11 They're going to be four panels, each  
12 of which will have a New York SAC as a  
13 moderator.

14 The first panel, which is this  
15 morning's panel, will deal with the  
16 relationship of Section 8 Administration and  
17 Fair Housing.

18 The second is going to be done in the  
19 afternoon after 1:30 and will be dealing with  
20 federal changes in Section 8 programs and their  
21 impact.

22 The third will deal with the quality

1 and quantity of available affordable rentals  
2 and accessibility to transportation and jobs.

3 Each panelist is asked to make a  
4 presentation which is limited to about 10  
5 minutes in order to give us an opportunity to  
6 speak to each of you. After the presentation,  
7 we want to spend at least five or ten minutes  
8 ourselves asking any pertinent questions that  
9 we might have.

10 If there are people in the audience  
11 that would like to ask questions, we will give  
12 them an opportunity to do that, but what we  
13 will be doing is waiting for all the  
14 presentations to be done. And then, if there  
15 are any audience questions, to have them do it  
16 at that point.

17 If any of the panelists have a  
18 prepared statement, please submit a copy to Mr.  
19 Serpa, who is the staff person, I believe. It  
20 will be considered for the published report.  
21 On occasion, we actually take the presentation  
22 of the prepared statements in their entirety.

1           Those of you who are accustomed to  
2 speaking without a statement, please help us by  
3 keeping your presentations and comments sharply  
4 focused. Also, help us abide by our legal  
5 obligations by refraining from defaming or  
6 degrading any individual in your remarks,  
7 whether they're here or not here.

8           You know that you are here  
9 voluntarily and that you're offering comments  
10 for the public record. In that spirit, we have  
11 invited the media.

12           I don't know if anybody has arrived  
13 yet, but if any of you feel, when the media  
14 does arrive, that you do not want to be  
15 photographed while you're addressing, you're  
16 free to say that, and we'll accommodate you.  
17 So let us know if that is going to be a problem  
18 for you.

19           And lastly, let me emphasize that, as  
20 the eyes and ears of the commission in New York  
21 State, our first duty is to listen in an  
22 impartial manner. We're hear to here what's



1 going on. And if we fail to understand a  
2 statement, we may ask you for clarification.

3 Therefore, when we pose questions,  
4 please do not feel as if you're under  
5 cross-examination. I mean, we're here  
6 basically to understand what is happening.

7 And if later you still feel that we  
8 have misunderstood something that you have  
9 said, you will have an opportunity to review  
10 our draft, which will be given to you for  
11 review, and explain further before we actually  
12 have a completed report.

13 Moreover, you should know that we  
14 keep the records open for 30 days to receive  
15 any comments from anybody that wants to submit  
16 some comments regarding this particular issue.  
17 So there's a lot of opportunity to provide the  
18 information that we need to really look at on  
19 this issue.

20 I don't know if I indicated earlier,  
21 but eventually what will happen is that the  
22 advisory committee will present a report to the

1 Commissioners with findings and recommendations  
2 and background information on the issues that  
3 we have before us.

4 We will be beginning the meeting with  
5 a presentation by New York SAC member Michael  
6 Hanley. He's going to provide us an overview  
7 of the project, after which we'll move into the  
8 first panel discussion. There's going to be  
9 break from 12:00 to 1:30 in the afternoon, and  
10 after that, we will be returning to the second  
11 and fourth panels.

12 But before we even start, I'd like to  
13 have a few words from Ki Tach Chung about the  
14 Commission and our role here.

15 MR. CHUNG: I'm so happy to be here  
16 this morning. And on behalf of the Commission  
17 and Commissioners, I would like to extend our  
18 sincere appreciation for your participation in  
19 this effort.

20 As you know, by mandate, the  
21 Commission is supposed to serve as the eyes and  
22 conscience of the nation on matters that relate

1 to protection and enhancement of civil rights.

2 And we feel that the activity that the New York  
3 Advisory Committee has undertaken this morning.

4 And in the following days, it is a  
5 matter of a great importance, and we are  
6 looking forward to eventual reports that the  
7 committee will be submitting and sharing with  
8 the public as well as federal and local  
9 government officials.

10 We are hoping in some small way this  
11 effort will contribute to clarifying issues, if  
12 there are any. And hopefully in the process,  
13 we will be able to devise or learn of possible  
14 solutions so that we'll all feel good about our  
15 eventual contribution to the improvements that  
16 are needed.

17 Thank you very much.

18 CHAIRPERSON TERRISITO: All right,  
19 Michael, you're on.

20 MR. HANLEY: I would also like to  
21 start by expressing our appreciation to the  
22 panelists. We're very fortunate to have a good

1 mix throughout the day, starting with the  
2 Section 8 programs administrators.

3 This afternoon, we'll be hearing from  
4 the HUD representatives from Washington and  
5 Buffalo and Fair Housing experts from the  
6 community and other community representatives.

7 Mr. Murphy and Mr. Wright, in  
8 particular, I'm pleased to see today. I had  
9 the pleasure of working with these two  
10 gentlemen, and we were both doing our best to  
11 address the community's housing problems, more  
12 than 15 years ago, when I worked in Syracuse.

13 I don't think any of us envisioned at  
14 that time what the housing problems that would  
15 face Syracuse, just as they face other  
16 metropolitan areas in upstate New York,  
17 particularly Buffalo and Rochester.

18 I don't think any of us envisioned,  
19 at that point, the immense disparities in  
20 income that would develop between the central  
21 cities of our metropolitan areas and  
22 surrounding areas. And certainly I don't think

1 we appreciated the tremendous economic and  
2 social impact that these disparities would have  
3 on racial minorities.

4 As jobs migrated to suburban  
5 retailers, suburban industrial parks, and  
6 suburban corporate woods, low-income minority  
7 families, in particular, were left behind in  
8 the cities' low-income housing developments.

9 We've learned in that time that being  
10 poor and black or Latino is not the same as  
11 being poor and white. We know, for example,  
12 that in most of the metropolitan areas, 75  
13 percent of the poor whites reside in  
14 non-poverty Census tracts.

15 In contrast, if you're black or  
16 Latino and poor, there's a 75 percent chance  
17 that you do live in a high-poverty-concentrated  
18 area.

19 But we don't the factors that lead to  
20 this type of result. In the last several  
21 years, HUD Secretary Henry Cisneros has been  
22 quite candid that the federal housing programs

1 have been themselves contributors to the great  
2 isolation of poor minorities in central cities.

3 Certainly, we can readily see, with  
4 20/20 hindsight, perhaps, that building large  
5 concentration of huge multi-family housing in  
6 high-poverty areas was not the way to open the  
7 door to provide economic opportunity for  
8 minorities who are disproportionately dependent  
9 on these programs.

10 But it is less clear why, over the  
11 last 20 years, the federal Section 8 Program,  
12 the tenant-based subsidy program, has not been  
13 more successful in providing minorities the  
14 chance to move to better educational and  
15 employment opportunities, the chance to move  
16 outside of high poverty areas in which they are  
17 more likely to be exposed to high crime, higher  
18 dropout rates, more teen pregnancies, and more  
19 drug activity.

20 Why is it, for example, that the  
21 evidence nationally suggests that this federal  
22 housing program, although neutral on its face,

1 provides different opportunities to black  
2 Section 8 holders than white Section 8 holders?  
3 Why is it that, in so many cities, black  
4 Section 8 subsidy holders are far more likely  
5 to live in high-poverty Census tracts than  
6 white Section 8 subsidy holders, even though  
7 they have the same household incomes?

8 Why is it that Section 8 subsidy  
9 holders are far more likely than black Section  
10 8 subsidy holders to have access to schools  
11 that are not overwhelmingly comprised of  
12 students from poverty-level households, when we  
13 know that poverty concentrations in our schools  
14 is the single greatest predictor of economic or  
15 failure for students in those schools?

16 Can it be that, 40 years after the  
17 Supreme Court declared that separate is  
18 inherently unequal, we nonetheless have black  
19 Section 8 programs and white Section 8  
20 programs? Are these terrible anomalies the  
21 result of overt racial discrimination or simply  
22 the result of our failures to use our Federal

1 Housing Programs to best advantage?

2 Are these anomalies the result of our  
3 failure to honor the legal obligation set out  
4 in the Fair Housing Act and Title VI of the  
5 Civil Rights Act of 1964, to make sure that not  
6 only do we not discriminate in our Federal  
7 Housing Programs, but that we make the best use  
8 of those programs to affirmatively further fair  
9 housing?

10 Have we simply failed to sit down and  
11 to take a close look at how seriously we can  
12 address the administrative obstacles and  
13 barriers that impact racial minorities that, on  
14 the face, may be racially neutral? Have we  
15 failed to take into account how neutral  
16 policies like local residency preferences  
17 simply perpetuate racial segregation and have a  
18 profound exclusionary impact on minorities when  
19 they are applied to communities that are  
20 already grossly segregated by race?

21 Twenty years ago, we did not  
22 appreciate the tremendous potential of the



1 Section 8 tenant-based subsidy program to  
2 literally open doors for minorities.

3 Back in 1976, I was in a legal  
4 services office in a rural area of the state,  
5 and we heard about this new program. I was  
6 invited to sit on the board of a new Section 8  
7 program and to actually help incorporate and  
8 start it from day one.

9 I know that I, as a board member and  
10 person starting that program, never paid any  
11 attention to these civil rights issues. We  
12 were more just concerned about getting  
13 subsidies to people that needed subsidies and  
14 helping our low-income clients. We did not  
15 know at that time that the Section 8 Program  
16 would grow into a program that now serves over  
17 1.4 million households and that it would  
18 surpass the public housing program and the  
19 private subsidized housing market as the  
20 largest federal housing program for low-income  
21 families.

22 We did not know in 1976 that the

1 structures that we were setting up for, then, a  
2 very small experimental program -- up to 1980,  
3 I think it was still less than 100,000 people  
4 in the program -- the program would continue to  
5 flourish for two decades with bipartisan  
6 support, theoretically putting the power of the  
7 marketplace to work for low-income families,  
8 letting them shop with their housing subsidy  
9 dollars to find better housing, and that this  
10 problem would grow, while other housing  
11 programs, project-based development programs  
12 would slow to a halt in a era of drastic  
13 cutbacks in housing development.

14 We also didn't know at that time that  
15 the structures that we were developing two  
16 decades ago would continue to be in place today  
17 as the program that Congress and the  
18 administration increasingly looked to to  
19 replace the worst of the nation's project-based  
20 low-income housing. We didn't know.

21 We did know, however -- and we do  
22 know now, however -- that if Section 8 is to

1 fulfill this tremendous role in the nation's  
2 housing policy, we must now take a close look  
3 to see the extent in which we've failed to  
4 utilize the potential in the past.

5 We know from the numerous documented  
6 demonstrations of the tremendous success of  
7 programs, like the Detroit program and Chicago,  
8 that Section 8 can have an amazing effect on  
9 minority families, who have used it to move  
10 from high-poverty concentrations through the  
11 service of well-thought-out housing mobility  
12 programs.

13 This is by no means a one-sided  
14 debate. There is, for example, a school of  
15 thought reflected in writings of conservatives,  
16 such as John Hoosek of the Kennedy School at  
17 Harvard, that said it would be a mistake to use  
18 a Section 8 program to give essentially a free  
19 ride to the poor to move into non-poverty  
20 areas. In that school of thought, the feeling  
21 is that it's a mistake to undermine the  
22 personal responsibility that is engendered in a

1 system that requires the poor to climb the  
2 so-called "economic ladder" that progresses to  
3 better housing. There's also a school of  
4 thought that feels that we risk endangering  
5 stable neighborhoods if we use the Section 8  
6 program to assist the poor to greater  
7 geographic mobility.

8 We need to determine whether these  
9 are real policies concerns or just an example  
10 of the biases that are often reflected in the  
11 system by those who are in power, and express a  
12 societal bias that causes us to ignore the real  
13 problems that we have to address. We need to  
14 identify the legitimate concerns and address  
15 them with an open mind, as Congress rewrites  
16 the statutory framework for the Section 8  
17 Program and HUD begins its administrative  
18 transformation.

19 We put together this fact-finding  
20 forum to hear from the experts in the field,  
21 what we've done right and what we've done wrong  
22 and what we can do better. Our morning panel

1 will give us the chance to hear from and talk  
2 to the Section 8 administrators themselves. In  
3 the afternoon, we'll hear from HUD  
4 representatives about the role of Section 8 as  
5 it is emerging in federal policy and the  
6 administration's goal of poverty  
7 de-concentration.

8 I think at this point, I'll just turn  
9 it back to Lita.

10 CHAIRPERSON TERRISITO: We invite  
11 you, by the way, to stay for the entire day if  
12 you can. I think it will be a very interesting  
13 experience. We have a lot of very good people  
14 who will be here to deal with this issue in  
15 some detail. And so you are welcome to stay,  
16 obviously, if you would like to.

17 The first panel is going to be  
18 dealing with relationships of Section 8  
19 administration and fair housing.

20 The lineup that we have at this point  
21 is Fred Murphy, executive director of the  
22 Syracuse Housing Authority; and then, after

1 that, Peter White, Director of the Christopher  
2 Community; Suzanne Wass, Program Administrator,  
3 North Syracuse Housing Authority; Bruce Gouhey  
4 -- did I pronounce that right?

5 MR. GOUHEY: That's correct.

6 CHAIRPERSON TERRISITO: Director of  
7 the East Syracuse Housing Authority; and  
8 Merrilee Witheral, executive director of the  
9 Fair Housing Council of Central New York.

10 I would ask that Fred Murphy,  
11 Executive Director of the Syracuse Housing  
12 Authority, please come forward and address us.

13 MR. MURPHY: With your permission, I  
14 would also like to have my bodyguard and  
15 hopefully --

16 (Laughter)

17 MR. MURPHY: -- our Section 8 Program  
18 director who has the abominable, impossible  
19 task of keeping me out of trouble this morning.

20 CHAIRPERSON TERRISITO: All right.

21 When you get to the microphone, do  
22 say that, because we have someone actually

1       taping.

2                   Who is going to start?

3                   MR. MURPHY: I guess that's more in  
4 my job description than it is in his.

5                   Let me introduce you to Terry  
6 Kresher, who is our Section 8 program director,  
7 who, for the record, has the impossible task of  
8 keeping his boss out of trouble this morning.

9 We both thank you very much for this  
10 opportunity to appear in front of the  
11 commission and hope that what we can contribute  
12 will be of at least some interest and maybe of  
13 some help.

14                   This is a very impressive gathering  
15 of people. I don't know that either of us have  
16 ever been in this situation before, from  
17 anybody who has ever really wanted to know how  
18 we do our business in this level of detail.  
19 But we'll do our best. And I don't have any  
20 opening statements to make. I just invite an  
21 opening of the dialogue, if you would.

22                   CHAIRPERSON TERRISITO: Well, why

1 don't we start by having you give us an  
2 overview of what you do.

3 What is it that the Syracuse Housing  
4 Authority has responsibility for and how have  
5 you been doing it?

6 MR. MURPHY: Of course, as director  
7 of the housing authority, I'm ultimately  
8 responsible for all our programs. Primarily, I  
9 spend most of my time dealing with our  
10 development, our housing developments that we  
11 manage. We have about 2800 units of housing in  
12 our Section 8 program. It's bigger than our  
13 development housing, and there are now close to  
14 3000 units.

15 We started with a subsidy program so  
16 far back that it was not even called Section 8,  
17 it was called Section 23. And it was so small  
18 that we had one person, part-time, doing the  
19 Section 23 program in our office. The number  
20 of units that we were administering, I think,  
21 was around two dozen.

22 The program just kind of stumbled



1 along like that. It just grew by bits and  
2 pieces in the early '70s. And it wasn't until  
3 the Section 8 program started to avail itself  
4 in larger numbers that we were successful in  
5 applying and receiving many more units of  
6 housing. So, with that, the program began to  
7 have a rather strong and major escalation to  
8 where it is today.

9 We went to Washington the other week  
10 to receive an award for best sustained  
11 performance of the Section 8 program. We were  
12 one of eight national awards that were given  
13 for administering of Section 8 programs. We  
14 don't know what we did to get it, but we were  
15 not going to turn it down. It's the only one  
16 like it that we have ever gotten, and so we're  
17 delighted to get it.

18 I was listening to Mr. Hanley's  
19 comments, and I have to endorse what Michael  
20 was saying, in that we have all been in this  
21 thing since the very beginning and tried to  
22 watch how it has grown.

1           In the beginning, the program seemed  
2 to be an alternative to afford low-income  
3 people more choices in their life. And that  
4 seemed to be the operative word more than  
5 anything else, because there were a lot of  
6 people who didn't want to wait in line and live  
7 in housing developments.

8           So it was seen -- by me, anyway, at  
9 that time in the '70s -- as a way of trying to  
10 fulfill our need to provide housing assistance  
11 for low-income people, other than just making  
12 them stand in long lines for housing  
13 assistance, to the point today where the lines  
14 that they have to stand in to get a Section 8  
15 subsidy is long. And our project waiting list  
16 is very short, in fact, except for family  
17 housing.

18           So we are back where we started from,  
19 way in the beginning, and there doesn't seem to  
20 be any answer to all of that.

21           CHAIRPERSON TERRISITO: How long is  
22 the waiting list?

1 MR. KRESHER: It's 6492 families.

2 MR. MURPHY: It is three and a half  
3 years long, on average.

4 CHAIRPERSON TERRISITO: Do you close  
5 these lists periodically?

6 MR. MURPHY: We do not.

7 CHAIRPERSON TERRISITO: You keep them  
8 open?

9 MR. MURPHY: We keep them open.

10 CHAIRPERSON TERRISITO: And what is  
11 the jurisdiction?

12 MR. MURPHY: City of Syracuse city  
13 limits.

14 MR. KRESHER: With one exception. We  
15 have a '92 U.S. contract that we sometimes  
16 direct for the state, but we aren't allowed to  
17 subsidize voucher holders in the county.

18 CHAIRPERSON TERRISITO: In the  
19 county?

20 MR. KRESHER: They deal through  
21 Syracuse Housing.

22 CHAIRPERSON TERRISITO: And is that

1 application process available? Is the same  
2 application process as the one you've --

3 MR. KRESHER: We use the same waiting  
4 list for both programs.

5 MR. MURPHY: That was given to us by  
6 DHCR, which is the State Division of Housing  
7 and Community Renewal, because they didn't want  
8 to administer the program anymore. So we're  
9 doing it under a contract with them, quite  
10 frankly.

11 The normal political or legal limits  
12 to our authority for our programs is the city  
13 limits. I think that's true of all housing  
14 authorities in this state.

15 PARTICIPANT: I was going to ask you,  
16 really, the main purpose of these meetings is  
17 data or information so that we don't base our  
18 conclusions on personal opinion.

19 Tell us if you have a local residency  
20 preference.

21 MR. MURPHY: We do not.

22 PARTICIPANT: You don't?

1 MR. MURPHY: We do not. Syracuse  
2 Housing Authority's program does not have a  
3 local preference.

4 CHAIRPERSON TERRISITO: And the  
5 county program?

6 MR. MURPHY: There is no preference,  
7 no local preference --

8 PARTICIPANT: No required --

9 MR. MURPHY: -- geographical  
10 preference.

11 CHAIRPERSON TERRISITO: We have some,  
12 I think, outdated data on what it looks like,  
13 in terms of population figures, in terms of  
14 participation in the Section 8 program, in  
15 terms of the ethnic and the class of people who  
16 are eligible for the program.

17 Is that something that you could  
18 provide to us?

19 We don't need to know it today. In  
20 other words, we would like you to put together  
21 whatever documentation that would bring us up  
22 to date. The information we have dates back to

1 1980.

2 And I'm assuming that things have  
3 changed since 1980. So if you could do that  
4 part of it for us, that would be very helpful.

5 Are there any questions from --

6 MS. LOPEZ: I have one.

7 PARTICIPANT: Do we have a breakdown  
8 on your waiting list? How many of them are  
9 African-American, Latino, and others?

10 MR. MURPHY: I'll give it to you by  
11 percentage.

12 PARTICIPANT: Yes, if you would.

13 MR. MURPHY: African-American is 48.5  
14 percent of our waiting list, Latino is 9.2  
15 percent of our waiting list, and other  
16 minorities are 5.4 percent of our waiting list.

17 The last number that we have -- 36.8  
18 percent -- we are unable to break down. All we  
19 have are clustered in a group of disabled and  
20 handicapped, which we suspect also includes the  
21 elderly. But we don't have any breakdown on  
22 that between those two. So I apologize for

1 that number.

2 PANELIST: Fred, there's the other  
3 category, which is 5.4 percent, who are people  
4 who did not mark their pre-apps. So it could  
5 be a minority.

6 CHAIRPERSON TERRISITO: And on the  
7 actual Section 8 folks, what does that  
8 breakdown look like?

9 MR. MURPHY: I have minority  
10 participation as 61.52 percent, a lot different  
11 than the 1981 numbers.

12 CHAIRPERSON TERRISITO: And do you  
13 have a breakdown in terms of what that looks in  
14 the minority population?

15 MR. KRESHER: What we've tried to do  
16 is answer the specific questions that you were  
17 giving to us, and we did not do it that way.

18 MR. MURPHY: We can provide that to  
19 Mr. Serpa later, if you would like.

20 CHAIRPERSON TERRISITO: Yes.

21 MR. SERPA: Yes, I would like to have  
22 that.

1 CHAIRPERSON TERRISITO: The group  
2 that you're administering for the county, does  
3 that have a similar picture?

4 MR. KRESHER: It's all blended  
5 together. We have no particular numbers for  
6 that particular contract. It doesn't change  
7 anything.

8 CHAIRPERSON TERRISITO: I don't know  
9 if this is a question someone else would like  
10 to present. One of the concerns is the  
11 availability of housing in lower-poverty areas.  
12 So, presumably, if you're administering the  
13 county part, that's more suburban; is that  
14 correct?

15 MR. MURPHY: That's correct.

16 CHAIRPERSON TERRISITO: All right.  
17 So I think there's an interest in knowing about  
18 how that is being applied. In other words, are  
19 we giving opportunity, in those other areas, to  
20 people who would otherwise would not have  
21 access to those areas under the current  
22 administration of this program?



1 MR. MURPHY: I hope that my comments  
2 will be on point. Stop me if I get off.

3 We from the city side -- and Peter  
4 certainly can talk more about the county side  
5 of it -- but we on the city side have tried to  
6 remove all impediments -- institutional and  
7 otherwise -- for people to have free access to  
8 anywhere they want to go in the County.

9 We have a relationship with our  
10 colleagues in the County, from individual  
11 towns -- and certainly with Peter, who  
12 administers the county program -- where we  
13 exchange and have almost a de facto barter  
14 system where we trade subsidies back and forth  
15 between each other.

16 If there's a reluctance on the part  
17 of a suburban community to house or provide a  
18 subsidy for any of our city folk, if there's no  
19 bartering possible, we will simply send them  
20 cash.

21 They have to invoice it to us and we  
22 will send them the money to subsidize, to send

1 the Section 8 funds to that person in the  
2 County. And we will do that so that there is  
3 no impediment to their moving anywhere in the  
4 county, at least based on economics.

5 CHAIRPERSON TERRISITO: That's just  
6 the 92 positions, or is it in general?

7 MR. KRESHER: In general.

8 MR. MURPHY: In general.

9 CHAIRPERSON TERRISITO: So, in other  
10 words, you're dealing with other administrators  
11 in other counties besides the ones that you  
12 administer yourself.

13 MR. KRESHER: No.

14 MR. MURPHY: No, not another county.  
15 It's only in the smaller suburban towns in our  
16 county. As far as I know, we have fairly  
17 limited interactions with other counties and  
18 certainly not in any significant numbers, to my  
19 understanding.

20 MR. KRESHER: What we've done, when  
21 portability became a factor, we've made  
22 agreements with all of the surrounding agencies

1 to absorb to the best of ability that we could,  
2 as far as subsidies are concerned.

3 Our programs are much, much larger  
4 than North Syracuse or East Syracuse or  
5 whatever, and they didn't want to put them out  
6 of business by billing, whatever.

7 MR. MURPHY: Okay.

8 MR. KRESHER: You're welcome.

9 (Laughter)

10 MR. KRESHER: The program that we  
11 handled for the state, the '92 vouchers that we  
12 use, are subcontracted for them. We've thrown  
13 them right in the pile.

14 If we see somebody that has some  
15 interest in moving outside the city, we will do  
16 the best we can to find a subsidy in that  
17 contract for them to use.

18 If that's not possible, we  
19 automatically will tell them to go to  
20 Christopher Communities, North Syracuse, East  
21 Syracuse, or whatever. And if they cannot  
22 absorb them, they'll bill us for the subsidies.

1           For the most part, people who move  
2 from Syracuse will move to the surrounding  
3 areas. We do have a number of people that have  
4 moved out of state. Of course, we don't have  
5 an relationship with those authorities like we  
6 would with the local authorities.

7           What we do as a matter of course is  
8 absorb it if the other housing authority is  
9 willing to absorb that. If we have a trade  
10 deal or if there is no chance that we're going  
11 to get somebody back from their area, we'll  
12 generally bill.

13           CHAIRPERSON TERRISITO: Mrs. Lopez,  
14 you had a question?

15           MRS. LOPEZ: Yes. I just wanted to  
16 know the number of your certificates and of  
17 your vouchers, as well?

18           MR. MURPHY: Okay. It's 1597, as far  
19 as certificates; 975 vouchers, plus the 92  
20 vouchers that we handle for the state. The  
21 total is 2664.

22           We have 65 mod-rehabs, which weren't

1 asked for, and we're dealing with about 144  
2 sheltered-care units. That's a total of 2873.

3 CHAIRPERSON TERRISITO: Juan.

4 MR. PADILLA: I would like to ask a  
5 question in regard to the fair-market levels  
6 that you use. I think that's important for us,  
7 to be able to compare with all of this.

8 MR. MURPHY: Do you want, just  
9 literally, them to tell it to you? How would  
10 you like it?

11 MR. PADILLA: Yes, just a summary,  
12 really.

13 MR. MURPHY: Between us, on the  
14 inside, we don't believe that the fair-market  
15 rents reflect the market. They drive the  
16 market. Whenever there is a published number  
17 for fair-market rent, everybody all of a sudden  
18 knows the Federal Register as well as we do.

19 (Laughter)

20 MR. MURPHY: All of a sudden, the  
21 rent levels go before it's advertised, before  
22 it has been published. It doesn't seem to go

1 the other way around, and it has been that way  
2 for quite a while.

3 So, as a general statement, it seems  
4 to work that way. We have, at least as I  
5 understand it, no way of knowing how these  
6 numbers are developed by The Economist in  
7 Washington, except only to watch for them when  
8 they appear in the Register. They apparently  
9 conduct telephone polls, random telephone  
10 calls. I don't really know how it's done, how  
11 the numbers are derived. But we're really a  
12 passive participant in the development of the  
13 fair market rents.

14 They do seem to be very well done  
15 because they don't seem to -- at least as far  
16 as we're concerned, anyway -- act as an  
17 impediment to stopping people from moving  
18 wherever they would likely find decent housing  
19 for those dollars that are available to them.

20 MR. KRESHER: If it's a fact that the  
21 proof is in the pudding, we have, for the last  
22 almost 10 years, done that with 100 percent

1 utilization with the program. So people have  
2 been able to find units fairly easily at the  
3 fair market price.

4 MR. PADILLA: That's in each area?  
5 It's not a big issue here then?

6 MR. MURPHY: No, it does seem to be.

7 PANELIST: Have you seen any  
8 difference in the success rates, the  
9 utilization rates for minorities versus  
10 non-minorities?

11 MR. MURPHY: The minorities have a  
12 one-point higher success rate than whites do.  
13 Give me a second, and I'll find it.

14 MR. KRESHER: The utilization for  
15 Whites are 87.7 percent; minority, 88.5  
16 percent.

17 PANELIST: The question that Lita  
18 asked before, about where you find people are  
19 using their Section 8 subsidies, are you able  
20 to tract what Census tracts the subsidies are  
21 used in? And do you find any differences there  
22 between minority families and non-minority

1 families?

2 MR. KRESHER: I have impacted Census  
3 tracts. We did a survey a month or so ago to  
4 try to figure out where everybody was living.  
5 I have minorities in every Census tract but  
6 one, and that's a cemetery. I probably have  
7 some there, too.

8 (Laughter)

9 MR. KRESHER: We have several Census  
10 tracts that are in the center of the city that  
11 are, I would say, impacted. But then  
12 there's --

13 PANELIST: Is there any data  
14 available about the percentages of the  
15 concentrations where the predominate use is and  
16 what Census tracts?

17 MR. KRESHER: I have the numbers.

18 MR. MURPHY: No, I don't think we  
19 have percentages. I don't think we have  
20 development data to that point.

21 PANELIST: And would it be available  
22 with a breakdown at any point in time by race?



1 MR. KRESHER: I can give you a  
2 breakdown of the Census in the cities with the  
3 minorities versus whites in each Census tract.

4 PARTICIPANT: This is for Section 8  
5 participants?

6 MR. KRESHER: Yes. But other than  
7 that, I don't have any numbers, as far as  
8 economics, of people that earn under Section 8  
9 programs.

10 PANELIST: You mentioned that the  
11 Section 8 fair-market rates tend to drive the  
12 rental market in this area.

13 Is that a submarket of landlords that  
14 accept Section 8, or do you find that  
15 influences the entire rental market?

16 MR. MURPHY: I guess I would lean to  
17 your thinking that it's probably a submarket,  
18 but it's probably a very large market.

19 PANELIST: And if it is a submarket,  
20 do you have a pool of primary landlords that  
21 you use?

22 MR. KRESHER: We publish a rental

1 listing where all of our landlords -- or most  
2 all of our landlords or anybody that cares to  
3 know it, they can call. We put them on the  
4 rental listing. We publish that on a weekly  
5 basis. It always has a fairly large number of  
6 units available.

7 Some of our very large landlords will  
8 stay on, and we know that they're going to have  
9 vacancies. If they don't today, they'll have  
10 one tomorrow.

11 PANELIST: Have you been successful  
12 in finding landlords that have properties  
13 located out of high-poverty Census tracts?

14 MR. KRESHER: Yes.

15 PANELIST: Do you have a sense of  
16 what portion of units would be outside of  
17 poverty tracts, and which ones would be looked  
18 at?

19 MR. KRESHER: I don't have those  
20 numbers with me.

21 PANELIST: But that's something that  
22 you have done?

1 MR. KRESHER: I'd say probably a  
2 third of the Census. There may be a little bit  
3 more than that out of the poverty Census tract.  
4 This would be a guess.

5 PANELIST: Are any located outside of  
6 the city, or do you refer people outside the  
7 city?

8 MR. MURPHY: I don't know that we  
9 refer people outside the city. People that  
10 want to leave the city seem to have a fairly  
11 well-eveloped expectation as where they want to  
12 go; if not exactly where they want to go, but  
13 at least where they want to move to, and  
14 they'll name a town or a place in the county.  
15 That seems to be the way it works.

16 PANELIST: Have you started to go --

17 MR. KRESHER: It's a small area.  
18 They'll know where they want to go, it seems.  
19 It's not like your narrative of the lady who  
20 was looking for a place at -- I can't believe  
21 it works that way in this town -- because if  
22 they want to go Liverpool or one of the outside

1 towns, they pretty much know where they are and  
2 where the housing is that's available.

3 CHAIRPERSON TERRISITO: Is the  
4 application process for your office the same as  
5 other offices that are administering the  
6 Section 8 program? Do you have a uniform  
7 application process?

8 If someone were to come to your  
9 office and was interested in going to a  
10 particular place outside of your jurisdiction,  
11 but they have an application on file with you,  
12 can that application be xeroxed and sent off to  
13 this other office?

14 MR. MURPHY: In fact, that's all they  
15 need. They don't need to reapply anyplace  
16 else.

17 MR. KRESHER: The only application we  
18 have is for Section -- it's a pre-application  
19 after the Section 8 program that is different  
20 than North Syracuse or anybody else's.

21 They'll fill that out. They'll get  
22 on the waiting list. They'll come in and then

1 go through the application process, which is  
2 the 58 form, all the rest. And they're given  
3 their subsidy. If they wanted to go any other  
4 place, they are welcome to. They wouldn't use  
5 that application anyplace else.

6 MR. MURPHY: They don't need to,  
7 either.

8 CHAIRPERSON TERRISITO: And what is  
9 that?

10 MR. MURPHY: We will subsidize them  
11 in that other town so that they don't need to  
12 reapply in that other town.

13 MR. KRESHER: I give them the  
14 subsidy. They go to Christopher Community,  
15 okay. Christopher Community either bills me or  
16 absorbs the --

17 CHAIRPERSON TERRISITO: So they don't  
18 have to go through a second process in this  
19 other place --

20 MR. KRESHER: Right.

21 MR. MURPHY: Right.

22 CHAIRPERSON TERRISITO: -- that they

1 might be interested in living in the area that  
2 they're interested in living in?

3 MR. KRESHER: If they found a place,  
4 they would go through it. If they were going  
5 to absorb, they go on to Christopher  
6 Community's program and fill out another 58  
7 form and go through that process.

8 PANELIST: Do you advise families  
9 that come in to apply for your program that  
10 there are other Section 8 programs that they  
11 could apply to?

12 MR. MURPHY: I don't think we do. I  
13 don't think we advise them. We'll answer  
14 questions, but we don't advise them. We're not  
15 acting proactively, if you will, in that  
16 regard.

17 MR. KRESHER: If someone comes in to  
18 fill out an application, they realize the  
19 waiting lists are three and a half years long,  
20 we'll tell them that there are other programs,  
21 the 11B Programs that are available in the city  
22 and the other subsidized programs that are

1 available. We'll tell them where they exist.

2 I also have some brochures, whenever  
3 I speak to a group, that lists all of the  
4 subsidized programs that are nearby, or  
5 available to people in this area. But to  
6 specifically say to each person coming in,  
7 "Maybe you should go over to Christopher  
8 Community or North Syracuse and apply," no, we  
9 don't do that.

10 PARTICIPANT: Since we are here as  
11 part of the United States Commission Civil  
12 Rights, I'd like to know -- and this is in two  
13 parts -- what efforts do you make to absolutely  
14 protect the civil rights of the people who  
15 apply? If you can, give me an example of some  
16 of the methods or things that you do to make  
17 sure that civil rights of applicants are not  
18 violated, especially those of minorities.

19 MR. MURPHY: We have, as part of the  
20 briefing, a package of briefing information.  
21 They are advised as to what's available in the  
22 way of resources. All families, all

1 individuals are advised as to what resources  
2 are available. And if they, in fact, have to  
3 deal with instances of discriminatory behavior  
4 by a provider, a housing provider, that  
5 information is made available to them at the  
6 time of a briefing when we are starting the  
7 process.

8 So they will have the appropriate HUD  
9 forms, and the appropriate referrals will  
10 primarily, if not exclusively, deal with our  
11 legal services corporation and make sure that  
12 the program applicants know that, as opposed to  
13 a state office or a state agency. And our  
14 local legal services office is very well versed  
15 and very practiced and very knowledgeable in  
16 handling those kinds of issues.

17 I don't have any knowledge of any  
18 specific instances where these actions were  
19 used and how they worked.

20 MR. KRESHER: Specifically, one of  
21 the things that we do when we take people off  
22 of the waiting list or write to them, we take



1       them right in the exact order that they signed  
2       up. That's completely blind. We just take the  
3       next 50 numbers and send the letters out to  
4       them. That would seem to protect anyone as far  
5       as race or any civil rights concern, as far as  
6       bringing people in.

7                PARTICIPANT: Then how do we account  
8       for the fact that we will find people  
9       clustered? If it's open and fair, then how do  
10      we account for the fact that we have this race  
11      clustered here and that race clustered over  
12      there?

13               What efforts are made to make sure  
14      that people actually get out into different  
15      places? It seems to me that there must be  
16      something in place that makes them all here,  
17      that they're neatly segregated.

18               MR. KRESHER: It's their choice.

19               PARTICIPANT: It's their choice.

20               What do you do to make them feel  
21      comfortable? You see, having worked in that  
22      field, people need shelter. And they're afraid

1 that if they really put up a fight, they may  
2 not get this shelter. So are extraordinary  
3 methods used to ensure that their civil rights  
4 to fair housing across this area are done by  
5 those of you who are issuing the applications?

6 MR. MURPHY: I don't believe that we  
7 take any extraordinary methods, other than what  
8 I described a minute ago, to proactively try to  
9 encourage people to explore neighborhoods or  
10 communities where they would maybe not normally  
11 think available to them, or that they may not  
12 want to do that.

13 I suppose it would be almost  
14 institutionally arrogant for us to try to do  
15 that. So we, I expect, leave people to their  
16 own devices and do not think, at least in terms  
17 of acting towards, but making sure that nobody  
18 blocks them from following their dreams, if you  
19 will, or their own ambitions or their own  
20 desires and that they are not stopped from  
21 doing that.

22 But we don't try to instill a desire

1 for people to break new ground or break into  
2 new neighborhoods. It's their call.

3 PARTICIPANT: So it will stay the  
4 same.

5 MR. MURPHY: I have always seen the  
6 Section 8 program -- and I suppose my staff  
7 does, too -- as an alternative to living in  
8 multi-family housing and as a way of providing  
9 housing choices that were more than just  
10 housing projects, and that they would decide  
11 how far away and where they wanted to go.

12 And I really was not comfortable in  
13 making that decision on behalf of people, nor  
14 was I comfortable in telling them where I  
15 thought they should go to try to break new  
16 ground. That was their decision, not mine.

17 CHAIRPERSON TERRISITO: Can I ask a  
18 question related to what you're saying?

19 PANELIST: Yes.

20 CHAIRPERSON TERRISITO: Have you had  
21 any kind of complaints with respect to subsidy  
22 holders about discrimination? And if so, what

1 is done to address that?

2 MR. MURPHY: As far as I understand,  
3 so few that when we were talking, even  
4 yesterday, we couldn't remember any time where  
5 we have heard. Now, that doesn't say that  
6 maybe Legal Services hasn't heard -- and I  
7 would certainly bow to their experience in  
8 this -- but as far as our staff has heard of  
9 certificate and voucher holders coming back to  
10 us and saying, "I wanted to go here, but we  
11 were blocked and we were stopped and we  
12 couldn't do it and we had a negative response  
13 to our request to rent," then we would bring  
14 our resources into play. But we haven't had a  
15 call to do that.

16 MR. KRESHER: In the 14 years that  
17 I've been doing this, I can only remember one,  
18 maybe two cases, and I would have referred them  
19 to Legal Services.

20 PANELIST: Do you have a working  
21 relationship with Legal Services to find out?  
22 Once they've left you, if they come back with a

1 complaint -- you are both admitting that they  
2 don't bring that complaint to you -- then do  
3 you find out from Legal Services  
4 periodically -- once a year, whatever -- if  
5 people are coming back to them with complaints?

6 MR. MURPHY: I would expect not. The  
7 brief answer -- the quick answer is, no, we  
8 would leave it up to Legal Services to call us  
9 and tell us, "We're representing one of your  
10 subsidy holders and they encountered this and  
11 we did that."

12 We would not initiate that follow-up  
13 because we don't know if anybody has. And  
14 based on our experience, it is not an issue  
15 that we have followed as though it is looming  
16 over us everyday that we have to relate to and  
17 deal with everyday. It appears -- to us.  
18 Anyway, to be a very occasional occurrence, not  
19 a problem that we have to deal with on an  
20 ongoing day-to-day basis, certainly, with Legal  
21 Services.

22 CHAIRPERSON TERRISITO: We have to --

1 MR. KRESHER: I'm absolutely positive  
2 that, with the relationship that we do have  
3 with the fellows from Legal Services, if there  
4 was a complaint, they would come to me and ask  
5 me --

6 CHAIRPERSON TERRISITO: You would  
7 hear about it?

8 MR. MURPHY: I don't want to besmirch  
9 Legal Services' reputation for being in town,  
10 but we do really have a very good working  
11 relationship.

12 PANELIST: On the outside, I wouldn't  
13 say that, Michael, but --

14 MR. MURPHY: Oh, you're going to  
15 vouch for the historical relationship with  
16 housing authorities?

17 CHAIRPERSON TERRISITO: I would like  
18 to know whether anybody else on the panel have  
19 any further questions, because we're going to  
20 be closing.

21 PANELIST: I'm a subsidy holder.  
22 I've survived your three and a half year

1 waiting list. What do you do to help me find  
2 an apartment, if you do anything?

3 MR. MURPHY: Well, we will provide  
4 you with information. It is not a very  
5 sophisticated method. It is lists of available  
6 properties and owners of properties that are on  
7 bulletin boards available for people to peruse,  
8 if they need to do that.

9 Again, to repeat what Terry said a  
10 minute ago, Syracuse is a small town.  
11 Everybody knows where they want to go, and  
12 where they want to be. And in fact, they may  
13 have already pre-selected, to a great degree, a  
14 neighborhood where they would like to go. So  
15 it's a system that is not very sophisticated,  
16 but it does, in fact, seem to work.

17 MR. KRESHER: We publish weekly  
18 rental listings. We use a bulletin board  
19 that's available to all of our landlords. We  
20 post the AM Paper, the rental listing for the  
21 AM Paper.

22 PANELIST: Are you saying that you

1 don't see, based on your experience, any  
2 impediments to equal housing opportunity within  
3 your program?

4 MR. MURPHY: No, we do not.

5 CHAIRPERSON TERRISITO: And I think  
6 Michael has --

7 We'll finish this.

8 MR. HANLEY: I know we're running out  
9 of time, but I just wanted to make sure.

10 CHAIRPERSON TERRISITO: Mr. Hanley.

11 MR. HANLEY: You're basically saying,  
12 Fred, that you don't undertake it as an  
13 obligation to be proactive about advising  
14 people how they could perhaps better use their  
15 Section 8 subsidies. It's a housing choice  
16 issue. They know where they want to live.

17 MR. MURPHY: We did last year, or the  
18 year before, for the monies with Legal  
19 Services, to try and get three counselors in  
20 for this -- I think it was -- whatever the name  
21 of that program was. We did that in  
22 conjunction with Legal Services to attempt to



1 get counselors.

2 MR. HANLEY: I assume the reason for  
3 applying for that was that you thought that  
4 that would be a useful program. And since HUD  
5 had funding recisions, has any thought been  
6 given to looking for ways to replace the  
7 funding that HUD didn't have available to do a  
8 mobility counseling program?

9 MR. KRESHER: Michael will go after  
10 any money that's available. Any money that  
11 comes up, we're very aggressive, and we'll go  
12 after it. If they want counseling, we get  
13 counselors. We do this the best way that we  
14 can.

15 MR. MURPHY: We haven't learned of  
16 any opportunities to do it for a program like  
17 that, though.

18 CHAIRPERSON TERRISITO: We want to  
19 thank you for visiting with us. Before you  
20 leave, there was a memo sent to you with a  
21 number of questions, which we may or may not  
22 have addressed all of them.

1 So what we would like you to do is to  
2 send us whatever documentation you would have  
3 that would address the questions that were  
4 given to you in that memo.

5 MR. MURPHY: Sure.

6 CHAIRPERSON TERRISITO: And we want  
7 to thank you very much for coming, and we hope  
8 that you will stay with us.

9 MR. MURPHY: Thank you.

10 CHAIRPERSON TERRISITO: I would ask  
11 Peter White, Director of Christopher Community,  
12 to please come to the microphone.

13 MR. WHITE: Good morning. I'm Peter  
14 White, Director of Christopher Community. And  
15 with me is Bob Weismore, our Section 8 program  
16 supervisor.

17 Let me tell the panel a little bit  
18 about Christopher Community. We haven't won  
19 any awards lately, Fred, but I'm working on it.

20 Christopher Community is a  
21 not-for-profit organization. It was initiated  
22 by Catholic Charities back in 1971, primarily

1 to develop senior housing and to work on health  
2 facilities for seniors. When Congress finally  
3 started to fund the senior housing programs,  
4 Christopher Community was in place, and it also  
5 started to fund more broadly the Section 8  
6 program.

7 There was a desire on the part of  
8 Onondaga County's Community Development  
9 Department to use subsidies, rental subsidies,  
10 in the towns and villages. I was not a  
11 Christopher Community at the time. I was  
12 working with the Model Neighborhood Housing  
13 Corporation with Fred Beck, developing housing  
14 in the inner city in Syracuse.

15 But the history that I know about,  
16 the desire on the part of the county was not to  
17 have multiple administrations, if at all  
18 possible, in the towns and villages. We're  
19 talking 32 towns and villages covered by what  
20 has become a consortium, all the towns and  
21 villages working with County Community  
22 development, authorized the village of Manlius

1 to act as what HUD would call the lead agency.  
2 Manlius subcontracted back to Christopher  
3 Community to set up the administration of the  
4 Section 8 Program.

5 With the exception of the three  
6 Syracuses -- the City, East Syracuse, and North  
7 Syracuse -- who operate their own programs, we  
8 provide all the subsidies to those persons who  
9 wish to live in the towns and villages. We  
10 accept on affordability those from the Housing  
11 Authority who wish to go to suburban locations.  
12 And in turn, we have people in the suburbs who  
13 occasionally want to go back to the city. And  
14 then we transfer those vouchers or certificates  
15 back to the Housing Authority or to either East  
16 Syracuse or North Syracuse, if that's the  
17 locale they wish to be in.

18 We run a small program, as far as  
19 Section 8 goes. In our overall program, we  
20 take care of some 2500 apartments or persons.  
21 We administer 2400 senior and family  
22 apartments. We run two homes for the disabled

1 under the state's homeless program.

2 I run a shelter for women and  
3 children. We work with the youth of the local  
4 high schools, in a sense that they've been put  
5 out of the house, or need to find housing, and  
6 set up housekeeping and jobs and assistance  
7 from the school system on their own.

8 And I guess if we were a housing  
9 authority, we would be the sixth largest in the  
10 state of New York, but we're just a non-profit.

11 Our Section 8 program totals 505  
12 certificates and vouchers in the towns and  
13 villages. We have almost 2,000 persons on the  
14 waiting lists. We have four staff people to  
15 handle this load. We have preferenced cases,  
16 usually in the preferences are a little over  
17 1300. I have all the information that Fernando  
18 requested. We'll get this typed.

19 And based on some of your interest,  
20 we'll highlight some of this and make sure that  
21 it is presented in a more complete and  
22 presentable manner.

1           Some of the questions I know from the  
2 panel before. We have accepted applications  
3 copied by other agencies, although I would not  
4 object to a uniform application in our county.  
5 So if one person would give us one and say,  
6 "Would you send it to the Housing Authority,"  
7 or something like that, we'd have no objection.

8           There may be people searching for a  
9 short list who have a need of housing. I would  
10 have no problem with that. We have shared and  
11 accepted applications in the past for people on  
12 different lists. Fred and I recently worked on  
13 a case of a disabled woman, who just could not  
14 seem to decide where to live.

15           And I think that between Fred,  
16 myself, Bob Weismore, and Terry Kresher, we  
17 were able to coax that individual through a  
18 difficult process by working together. And I  
19 think that is just one tiny example of what we  
20 do on a regular basis with the Housing  
21 Authority and the other agencies.

22           In terms of our numbers and

1 percentages, when we have in terms of our  
2 program percentages -- I'm going to jump to  
3 question 15 that was sent to us -- out of our  
4 505 subsidies that are in use, we had 59 with  
5 African-Americans, four with Native Americans,  
6 one Asian, eight Hispanics, totalling 72. We  
7 have 201 disabled. I have no idea if we have  
8 further breakdown of disabled by minorities, or  
9 if they are in there also.

10 So in those three categories --  
11 African-American, Latino, disabled -- we had  
12 273 persons or 53 percent of the program. I  
13 think one of our highest uses of subsidies is  
14 also single women with children, have a very  
15 high percentage of our subsidies in the towns  
16 and villages. On our waiting list, as best we  
17 were able to pull up, Tuesday and Wednesday, we  
18 have 11 percent minorities or 223 persons  
19 waiting for subsidies that we know to be  
20 minority.

21 There was a question before, I guess  
22 more on the proactive side, we have probably

1 not -- proactive in the sense that I think we  
2 make referrals to Legal Services, Fair Housing,  
3 the Human Rights Commission, if there are  
4 problems.

5 We often talk with the Central New  
6 York Legal Services should there be a problem,  
7 although they tend to be on the other end of  
8 lease, if you will, meaning an arbitration  
9 between tenants, an arbitration service or  
10 conflict between tenant and landlord, having to  
11 do possibly an eviction, behavior, whatever, we  
12 often try to get involved with that, and we do  
13 get involved with that with Legal Services to  
14 protect the tenant.

15 And sometimes to assist the tenant,  
16 we simply say, if they're ready, "Look, we  
17 cannot live under this landlord anymore," we  
18 simply would try to work out a lease recision  
19 so that they have the choice to go someplace  
20 else and not jeopardize their subsidy. This  
21 has happened or happens a dozen times a year at  
22 least.



1           On the other end, we handle the lists  
2           in chronological order as does the Housing  
3           Authority. We will grant time extensions due  
4           to circumstances -- a particular complex that  
5           somebody might want to be in has a vacancy.  
6           Their 60 days are up, but the lease can be  
7           signed for the following month. We will give  
8           that person that opportunity. We have not shut  
9           the door.

10           Most of the people have waited too  
11           long and have been too patient. We will try to  
12           work with them. We ask that they keep us  
13           informed as to their progress. I don't want  
14           somebody to start looking on day 59, and then  
15           come crying, "I can't find anything."

16           We do like and appreciate, on behalf  
17           of the other clients we want to serve, some  
18           good-faith effort on the part of those persons  
19           who have come to us.

20           I guess that, with that, I'll defer  
21           to your questions.

22           CHAIRPERSON TERRISITO: Any questions

1 from the panel?

2 MR. PADILLA: I would like you to  
3 really give us an honest opinion of facts about  
4 the major impediments as you see in regards to  
5 fair housing in the area.

6 MR. WHITE: One of the things that  
7 Mike will mention -- and unfortunately, Mike, I  
8 think we had a profit back as early as 1969 or  
9 1970 -- some impediments I find to Fair Housing  
10 or at least getting persons of minorities into  
11 County Housing, we have noted rent disparity  
12 problems. If we had a higher rent scale for  
13 the towns and villages, we could probably opt  
14 into more of the housing complexes that are  
15 available.

16 Most of the apartment and housing, if  
17 you will, that are available probably exist in  
18 the Northern of Onondaga County, the southern  
19 half being a little populated, a little less  
20 developed, in terms of apartments and jobs and  
21 things of that nature.

22 Back in '68-'69, Onondaga County --

1 my God, I never thought I'd give this guy  
2 credit for this -- Jim Johnson did a  
3 transportation study.

4 He identified the problems of  
5 transportation for jobs and housing a long time  
6 ago. I mean, it was a time following the riots  
7 of the '60s, the civil rights violations, then  
8 the movement of minorities in this country, and  
9 Jim did a detailed study on how to correct that  
10 particular situation, what it would take in  
11 terms of subsidies, what it would take in terms  
12 of reorganization, transportation routes, and  
13 doing things with transportation. And we find  
14 that to be problem.

15 We find people that want to make a  
16 referral from the city, and don't have the  
17 necessary access sometimes. Again, like your  
18 study sheet, they did not have the time or the  
19 ability for the transportation side of things  
20 to get out and go look at several different  
21 places, if that was a choice that somebody has.  
22 So I see transportation in support.

1 I think the Counseling Program that  
2 Terry and I have worked on, we would have  
3 worked on, we would have been part of, as they  
4 would have out-stationed, I believe, one of  
5 those counselors at Christopher Community for  
6 the program did not get funded, could have gone  
7 a long way towards resolving that in providing  
8 some assistance, especially to any of the  
9 minorities who wanted to move out of the city  
10 and attempt the situation in the suburbs.

11 CHAIRPERSON TERRISITO: In what way?.

12 MR. WHITE: I think if we had someone  
13 in the counseling area, we could probably have  
14 developed through the possible use of volunteer  
15 vans, some other transportation mode,  
16 individual cars, whatever. We work a lot with  
17 the Parishes of Catholic Charities to get  
18 information out on housing and things of this  
19 nature. We use the human development  
20 committees of the parishes as volunteer  
21 resources, and things of this nature.

22 Most of them are studying and

1       restudying their own efforts these days, but I  
2       could foresee something like that being  
3       developed, but there has to be a coordinator.  
4       I can't put that on the back of the people  
5       doing the day-to-day paperwork, the  
6       inspections, the financial arrangements witness  
7       the size staff that we have now, which we only  
8       number four people in terms of the day-to-day  
9       work that's done.

10               One of the things about a County  
11       situation is, if Bob is a supervisor, he may be  
12       able to serve one or two cases on that  
13       particular day, and it depends on his clients.

14               You can't always say to the client,  
15       "You got to be there at 4:30. You got to be  
16       there at 5:00. I'm going to be in town only on  
17       Mondays." That isn't the way we try to serve  
18       the people.

19               We can do mail-in applications. We  
20       prefer people to mail, receive applications  
21       through the mail, and get them back to us.  
22       It's easier. We tell them that over the phone.

1 They can call to acknowledge that it has been  
2 received and put on the charts.

3 We try to do the paperwork on  
4 recertification in the office, take it out when  
5 the people do inspections so that they don't  
6 constantly have to worry about transportation  
7 to our little central office on the outskirts  
8 of the city. So, in some ways, we're trying to  
9 be as compatible or user-friendly, if you will,  
10 to our applicants.

11 CHAIRPERSON TERRISITO: Michael.

12 MR. HANLEY: Peter, you mentioned  
13 that there are about 72 minorities total out of  
14 the 505. And those would do a referral if  
15 someone wants to move back into the City. So  
16 all of these households, all 505, are families  
17 that are residing outside of the City of  
18 Syracuse?

19 MR. WHITE: Right.

20 MR. HANLEY: So you have a fairly  
21 extensive list of properties owners who are  
22 willing to participate in the Section 8

1 program, the subsection?

2 MR. WHITE: One of things that's  
3 happened over the years, and I think it's a  
4 credit to Bob and his crew, is getting the  
5 confidence of landlords. And one of the things  
6 I had made a note on is, when we deal with new  
7 landlords, the biggest shock is that they  
8 usually -- the first thing they do is give all  
9 that federal paperwork to their lawyer, who  
10 says, "Don't touch this thing."

11 So we have to get by that. I mean,  
12 there's a massive amount of paperwork that's  
13 given to us by HUD that is not easily absorbed,  
14 whether you're a lawyer, a client, or Section 8  
15 administrator.

16 It takes the assurance of staff. We  
17 make referrals between landlords, try to get  
18 one guy to talk to another, or one managing  
19 agent to talk to another, and say that it's  
20 doable, it's not a big deal, they'll work  
21 things out with you, the check is there.

22 And that has been the first

1 difficulty, if you will, with a landlord in a  
2 long period. Our prior difficulty has always  
3 been if the federal government did not have a  
4 continuing resolution.

5 On September 30th, we didn't get the  
6 money to cut rent checks in October or  
7 November, and that has been virtually  
8 eliminated. I mean, we haven't run into that  
9 in four or five years, thank God.

10 Because of the number of landlords  
11 that are depending on those checks, we share  
12 that list with the Housing Authority. We share  
13 that with anybody that wants to come in. We  
14 have people that come in and leave us  
15 applications and take that list with them even  
16 now, hoping that they might be able to afford a  
17 place, and be in place if and when their  
18 subsidy comes up.

19 PANELIST: Do you receive a lot of  
20 transfers from the Syracuse Housing Authority  
21 City Residents that take your list and --

22 MR. WHITE: The affordability, right



1 now, we have 51 active cases that have been  
2 transferred in. I would say 99 percent of  
3 those are from the City.

4 PANELIST: So far, the housing seems  
5 to be available for city residents. And I  
6 would guess -- maybe it's an assumption -- that  
7 probably a large percentage of your transfers  
8 are minority. Do you know?

9 MR. WHITE: Yes. Oh, yes,  
10 absolutely.

11 PANELIST: So there is the capability  
12 then, and there are only three poverty Census  
13 tracts outside the city. So I assume that most  
14 of your housing -- is this correct -- are  
15 outside of poverty Census tracts?

16 MR. WHITE: Where would those three  
17 be?

18 PANELIST: Springfield Gardens, I  
19 guess, is one. Do you have a lot of folks from  
20 Springfield?

21 PANELIST: Oh, yeah, that has a  
22 project based Section 8 subsidy.

1 PANELIST: Is that one of your major  
2 landlords as well?

3 PANELIST: No, because they have  
4 their own subsidies.

5 PANELIST: We'll be hearing later on  
6 from Merrilee Witheral, who did the analysis of  
7 impediments about where those Census tracts  
8 are.

9 PANELIST: I think we might have had  
10 two or three applicants who have come up who  
11 lived at Springfield who wanted to move and  
12 made the move. The big thing is the voucher  
13 program.

14 PANELIST: What are the improvements  
15 of the voucher program over the certificate  
16 program that makes that possible?

17 MR. WHITE: Well, it allows the  
18 person to pay a little more of their money to  
19 get a greater opportunity, whereas the  
20 certificate has a lid on the total rent that  
21 can be paid.

22 PANELIST: What percentage is your

1 payment of the fair market rent for the  
2 certificate program? There's some leeway on  
3 this. I understand it can be between 80 and  
4 120 percent.

5 MR. MURPHY: Well, again, the figures  
6 -- the payments stands at \$511 for a  
7 two-bedroom, \$639 for a three-bedroom.

8 PANELIST: Does that equate directly  
9 with fair-market rent?

10 MR. MURPHY: No. They're below the  
11 fair-market rates.

12 PANELIST: So it would be possible to  
13 raise the payment standards so that families  
14 didn't have to pay more than 30 percent of  
15 their income.

16 MR. MURPHY: I think we raised that  
17 three years ago.

18 CHAIRPERSON TERRISITO: If I  
19 understood what you said, you share the  
20 landlord list, so to speak, with anybody else  
21 that's interested.

22 How is it publicized, though? Is

1 there any kind of central source of information  
2 for an applicant that might want to move into  
3 the areas that you are administering?

4 MR. WHITE: Well, people ask us if we  
5 know of landlords. And we provide that list.  
6 And again, we provide that to the Housing  
7 Authority as well. The difficulty is that by  
8 the time somebody comes up on the list, the  
9 landlord lists may not have changed a lot.  
10 More likely, we would add a landlord or two,  
11 because those people we have tend to stay with  
12 us on the lists.

13 PANELIST: Within the County, we have  
14 a couple of major real-estate companies who do  
15 manage the complexes. And if we give a tenant  
16 the landlord lists, they call this real estate  
17 agency. And even though they're interested in  
18 one particular complex, they may have a vacancy  
19 somewhere else in another complex. So just one  
20 landlord like Longley & Jones may cover 10, 15  
21 complexes within the county.

22 MR. WHITE: Yes, or Central New York

1 Management or somebody like that. They are a  
2 major player in the apartment structures or  
3 housing structures of the towns and villages.

4 CHAIRPERSON TERRISITO: Panel?

5 Mr. Hanley.

6 MR. HANLEY: One other question.

7 You're allowed to have local preferences as  
8 well, not just residency preferences. But you  
9 said there is not residency preference for --

10 MR. WHITE: No, I think if you think  
11 32 towns and villages, if you were to base it  
12 on some kind of population quota, I think that  
13 would have negated a lot of the purpose of  
14 having the consortium and the ability of people  
15 to move within the towns and villages.

16 PANELIST: But city residents are  
17 just --

18 MR. WHITE: Right.

19 PANELIST: There is no status that --

20 MR. WHITE: It's the same as any  
21 other applicant, yes.

22 PANELIST: The other types of

1 selection preference categories, do you include  
2 things like using the traditional federal  
3 preferences? Do you use the Federal  
4 preferences?

5 MR. WHITE: We use the federal  
6 preferences.

7 PANELIST: Now, one of the downsides  
8 that we've heard of with the use of federal  
9 preferences is that it sometimes results in  
10 people who live in public housing not having a  
11 highest-ranking selection because they're not  
12 paying more than 50 percent of their income.

13 MR. WHITE: That can happen.

14 PANELIST: So is there --

15 MR. WHITE: In one case, with someone  
16 coming in on the Springfield Gardens, the  
17 family we assisted ended up -- a woman came to  
18 us. Even though she had subsidy, her  
19 preference was domestic violence and abuse.  
20 She had an alternative, not a good one, but she  
21 had an alternative to get onto preferences.

22 So if you have a subsidy someplace

1 else, it does. If you're in a project-based  
2 situation, public housing, Springfield Gardens,  
3 somebody who has project-based subsidies, yes,  
4 that would hurt your preference on a rental  
5 basis.

6 PANELIST: Have you seen that on your  
7 waiting list? Are the public housing  
8 applicants that applied from the city those  
9 that can't move on the list, or they don't  
10 apply?

11 MR. WHITE: We could take a look at  
12 that, though. Yeah, we could take a look at  
13 that. We administer the Mt. Saint James  
14 Apartments, which is a 30-year old apartment  
15 complex.

16 The mortgage is insured by the  
17 federal government, and half the development is  
18 under HES Section 8 set-asides. So we have a  
19 half low-income, half moderate-income families  
20 there in the city.

21 Next August, if HUD should not renew  
22 the subsidies, those people will be free to go

1 to other Section 8 Programs and be guaranteed a  
2 move. They would come out from underneath the  
3 set-aside. I don't know if that's going to be  
4 good for Mt. Saint James, because the project  
5 definitely needs a subsidy to maintain its  
6 occupancy.

7 But that's a situation that could,  
8 you know, one of those situations that could  
9 change, depending on when these Section 8  
10 contracts are assigned to projects and come up  
11 for renewal by the federal government. Those  
12 people would be out from under the set-aside  
13 subsidy and then be eligible for preferences.

14 Of course, the way HUD has that set  
15 up, they'll get a certificate or a voucher, no  
16 matter what, because they could use it back Mt.  
17 Saint James or they could go elsewhere.

18 PANELIST: And you'll administer that  
19 tenant-based subsidy at that point?

20 MR. WHITE: Depending on which  
21 program they would go to. They could go to the  
22 Housing Authority. They could come to



1 Christopher Community, and we'll have to  
2 guarantee them a subsidy place. I'm not sure  
3 if the Feds haven't given us all the details as  
4 to how that would work, should a contract  
5 expire in our community.

6 PARTICIPANT: How many people do you  
7 handle on your waiting list right now?

8 MR. WHITE: About 12,989.

9 PARTICIPANT: What is the annual  
10 turnover rate?

11 MR. WHITE: That would 40, 50. We  
12 have applied every year, over the last four or  
13 five years, for new subsidies; and. We just  
14 don't get a high enough ranking as to need --

15 We did a market study. It wasn't a  
16 real study, but I had a Phoenix group out of  
17 Rochester look at the towns and villages,  
18 excluding East Syracuse, North Syracuse, and in  
19 some of the cities, about a year and a half  
20 ago.

21 They tell me that, within the towns  
22 and villages, there are 10,000 eligible

1 families for the Section 8 program. That's a  
2 lot. I have 20 percent of them already, maybe  
3 more. I don't know where the 20 percent comes  
4 from, but the need for subsidy is great. It's  
5 growing for the disabled, for the single  
6 mothers with kids, for the minorities. The  
7 need is there. There's no doubt about it.

8 PARTICIPANT: So, on average, how  
9 long do they have to wait before they can get  
10 help from you?

11 MR. MURPHY: Over two years. We're  
12 currently working on applicants that sent their  
13 applications in in '92.

14 There are some stats I want to give  
15 you regarding the minorities in the county. We  
16 have 33 that are employed, minorities. We have  
17 20 on social services, 18 receiving SSI, and  
18 one receiving child support.

19 CHAIRPERSON TERRISITO: Are there any  
20 further questions from the panel?

21 PANELIST: I have a couple. I guess  
22 I'm trying to understand what the makeup of

1 everything looks like and where the  
2 concentration of the minorities are.

3 You know, are they in the city? Are  
4 they dispersed? If so, could give me a  
5 percentage? If not, that would be fine.

6 MR. WHITE: The highest percentage of  
7 minorities in this county are clearly within  
8 the city of Syracuse.

9 PARTICIPANT: Okay.

10 MR. MURPHY: And if you're asking  
11 within the county, our jurisdiction, where they  
12 are, I would say, yes, they are within one or  
13 two areas in Liverpool, which is a main bus  
14 route transportation route to the malls --

15 PANELIST: Jobs and schools.

16 PARTICIPANT: That would be my next  
17 question. To what extent does any kind of  
18 discrimination, any kind of barriers or  
19 impediments, that you see prevent minorities  
20 from moving out from these concentrated areas?

21 MR. WHITE: Again --

22 PARTICIPANT: If you know.

1 MR. WHITE: Transportation. Rents.

2 PARTICIPANT: That's what I heard.

3 MR. WHITE: Transportation and rents  
4 would be two of them. If you expand on the  
5 rents, there would be many more places in  
6 available in the suburbs to them. We're  
7 dealing with older suburban complexes. They  
8 manage to hold their rents down, for some  
9 reason.

10 MR. MURPHY: The complex is also --  
11 these are --

12 MR. WHITE: But they will go further.

13 MR. MURPHY: Most of our management  
14 is Longley & Jones Association, which takes  
15 very good care of their properties.

16 PARTICIPANT: So you're saying --  
17 Go ahead. I'm sorry.

18 MR. MURPHY: I was just saying that  
19 it is transportation. In my opinion, it's  
20 mainly transportation.

21 PARTICIPANT: Infrastructure.

22 MR. MURPHY: Right.

1 PARTICIPANT: What about  
2 discrimination, such as, you know, race or any  
3 kind of other --

4 MR. WHITE: I'm not saying there may  
5 be an individual landlord that has a two-family  
6 house might not have a problem now and again,  
7 although they tend not to come to the program.  
8 Most of the people that come in terms of  
9 landlords are major owners. They administer  
10 Central New York Management, and administer for  
11 a lot of owners.

12 Longley Jones does. Longley Jones  
13 knows well the rules. They've been in  
14 subsidized housing since the '60s. Central New  
15 York Management has been in subsidized, and the  
16 Sierra Group. They all know the rules, and I  
17 don't think anyone of them would take a chance  
18 with a housing discrimination case. I think  
19 that they understand the penalties would too  
20 great.

21 MR. MURPHY: We find more problem  
22 with the smaller landlords that have three to

1 four apartment complexes, discriminating more  
2 against people on social services than being a  
3 minority.

4 CHAIRPERSON TERRISITO: And what do  
5 you do about it?

6 MR. MURPHY: Tell them to contact  
7 Legal Aid. But they usually end up accepting  
8 the tenant after we explain to them that  
9 they're covered with a certain percentage of  
10 the rent. These are first-time participants in  
11 the program. Once we explain to them that  
12 there's a lawyer or attorney, you know, then  
13 they usually understand.

14 CHAIRPERSON TERRISITO: So have you  
15 ever bounced a landlord off your list because  
16 they haven't been doing what they're supposed  
17 to do?

18 MR. MURPHY: No.

19 MR. WHITE: As far as discrimination,  
20 it has to do with maintenance.

21 MR. MURPHY: It would maintenance and  
22 the upkeep of the apartment. Usually, like I

1 say, once we explain to them the benefits of  
2 receiving 70 percent of the rent every 3rd of  
3 the month, they understand.

4 CHAIRPERSON TERRISITO: You said  
5 earlier, Mr. White, that you would be willing  
6 to work with any application that came in.

7 MR. WHITE: Well, if someone had a  
8 uniform application checked -- and let's say  
9 they didn't like your tax return -- I would  
10 like to share it with the other Section 8  
11 agencies. We would do that for them. We would  
12 be glad to accept it, put them on our list, and  
13 mail copies elsewhere.

14 CHAIRPERSON TERRISITO: Is it fair --

15 MR. WHITE: We do that now with our  
16 senior housing, where the same manager may have  
17 two buildings close to one another, and the  
18 applicant said, "I don't care which one, I just  
19 got to get in someplace." They take it and put  
20 it on both lists.

21 You know, it may say Bishop Harrison  
22 Apartments or Pampa North Apartments. The

1 person is going to end up on both lists with  
2 the one application instead of a completely  
3 different one.

4 CHAIRPERSON TERRISITO: So is it fair  
5 to say that you are a proponent of a more  
6 uniform process in terms of the applications?

7 MR. WHITE: We have no problem with  
8 that, sure.

9 MR. MURPHY: The only problem we  
10 would have is to make sure the application gets  
11 everywhere it's supposed to go, because the  
12 applications are put in chronological order as  
13 far as being placed on the waiting lists.

14 CHAIRPERSON TERRISITO: And I have  
15 one last question.

16 Is the criteria used for selecting  
17 people the same in your jurisdiction as it is  
18 in other jurisdictions?

19 MR. WHITE: Oh, yeah.

20 CHAIRPERSON TERRISITO: So everything  
21 is the same?

22 MR. MURPHY: Everything is the same.



1 CHAIRPERSON TERRISITO: You don't  
2 have different questions being asked or  
3 different references being required of people?

4 MR. WHITE: Anything to do with  
5 references, credit history, and things of that  
6 nature are up to the landlords to make a  
7 decision on.

8 We have been burned by making  
9 references and endorsing tenants, and the  
10 minute something goes wrong, that landlord is  
11 in your face, wants damages, wants money, is  
12 going to sue the hell out of everybody. You  
13 know, it just isn't worth it.

14 MR. MURPHY: Call his friends.

15 (Laughter)

16 MR. WHITE: So we had to take the  
17 endorsement image, if you will, on any  
18 particular tenant. That's why we provide the  
19 list. If we absolutely are positive that we  
20 can make a referral -- and it's sort of an  
21 endorsement with a small "e" -- to assuage a  
22 landlord or open up an apartment for somebody

1 that has a good housing history and a good  
2 track record, we would do that in order to  
3 allow somebody to make the transition. It's  
4 hard to do with a new person because you don't  
5 know their history.

6 CHAIRPERSON TERRISITO: Well, thank  
7 you very much. We look forward to the  
8 information you're going to be putting together  
9 in terms of a document.

10 The next person is going to be  
11 Suzanne Wass, Program Administrator, North  
12 Syracuse Housing Authority.

13 (Recess)

14 CHAIRPERSON TERRISITO: I'd like to  
15 ask Bruce Gouhey to present with Suzanne Wass.  
16 That would be helpful to us in terms of the  
17 time problem we're having here.

18 And I hope everybody who has  
19 presented so far will stay with us until the  
20 end of this session, because there were some  
21 general questions we would like to pose, if we  
22 can, to the group as a whole, since you are in

1 different jurisdictions and there may be some  
2 overlapping things, et cetera.

3 Who would like to start?

4 MS. WASS: I'll start.

5 I'm Suzanne Wass, program  
6 administrator for the North Syracuse Housing  
7 Authority. Our legal name is Village of North  
8 Syracuse Housing Authority, and we're more  
9 commonly called the Housing Authority of North  
10 Syracuse, which works out much easier for us.

11 MS. WASS: The village of North  
12 Syracuse Housing Authority was established in  
13 1972 by an act of the state legislature. And  
14 it's an independent public housing authority.  
15 Our jurisdiction is the Village of North  
16 Syracuse. Our mission has been to provide  
17 greater opportunity for families and elderly of  
18 low-income means to live in decent, safe,  
19 sanitary housing, housing which is better than  
20 they could afford on their own.

21 I'll go down through the questions  
22 that you gave us, and I do have a typed copy I

1 can give to you. Our program size is 230  
2 subsidies. It's 135 certificates and 95  
3 vouchers. We also 22 mod-rehab units that are  
4 gradually being converted into certificates  
5 this coming year. We have about 233 people on  
6 our waiting list at the present time.

7 We do use federal preferences, even  
8 though we don't have to anymore, but we have  
9 not found a better way to serve the neediest  
10 population. We don't have any data available  
11 right now on the percentage of minorities in  
12 our preference categories. We're in the  
13 process of computerizing.

14 In fact, we just received our  
15 equipment and our database has been installed,  
16 but our clientele is not into it yet. So we're  
17 kind of in a transitional period, and it's a  
18 little difficult to get all the information.

19 We do rank our federal preferences  
20 with residency requirements. Because the  
21 Housing Authority was established to serve the  
22 village of North Syracuse, we feel a primary

1 responsibility to the residents of the Village  
2 of North Syracuse.

3 I might add that, through cooperative  
4 agreements with other areas, we do accept  
5 transfers, and we do have a few minority  
6 transfers out of the number that are  
7 transferred. We have a cooperative agreement  
8 with Christopher Community and City of Syracuse  
9 to allow people to transfer immediately upon  
10 being issued a voucher or certificate, rather  
11 than having to wait a year's residency as one  
12 of the program requirements.

13 We are allowed not to enforce that  
14 requirement and to make local agreements to  
15 assist in the mobility of the population. We  
16 do use the area fair-market rents. I have a  
17 chart here. It goes by bedroom size, from an  
18 efficiency at \$371, up to a five-bedroom house  
19 apartment at \$904.

20 We use the payment standard for our  
21 vouchers at the same rate as the fair-market  
22 rents. And every year, if the fair-market

1 rents change, we change our payment standard.

2 We do use exception rents to the  
3 extent allowed by program regulations. We are  
4 allowed to go 10 percent higher than the fair  
5 market rent for 20 percent of our program  
6 units. We have only a turnover of about 10  
7 percent of our families each year.

8 This year, the replacement has not  
9 been at exactly the same rate as the vacating  
10 because of the fact that HUD is now requiring  
11 us to hold back subsidies for three months  
12 before we reissue them. It's a cost-saving  
13 measure for HUD, but it's a barrier to us  
14 providing assistance to all the needy people  
15 that we would like to assist.

16 On our list, an applicant can wait  
17 anywhere from six months to three or four  
18 years, approximately 50 percent of our subsidy  
19 holders use their subsidies in Census tract  
20 108, 18 percent in 107, and the remainder in  
21 Census tracts that are outside the Village  
22 limits. Those are the only two Census tracts

1 that we have within the village limits.

2 We have about 5 percent of our  
3 program has transferred out to other areas on  
4 portability. And some of these have not been  
5 absorbed into other programs, so the other  
6 agencies are billing us for their work in  
7 administering these subsidies.

8 We do also have an agreement with  
9 Christopher Community to administer some  
10 subsidies in complexes that are just outside  
11 the Village limit. There are two large  
12 complexes that are actually the property. One  
13 abuts the Village line, but it's outside. And  
14 Christopher has been quite gracious in allowing  
15 us to also assist people in these complexes so  
16 that people on our waiting list will have a  
17 greater choice.

18 We do provide a list of cooperating  
19 landlords during the briefing of applicants. A  
20 person is given this list when they receive  
21 their voucher or certificate. As we are a  
22 small agency and serve a small area, it's not a

1 very extensive list, but it does contain all  
2 the major complexes that do cooperate with our  
3 program.

4 I don't know the percentage of people  
5 who lease in place at this time. Many elderly  
6 in the Village do lease in place. About 5.6  
7 percent of the list are African-American and  
8 Latino, and we have about 21 percent of our  
9 list as disabled. There is another large  
10 proportion of the list that are elderly  
11 applicants. I don't have the information  
12 available at this time for participants.

13 We haven't observed any difference in  
14 the rate of success for utilizing subsidies.  
15 We have minority tenants in most of the  
16 complexes that do cooperate with us, even some  
17 of the ones where the rents are high, and  
18 people need to be on vouchers to live there.

19 We have not received any complaints  
20 from subsidy holders about discrimination. If  
21 we did, we would refer people to the local  
22 agencies who do process discrimination



1 complaints.

2 We are a very small agency with only  
3 230 subsidies. Right now, we have a staff of  
4 four. And they are not all part-time --  
5 they're not all full-time, one is part-time.  
6 We don't have any counseling staff. Whatever  
7 information that we can provide to applicants  
8 is done at briefings.

9 As I said before, we do have the  
10 cooperating agreement with the other agencies  
11 to allow people to choose a place. A subsidy  
12 holder may choose a place anywhere at any time.

13 Some of the barriers to landlord  
14 participation have just recently been removed  
15 by new legislation passed, so I don't perceive  
16 too much of a problem with getting landlords to  
17 participate in the program.

18 Because we are a small village and  
19 don't have a lot of large complexes, we do have  
20 quite a high percentage of our participants in  
21 complexes of less than four units. We have  
22 some single family houses and some duplexes and

1 some small units.

2           There seems to be about an equal  
3 amount of apartment units that are within the  
4 fair-market rent and over the fair-market rent.  
5 Some landlords will reduce their rents so that  
6 certificate holders can be accepted to rent in  
7 their places. With others, we need to use the  
8 vouchers so that the tenant family pays a  
9 little more but has a greater choice of places  
10 to live.

11           As Peter said before, transportation  
12 is one of the barriers to dispersion, simply  
13 because, as a separate village, anyone who  
14 doesn't have a car is dependent upon the  
15 central bus that runs up and down the main  
16 street of the village and, from there, into the  
17 city. I believe it goes about every half an  
18 hour throughout the day. I've used it myself  
19 when I used to work downtown before this job.

20           But along the bus line, jobs that are  
21 available are mostly retail jobs. So for  
22 people who want to work in grocery stores,

1 fast-food stores, and other retail situations,  
2 they can use public transportation to have jobs  
3 and get to work from where they live.

4 I think that's probably about I have  
5 prepared.

6 Do you have any questions?

7 MR. PADILLA: I would like to know if  
8 you have any offering in regards to what type  
9 of solutions we could apply to problems of fair  
10 housing opportunities? From your own personal  
11 experience and from your work experience, from  
12 what you see?

13 MS. WASS: From my own personal  
14 experience working at this office, I really  
15 don't have a good answer or solutions. In our  
16 office, any minorities who have applied have  
17 been able to find places and have  
18 transportation to their jobs or have other  
19 sources of income. So I haven't really had to  
20 deal with this problem too much.

21 CHAIRPERSON TERRISITO: You mentioned  
22 earlier accepting transfers from the outside.

1 MS. WASS: Yes. For instance --

2 CHAIRPERSON TERRISITO: At what  
3 level?

4 MS. WASS: Do you mean a percentage  
5 of the people?

6 CHAIRPERSON TERRISITO: Yes. How  
7 many have you been able to do on that basis?  
8 You do have a residency requirement, so it  
9 means that unless you --

10 MS. WASS: On transfers, we probably  
11 have somewhere between 5 and 10 percent of our  
12 participants that either transfer in or out  
13 during a period of time. Recently, we've had a  
14 number of people who transferred from our  
15 program to Christopher Community's area,  
16 because they wished to live in other suburbs.

17 As it happens, they're staying on our  
18 program, and Christopher Community is billing  
19 us for the management work. As far as  
20 transfers, we've had some from the city, some  
21 have been successful. There's one in  
22 particular that I can think of who was a

1 disabled white person who did transfer back to  
2 the city because she was too far away from her  
3 support, her services that she needed and her  
4 family support, and her well-being depended  
5 upon her being nearer to her family.

6 PARTICIPANT: What percentage of your  
7 applicants are senior citizens?

8 MS. WASS: Oh, that's a good  
9 question, and I have that answer for you. 61.7  
10 percent of our participants are either senior  
11 citizens or disabled.

12 PARTICIPANT: But senior citizens and  
13 disabled?

14 MS. WASS: No, some are younger  
15 disabled. I don't have a way of breaking that  
16 down at this point.

17 PARTICIPANT: What percentage of  
18 those seniors are African-American?

19 MS. WASS: One or two, maybe.

20 PARTICIPANT: One or two?

21 MS. WASS: Yeah. It's a very small  
22 percentage. But I think that through our

1 program we probably help a higher percentage of  
2 minorities than are listed in the Census as  
3 living in our area, because of the fact that we  
4 are getting some transfers in.

5 CHAIRPERSON TERRISITO: You said that  
6 you're not prepared at this point to really  
7 talk about numbers, in terms of the kind of  
8 participation you're getting from an ethnic or  
9 racial perspective, but you are working on that  
10 now. Is that correct?

11 MS. WASS: Yes, we are.

12 CHAIRPERSON TERRISITO: So you will  
13 have that available at some point.

14 MS. WASS: Yes.

15 CHAIRPERSON TERRISITO: We would like  
16 you to send us whatever information you do  
17 gather after you've gotten that underway.

18 How long do you think that's going to  
19 take?

20 MS. WASS: Probably about three or  
21 four months. We're a small staff and we have  
22 to input over 250 subsidies and our waiting

1 list into this computer database, so it's going  
2 to take us a little time.

3 PARTICIPANT: You mentioned earlier  
4 that some of the barriers have been removed  
5 recently. What are those?

6 MS. WASS: The barriers that have  
7 been removed are previous program requirements  
8 that if a landlord takes one Section 8 tenant,  
9 he has to take any others that are sent.  
10 That's no longer the case. In any case, it's  
11 up to the landlords to choose their tenants.

12 They do the tenant selection. We  
13 send the people out with a list of choices of  
14 places to find, and we don't make any  
15 certification of a tenant's behavior as a  
16 tenant.

17 As Peter said, it's not possible in  
18 the cases of new applicants because we have no  
19 previous history. And in the cases of  
20 participants, we are not the landlord so if a  
21 participant goes from one landlord to another,  
22 it's the landlord that provides the reference.

1 The other one that has been removed -- the  
2 endless lease.

3 HUD provided that once a Section 8  
4 tenant was on the program, the landlord had to  
5 continue to accept that tenant and to renew  
6 their lease endlessly, unless they violated the  
7 lease in a manner in which the landlord could  
8 evict the tenant. And landlords will now have  
9 a choice to be able to refuse renewal of a  
10 lease at the end of a lease term, based on the  
11 behavior of the tenant or on other economical  
12 reasons.

13 For instance, they might be selling  
14 their place or something of that sort. This  
15 means that landlords will be more willing to  
16 participate because they will feel less as if  
17 they're being told what to do. As far as  
18 tenants are concerned, I don't think that makes  
19 a barrier or a discrimination point because all  
20 tenants have equal opportunity to behave in a  
21 manner in which a landlord will want to keep  
22 them as tenants.



1 CHAIRPERSON TERRISITO: Mr. Murphy.

2 MR. MURPHY: Yes. You referenced two  
3 Census tracts in your presentation.

4 MS. WASS: Yes.

5 MR. MURPHY: What percentage,  
6 geographically, do those two tracts represent  
7 and within the village confines?

8 MS. WASS: The village Census tract  
9 108, where we have more people, represents the  
10 larger area of the village and also more of the  
11 complexes are in that area. And Census tract,  
12 107 is the Cissaro portion of the village.

13 The 108 is the town of Clay portion  
14 of the village, and 107 is the town of Cissaro  
15 portion of the village. There are less rental  
16 opportunities in that tract. It's also  
17 smaller.

18 MR. MURPHY: Thank you.

19 PARTICIPANT: Where would the  
20 minorities be concentrated in those Census  
21 Tracts, if you know?

22 MS. WASS: I don't believe that we

1 have any impaction in these areas, in either  
2 Census tract. As far as our program is  
3 concerned, we have minorities in both Census  
4 Tracts.

5 PARTICIPANT: Who have transferred  
6 in?

7 MS. WASS: And some who have come up  
8 on our own waiting list and been assisted  
9 through our own agency.

10 PARTICIPANT: Just clarify for me,  
11 because I'm trying to get a picture.

12 When you speak of minorities, please  
13 tell me who you are covering.

14 MS. WASS: I'm covering  
15 African-Americans, Latinos, American Indians,  
16 and Asians.

17 PARTICIPANT: You mentioned earlier  
18 something about briefings? Could you tell me  
19 what that was?

20 MS. WASS: Yes. When a subsidy  
21 becomes available, we call the next person on  
22 our waiting list to come in. At that time, we

1 brief them on how the program works and we  
2 collect various verifications to make sure that  
3 they are eligible to receive a certificate or  
4 voucher.

5 At these briefings, once we're sure  
6 that the applicant is eligible and is about to  
7 receive a certificate or voucher, as well as  
8 explaining the program thoroughly to them, we  
9 do explain the other resources that are  
10 available to them in the community, and give  
11 them lists of landlords that do participate our  
12 program so that they have at least as much  
13 choice as is available.

14 We also advise them about the local  
15 newspapers in finding advertisements in those  
16 papers for other places that might not be large  
17 enough landlords to be on our lists.

18 CHAIRPERSON TERRISITO: Do you also  
19 talk about other possible placements outside of  
20 the actual jurisdiction that you have?

21 MS. WASS: Yes, we do tell the people  
22 that have the opportunity to transfer to other

1 areas.

2 PARTICIPANT: Do you share with them  
3 the landlord listings of the other areas, as  
4 well?

5 MS. WASS: At this point, we don't  
6 have those lists, but we would not be adverse  
7 to having them and giving them out.

8 PANELIST: All of your landlords  
9 would be in the village?

10 MS. WASS: In the village.

11 PANELIST: And they're in non-poverty  
12 Census tracts because --

13 MS. WASS: That's categories.

14 PANELIST: -- the Census Tract is in  
15 your village?

16 MS. WASS: That's right.

17 PANELIST: You have a very low  
18 minority participation in the village -- not  
19 participation, but population -- say, one or  
20 two percent minority?

21 MS. WASS: I don't know what the most  
22 recent Census is.

1 PANELIST: Somewhere in that area,  
2 though?

3 MS. WASS: I would guess so.

4 PANELIST: Do you share your landlord  
5 list with the Syracuse Housing Authority?

6 MS. WASS: I haven't, but it's  
7 available, and I would be glad to send it to  
8 them.

9 The other question that was asked  
10 previously was about the application itself.  
11 We do take applications by mail because we feel  
12 that it's the easiest way for people to apply  
13 to our program.

14 They do not need to come into our  
15 office until a subsidy is available for them,  
16 nor do we make any attempt to verify income or  
17 anything else at the time of application. We  
18 do reject people whose income is obviously  
19 higher than the program limits.

20 But other than that, we find that the  
21 easiest way to take applications is when people  
22 call us, we mail them the application. We mail

1 it with a return envelope so that all they have  
2 to do is complete the application, put it in  
3 the envelope, put a stamp on it, and return it  
4 to us.

5 CHAIRPERSON TERRISITO: Thank you,  
6 Ms. Wass.

7 We would like to hear now from Bruce  
8 Gouhey, Director of East Syracuse Housing  
9 Authority.

10 MR. GOUHEY: You have most of my  
11 information in front of you, but I would like  
12 to deal with one area in particular, and this  
13 is the matter of residency preferences, because  
14 we also have a residency preference.

15 I'm not sure if the Panel is aware  
16 that our income as a housing authority depends  
17 on the number of housing units that we have in  
18 our area.

19 If we were to get rid of the  
20 residency preference, we would see tremendous  
21 fluctuations in the number of people. We  
22 probably would increase over the long run, but

1 we might decrease in the short run. And as a  
2 result of that, our funding would vary.

3 So for us, the residency preference  
4 serves two purposes. One, it funds our agency,  
5 rather the number of people in the housing  
6 authority, funds the agency. And the second  
7 reason is so we can directly serve the  
8 community.

9 This Housing Authority was originally  
10 organized and chartered as a community  
11 organization with a residency preference back  
12 in the '70s. Now, going back, the population  
13 of the Village of East Syracuse is only 3,343.  
14 We have approximately 735 rental households.

15 We have 90 units under lease at this  
16 time, 75 certificates, 16 vouchers, and we have  
17 three ports in -- which I'm not sure exactly  
18 what they are. I think there are two vouchers  
19 in a certificate. We also have three families  
20 that are out in portability, one of them to the  
21 county, and one of them to the city.

22 I have had a concern ever since I saw

1 the original paperwork that was sent to us,  
2 when it spoke again of residency requirements  
3 as being exclusionary. I think they are only  
4 exclusionary if their intent is exclude. I  
5 don't see them necessarily as having to  
6 necessarily be exclusionary. As I throughout  
7 the county, there are over 3,000 units or 3,000  
8 families that have certificates or vouchers at  
9 this time.

10 Any of them can move into the Village  
11 any time they want to. In fact, we would  
12 welcome them because our financial is tight.  
13 We would love to have half the City of Syracuse  
14 move in if we could.

15 (Laughter)

16 MR. GOUHEY: But the point is we  
17 would definitely welcome another 10 or 20  
18 people, because that would ease our situation  
19 financially. It doesn't really matter to us,  
20 you know, as long as there is room for the  
21 people coming in. And as I see right now,  
22 looking at the statistics, there should be room



1 for easily 10 or 20 more families than we have  
2 right now on our rolls.

3 CHAIRPERSON TERRISITO: Do you reach  
4 out for these folks? Do you talk to your  
5 colleagues in the surrounding areas?

6 MS. WASS: May I say something about  
7 this?

8 Yes, we do. In fact, though we  
9 haven't done just recently, we usually -- about  
10 three or four times a year -- meet on an  
11 informal basis for lunch and discuss various  
12 problems that come up in our programs.

13 PANELIST: And Terry picks up the  
14 tab.

15 (Laughter)

16 CHAIRPERSON TERRISITO: This includes  
17 everybody in this room. In other words, all  
18 the folks who have spoken so far get together  
19 on some regular basis.

20 MR. GOUHEY: Under general waiting  
21 list information, we do have the federal  
22 preference. We have the residency preference,

1 which I've explained. We also have a working  
2 preference, which means that the people either  
3 have to work, be handicapped, or elderly.

4 Now, out of the last 40 participants  
5 who have gone from the active to the inactive  
6 list, who have been processed through the  
7 program, there was an average wait of 9.1  
8 months. Now, that's deceptive because, at the  
9 beginning, when the program first came back to  
10 the Village, we had waiting lists as little as  
11 two months and three months because there was  
12 not a list.

13 Since that time, people have been  
14 aware that we're back in business and we're  
15 involved, and we now have a waiting list.  
16 Well, the last two applicants that came on were  
17 on the list for an average of 19 months, and  
18 now the estimated waiting list is probably  
19 between two to three years for people coming on  
20 today.

21 Now, you've asked about handicapped.  
22 There are 32 handicapped individuals on the

1 active waiting list. Also, on the waiting  
2 list, we have 114 people on the active list.

3 Of them, 3 are American Indian Native  
4 Alaskans, 10 would be African-Americans, 1  
5 would be Asian, and the remainder are White.  
6 We have five claim to be Hispanic in origin and  
7 108 that are not. We have several elderly  
8 applicants on the waiting list at the moment.

9 Now, if you'll look between the  
10 active waiting list and the inactive waiting  
11 lists, the percentage of minority is growing on  
12 the active waiting lists. We're getting more  
13 people who are in minorities than we have  
14 previously.

15 PANELIST: Just so I don't lose you,  
16 what's the difference in the active waiting  
17 list and the inactive?

18 MR. GOUHEY: Well, the inactive  
19 waiting list in this case are people who have  
20 become inactive. Forty of them have been  
21 served by the program.

22 The remainder, some of them were on

1 the list when we first computerized it, are  
2 people that had previously not been served by  
3 the program because they had been unavailable  
4 or they hadn't met the program guidelines.

5 PANELIST: You mean they weren't  
6 eligible.

7 MR. GOUHEY: For whatever reason, at  
8 the time when the time came up for them to  
9 become participants, they were not eligible for  
10 reason or another, and I don't know what it is  
11 because these are old.

12 CHAIRPERSON TERRISITO: Is there a  
13 reason for keeping an inactive list?

14 MR. GOUHEY: HUD requires it.

15 CHAIRPERSON TERRISITO: So it's  
16 anybody that's applied, in other words, whether  
17 or not they eventually become eligible? Is  
18 that the story?

19 MR. GOUHEY: I believe that it's kept  
20 that way for data, and to make sure that we are  
21 in fact serving people fairly.

22 PANELIST: I want to make sure I'm

1 not listening incorrectly.

2 You have a federal preference system.  
3 If somebody doesn't have a Federal preference,  
4 they're still on your active list?

5 MR. GOUHEY: Right.

6 PANELIST: It's not the inactive  
7 list?

8 MR. GOUHEY: Only people who have for  
9 some reason have not been eligible at the time  
10 when their subsidy became available, or that  
11 were --

12 PANELIST: The subsidy wouldn't  
13 become available if you don't have --

14 MR. GOUHEY: Or people that we could  
15 not locate. In those cases, they become  
16 inactive. In other words, if we send out a  
17 mailing saying, "Please come and --"

18 PANELIST: And they've been moved.

19 MR. GOUHEY: Right, they've been  
20 moved. Yes.

21 PARTICIPANT: We have this problem in  
22 my housing authority that people who put their

1 applications do not always know or are  
2 reminded, if they should move and they're on  
3 that list, that they should notify the Housing  
4 Authority that they have moved.

5 MR. GOUHEY: We've made a very strong  
6 point of telling everybody at the time they  
7 apply, if they apply in person, to make sure to  
8 tell us if they move. If we lose track of  
9 them, they will go inactive, and that's  
10 probably about -- it could be as high as  
11 one-third.

12 But they have to take a certain  
13 amount of responsibility in this, too. I have  
14 people who call me every time they move. I  
15 have other people that do not. There are some  
16 people I can find because I know where they are  
17 in the Village. They might only be two blocks  
18 away, and I've seen them, you know. If I can  
19 locate them, I will. If I cannot locate them,  
20 then, of course, there's nothing that I can do.

21 When it comes to briefings, this  
22 question was more or less asked at the

1 beginning, when I first started to speak, you  
2 know, about what do we do proactively to bring  
3 people in. I don't really see what we can do  
4 proactively unless we were to go to the  
5 briefings in the other housing authorities and  
6 tell them about the virtues of the Village of  
7 East Syracuse.

8 PANELIST: Is that a bad idea?

9 MR. GOUHEY: Not necessarily. But  
10 again, on the other hand, there are very few  
11 units available. The number of units that are  
12 going to be available at East Syracuse is going  
13 to be limited. I think we probably could  
14 absorb another 10 or 20, but that's probably  
15 about it, and that would gradual, too. If they  
16 were added a couple at a time, I think it could  
17 be done.

18 I think the Village of East Syracuse  
19 can be a good place for people to live. I also  
20 think that it's, in many ways, it mirrors the  
21 city. We have our poverty area. We have our  
22 working-class area, and we have a middle-class

1 area, all in within a population of 3,000  
2 people. I'm not really certain that there's  
3 necessarily any advantage over the city to  
4 people, except perhaps in the school system.

5 The transportation is abysmal. You  
6 know, I would think that -- I would really like  
7 to see panels such as this consider issues such  
8 as transportation. When you're talking about  
9 housing, just to the same extent that you are  
10 looking at some of the other issues. Without  
11 transportation, without a rapid transit system  
12 that works, it doesn't really benefit somebody  
13 to be out in one small suburb and not be able  
14 to get to work in the city or another suburb.

15 About the only place where people who  
16 live in East Syracuse and can get to by bus  
17 would be either into the city or in East  
18 Syracuse. Otherwise, they would have to go  
19 down into the center of the city and transfer  
20 out, taking another 45 minutes to an hour.

21 MR. PADILLA: I was going to  
22 personally congratulate you for the report. In



1 the future, if other people could do the same,  
2 that also helps us to look at the issue in the  
3 proper context. We have to take into account  
4 all those things before we make any judgments  
5 in particular situations.

6 So this is very helpful, at least to  
7 me, because you've been very honest and open  
8 and have given us a profile of what is the  
9 situation in the context of the Syracuse  
10 Housing Authority, and the Village that you are  
11 in. I think that's very helpful. If you have  
12 any other recommendations or solutions that  
13 don't necessarily have to apply to your  
14 particular area, but could be for the whole  
15 region, we would welcome them.

16 MR. GOUHEY: My experience in dealing  
17 with the city and the county and the others in  
18 North Syracuse is that they're all well-run  
19 agencies. The idea of sharing landlord lists  
20 inherently has a problem. I have, I think, 64  
21 landlords, and I have 90 units altogether.  
22 Most of these people have one or two units

1 available.

2 If I were to make a list without  
3 their permission and hand it out throughout the  
4 County, and if people were to start calling  
5 them on a regular basis when they only have a  
6 unit available one a year to every two years,  
7 this would create a problem with those  
8 landlords. However, if I could locate the ones  
9 who have high volume and high turnover and  
10 people who want their unit listed, then I'd be  
11 happy to share it with the rest of the County..

12 Otherwise, they could be receiving  
13 phone calls year round and not have a unit  
14 available at all.

15 PARTICIPANT: One of the reasons we  
16 both probably do not share any landlord list is  
17 because, when someone transfers, they have to  
18 contact the receiving agency. Some of those  
19 transfers call our office. They want to  
20 transfer to the county, we give them our  
21 landlord lists.

22 I guess I'm missing the point. If we

BETA REPORTING

(202) 638-2400

1-800-522-2382

(703) 684-2382

1 share with everyone, then it really doesn't  
2 matter. Sharing the lists is not a big deal.  
3 Someone who is coming into our jurisdiction has  
4 to contact us. We give them a list of where  
5 they want to move.

6 CHAIRPERSON TERRISITO: Would you be  
7 kind enough just to identify yourself for the  
8 record. I think we need that.

9 MR. WEAVER: Oh, sure. I'm Bob  
10 Weaver from Pittsburgh Community. I guess  
11 that's the reason we do not share the list  
12 because someone transferring to us has to have  
13 -- our jurisdiction has to contact us.

14 PANELIST: But you're saying that  
15 somebody that wants move into the area served  
16 your program, you would certainly make a list  
17 available to them.

18 MR. WEAVER: Oh, most definitely. We  
19 always do.

20 MR. GOUHEY: Now, when it comes to  
21 helping people find apartments, we will make a  
22 list available of those people who want to be

1 listed. I was 33 out of the 68. I probably  
2 will list more of them, but I haven't had the  
3 chance to contact them and see whether they  
4 want to be listed with us in that way.

5 Anytime anybody calls in with an  
6 apartment, I will list that, although I prefer  
7 it that they bring it in. Then I'll just post  
8 it on the board. I will help people with  
9 referrals if I think I know of a place that's  
10 available, I'll send them out. For example, if  
11 I know that one of my people is moving out of  
12 the building, and somebody else comes in, I'll  
13 give them that information.

14 I do serve the people on the program  
15 first. If other people come in who are not in  
16 my program and who are not transferring in, who  
17 are not on my waiting list or whatever, if they  
18 come in, I will try to help them, too. But I  
19 don't feel the same obligation to them that I  
20 would to my own people. I try to make sure  
21 that people who are currently renting, or  
22 trying to rent in the Village of East Syracuse,

1 who, under HUD Section 8, receive the first  
2 priority.

3 CHAIRPERSON TERRISITO: Michael, did  
4 you have a question?

5 MR. HANLEY: Yes. One of the issues  
6 that seems to be sort of driving the way that  
7 the system works with the four housing  
8 authorities in this county is the question of  
9 the legal authority to administer your  
10 subsidies.

11 Peter, you don't feel there's any  
12 restrictions? You could administer your  
13 subsidy anywhere within the County legally, but  
14 as a matter of policy, you have a cooperative  
15 agreement with the Syracuse Housing Authority  
16 and the other housing authorities. If someone  
17 chooses the unit in those, you will usually  
18 transfer the subsidy.

19 Now, Mr. Gouhey, you pointed out that  
20 there's jeopardy to your financial structure if  
21 there were no residency preference. And the  
22 reason for that is --

1 MR. GOUHEY: The reason for that is  
2 we need to keep a residency around 85 to 90 in  
3 order to support the costs of the program.

4 MR. HANLEY: You mean you need to  
5 have more subsidy holders --

6 MR. GOUHEY: Right.

7 MR. HANLEY: -- using their subsidies  
8 in your village?

9 MR. GOUHEY: Right. I think it --

10 MR. HANLEY: But that would only be  
11 if you were not allowed to use your subsidy  
12 outside the village.

13 MR. GOUHEY: That is correct. Of  
14 course, that's not true of the case where the  
15 one that goes to Sanford Housing Authority in  
16 Florida. But, yes, basically speaking, within  
17 the county that would be true.

18 MR. HANLEY: Can I ask why you think  
19 that your legal authority is limited to  
20 administering the subsidies within the Village?

21 MR. GOUHEY: As I understand it --  
22 and I've gone over this in great detail with

1 HUD from time to time because I have been  
2 concerned about finances -- we are chartered  
3 only for the Village. Unless we have  
4 reciprocal agreements with other people, we  
5 would not be able to administer them outside of  
6 the village.

7 MR. HANLEY: And if you were to learn  
8 from HUD that you were allowed to administer  
9 your subsidies outside the village?

10 MR. GOUHEY: Generally speaking, I  
11 would be delighted. It would simplify a lot of  
12 things for us. Portability, while I believe  
13 that it is beneficial to the tenant, is a  
14 nightmare for the Housing Authorities, in terms  
15 of other accounting, bookkeeping, and in many  
16 other things.

17 MR. HANLEY: But you've avoided that  
18 by doing transfers and --

19 MR. GOUHEY: We've done that as long  
20 as we could, but now we have started to bill.

21 MR. HANLEY: And why is that? Why  
22 don't the transfers work all the time?

1 MR. GOUHEY: I believe the reason  
2 would be that there's a fair amount of pressure  
3 -- and Terry can correct me if I'm wrong -- of  
4 people moving out of the city to the point  
5 that.

6 For example, Christopher Community  
7 had to close their lists. They were absorbing  
8 them. But because they were absorbing so many,  
9 they were not, as I understand it, able to  
10 serve the people on their own lists.

11 MR. HANLEY: Okay. Now, this is an  
12 issue I think we missed before, and maybe we  
13 could have responses from Bob or Terry about  
14 this as well.

15 MS. WASS: One of the problems with  
16 continuing to absorb is that the fact that our  
17 subsidies may all be full. And if ours are all  
18 in use, they can transfer in, but we will need  
19 to bill the other agency for the work we do in  
20 managing that subsidy. We, as Bruce has said,  
21 also in our Syracuse, have absorbed for years,  
22 depending on the availability of subsidies.



1 But the availability of subsidies is much less  
2 now than it was, so we're --

3 MR. HANLEY: So the problem is you  
4 don't --

5 MS. WASS: We're getting into more  
6 and more of a billing situation.

7 MR. HANLEY: Because your programs  
8 are smaller?

9 MS. WASS: Yes.

10 MR. HANLEY: You don't have a subsidy  
11 available when someone wants to transfer in?

12 MS. WASS: That's correct.

13 (Pause)

14 CHAIRPERSON TERRISITO: Where are we?

15 MR. HANLEY: I think we're deducing  
16 that one of the problems is created by the use,  
17 disparity, and sizing of the housing  
18 authorities. I think Mr. Gouhey suggested that  
19 there had been an increase in the number of  
20 families that wanted to move from the city.

21 Have you seen that, Terry?

22 MR. KRESHER: We have more and more

1 moving from the city to North Syracuse and  
2 Christopher and some to East Syracuse.

3 CHAIRPERSON TERRISITO: Could you do  
4 me a favor and say who you are when you're  
5 speaking; otherwise, the tape is not going to  
6 know.

7 MR. KRESHER: This is Terry Kresher  
8 of Syracuse Housing.

9 MR. HANLEY: Have we reached a point  
10 where the program barriers are stopping people  
11 from transferring? You're saying that if you  
12 can't transfer subsidies because you don't have  
13 one available, then you do the cross-billing  
14 instead?

15 MR. KRESHER: We've tried to absorb.  
16 If Bruce has somebody come to Syracuse, we'll  
17 always absorb because we're able to. I've got  
18 the volume, and it's not a problem for us. I  
19 can always come up with another subsidy. Same  
20 with Sue's program or Christopher's program.  
21 For Bruce to absorb one of mine is difficult.  
22 He has only 90 subsidies to start with. So

1 he'll bill me for that.

2 CHAIRPERSON TERRISITO: On this  
3 question of cross-billing, is there a better  
4 way to do this stuff?

5 MR. KRESHER: Good Lord, I hope so.

6 MS. WASS: If I could figure out one,  
7 we'd be happy to. No, this is --

8 CHAIRPERSON TERRISITO: Well, what  
9 about you guys who are doing it? I mean --

10 PANELIST: Let me --

11 CHAIRPERSON TERRISITO: Have you  
12 talked to HUD? I mean, have you talked about  
13 how to do it better? Is there something you  
14 would suggest about how to do it better?

15 PANELIST: What I've suggested in  
16 national meetings -- I'm not sure it's a great  
17 idea, but some people think so -- would be to  
18 give the new subsidies, the authority that  
19 absorbing a whole of subsidies or where people  
20 are moving a leg up with the application  
21 process.

22 So if you had 200 people come into

1 your area, then you have a leg up to get  
2 another 200 subsidies to replace some of to the  
3 ones that you've used up for other people.

4 As an antidote that may possibly  
5 interest you, I have one person who moved from  
6 Syracuse to Fairfax County in Virginia. I'm  
7 going to say it's a two-bedroom subsidy. Right  
8 down there, it's about \$1600. That's three  
9 people I can't help in Syracuse because I have  
10 to send that money to Fairfax County, and that  
11 does not seem to a great system.

12 Obviously, the opposite happens. If  
13 somebody goes to North Dakota, and the rent is  
14 only \$150, people don't move.

15 MS. WASS: As far as we see, there  
16 should be no reason why couldn't absorb this  
17 person in four years. If their reasoning is  
18 that this person would take subsidy that would  
19 otherwise be available to someone on their own  
20 list, then I say that their list must have, by  
21 now, proceeded to help people who came in much  
22 more recently than this tenant did to residency

1 in that area.

2 CHAIRPERSON TERRISITO: So there are  
3 no time limits?

4 MS. WASS: There is no time frame.  
5 HUD, over a period of years since portability  
6 began, has talked about requiring agencies to  
7 absorb the subsidies within a period of time,  
8 such as a year or possibly two years on the  
9 outside. To my knowledge, this hasn't been  
10 done yet.

11 MR. GOUHEY: Bruce Gouhey, Village of  
12 East Syracuse. It's my understanding now that  
13 would work in situations like mine perhaps, if  
14 I had a period of a year or two to absorb. But  
15 when you get down to the Sanford Housing  
16 Authority, where they have a total of 75 units  
17 of their own, and they have 90 ports in, I  
18 would think that HUD has really addressed these  
19 issues.

20 What they've done is they've come up  
21 with a policy that satisfies equal rights and  
22 fair housing and this kind of thing, but what

1 they've done is they've turned the cost and the  
2 problem over to us. And at the same time,  
3 Congress is lowering our administrative fees  
4 along with that.

5 So what we're doing is, when we take  
6 in a port unit, we get 80 percent of the  
7 income. That 80 percent might be in the case  
8 of Terry Kresher's -- well, \$5 or \$6 less than  
9 mine, because he has over 100 units. Or it  
10 might be \$5 or \$10 higher if it comes from an  
11 area where the FMRs are high.

12 I think it's a very unequal system,  
13 and I really think the responsibility for  
14 making it work should rest with HUD, rather  
15 than with the housing authorities. I don't  
16 really believe that HUD has taken that  
17 responsibility at this point.

18 MR. HANLEY: Okay. I think we're  
19 getting somewhere apart from the fair housing  
20 considerations. We're getting into some  
21 technical Section 8 administrative details.

22 But what started this was our

1 question about the jeopardy to your program if  
2 you were not allowed to have a selection  
3 preference for residents. And there is no  
4 jeopardy to you if you have to take in Syracuse  
5 Housing, people from the City of Syracuse, who  
6 are referred by the Syracuse Housing Authority.  
7 That doesn't change the amount of subsidy you  
8 are getting in your program, if you are able to  
9 absorb that.

10 MR. GOUHEY: That would probably be  
11 true. Where the disadvantage might come is  
12 that we are in a small geographical area,  
13 probably 2 miles by 3; at the most, maybe 2 by  
14 1. I'm not exactly sure. It's very small.

15 It's very easy for me to do my  
16 inspections and to deal with the people under  
17 various circumstances within a small area like  
18 that.

19 MS. WITHERAL: My name is Merrilee  
20 Witheral. I'm the Executive Director of the  
21 Fair Housing Council of Central New York.  
22 Thanks for having me here today. Throughout

1 the morning, I've listened to the various  
2 discussion, and I do have, I believe, some  
3 information that helps to put things in  
4 context.

5 The Fair Housing Council of Central  
6 New York prepared the analysis of impediments  
7 to fair housing choice for the City of Syracuse  
8 and for Onondaga County, which are two  
9 separately incorporated bodies. How we're  
10 configured geographically, I have maps here,  
11 just to give you a sense of what the picture  
12 is.

13 This is a map basically outlining the  
14 percentage of African-American residents in the  
15 city. And it's not going to be particularly  
16 illustrative just at a glance, but you get a  
17 sense of the minority population of the city.  
18 The areas in white would be 0 to 5 percent, and  
19 then proceeding on. The red area is 80 to 100  
20 percent African-American population. And this  
21 was done based on 1990 Census data.

22 How we're configured is that the city



1 is in the center of the county, which sort of  
2 comes around it like a donut. This is the map  
3 of the county ratio demographics. Again, just  
4 for African-Americans and the percentage of  
5 African-Americans in these two Census tracts is  
6 between 5 and 10 percent and in this Census  
7 tract is from 10 to 20 percent. You can see  
8 the difference between the city and the county.

9 And that, for me, sets up a lot of  
10 what my concerns are with regard to the Section  
11 8 Program and the interaction. I do agree that  
12 Syracuse Housing Authority and Christopher  
13 Community have a real good interaction and  
14 interplay in terms of how they exchange tenants  
15 and use the vouchers and certificates to move  
16 back and forth.

17 What we have in Syracuse is a overall  
18 minority population of 27 percent, which  
19 includes an African-American population of 20  
20 percent. In Onondaga County, we have a  
21 minority percentage of 3.1 percent, which  
22 includes an African-American population of 1.3

1 percent. For the Village of East Syracuse, the  
2 overall minority population is 2 percent.

3 I don't have figures breaking out the  
4 actual African-American or other populations.  
5 In North Syracuse, the minority population  
6 overall is 2.2 percent.

7 In the Section 8 Program, in the City  
8 of Syracuse, the percent of minorities  
9 participating in the active Section 8 program  
10 are 66 percent. That includes an  
11 African-American population of 62 percent. In  
12 Onondaga County, according to what we heard  
13 this morning, the overall minority  
14 participation in the Section 8 Program is 14  
15 percent, which includes an African-American  
16 population of 12 percent.

17 So we can see a big difference in  
18 participation rates for African-Americans  
19 between the city and the county. So I think  
20 any effort to facilitate the ease of movement  
21 for Section 8 residents between these areas  
22 will have a positive effect on integration,

1 basically. I think anything we can do to  
2 facilitate that is helpful.

3 I recently had someone do a study of  
4 the Section 8 program just in the city of  
5 Syracuse. It was a student from the Public  
6 Affairs Program at SU Maxwell School. And they  
7 found that more than half of the Section 8  
8 participants in the city of Syracuse, live in  
9 areas which mirror their own racial makeup.

10 In other words, if it is a white  
11 section recipient, they live in an area that is  
12 predominately white. If they are  
13 African-American, they live in an area which is  
14 predominately an African-American area by  
15 census Tract, defined by census Tract.

16 So that's another issue within the  
17 program. Now, I don't have easy answers as to  
18 why that is. Earlier on, I heard some  
19 questions from the panel about discrimination  
20 complaints within the Section 8 Program. And I  
21 saw some skepticism when everyone saw that  
22 there were very few complaints. In fact, I

1 have to say the Fair Housing Council itself  
2 receives very few complaints from Section 8  
3 participants.

4 Now, I don't believe that's because  
5 discrimination isn't happening to them. One of  
6 the things we find in the Fair Housing program  
7 is that, when we receive a complaint of  
8 discrimination, often it is with a referral  
9 from some Human Service provider, another  
10 agency of the Human Rights Commission.

11 And unless we're constantly  
12 interacting with that complainant, as we test  
13 their case, as we refer their case to legal  
14 representation -- and as we wait for two or  
15 three or four years for HUD to investigate it,  
16 or a wait for two years for it to come up in  
17 Federal Court -- we have to maintain constant  
18 contact with that client or we lose them.

19 Just like everybody else in the  
20 world, they've got other things to do, other  
21 concerns and bigger issues than the fact they  
22 were discriminated against. The other sad

1 truth of the matter is if somebody has been  
2 discriminated against and comes to us, chances  
3 are it that it is not the first time they've  
4 experienced discrimination, nor will it be the  
5 last. And it just doesn't have that looming  
6 importance that we in the field might ascribe  
7 to it.

8 With the Section 8 program, I would  
9 submit that there's probably the same thing  
10 happening, plus they've got a 60-day deadline.  
11 So I think that that may have an impact. You  
12 know, I can't verify that, that's just an  
13 opinion as to why we may see fewer complaints  
14 from Section 8 participants than we, in fact,  
15 see from the population at large.

16 The other thing that could into play  
17 is that, in New York State, Section 8 is not a  
18 protected class. Landlords do not have to rent  
19 to Section 8 participants. Given the fact that  
20 there are certain landlord lists who will rent  
21 to Section 8 participants, it may be a  
22 self-selected group of those less likely to

1 discriminate.

2 So that's another possibility. We've  
3 got a list of landlords already who may be less  
4 likely to discriminate in an illegal manner  
5 than landlords in the general market. So  
6 that's one thing that I thought of with regard  
7 to that.

8 I do believe that residency  
9 preferences for the Village of East Syracuse  
10 and North Syracuse are problematic, not because  
11 they have a discriminatory intent. I certainly  
12 don't believe that either of you operate with  
13 that in mind, but just based on the fact that  
14 your minority populations are so much lower  
15 than those of the other areas.

16 Now, I understand from this morning's  
17 conversation that you will accept the transfers  
18 with Terry's program and Peter White's program.  
19 And I think that's certainly is a step in the  
20 right direction. I don't know if it's enough,  
21 though.

22 As a recipient of the Section 8

1 Program, somebody who is new to it, and doesn't  
2 know how it works yet, you know where you  
3 applied, and you think, "Okay, well, here's  
4 where I go find my place to live," and you get  
5 a landlord list that lists places in that same  
6 jurisdiction. And I think there's a prevailing  
7 understanding that this is where you go, and  
8 this is what you do, and you do it within 60  
9 days or else.

10 And I understand that the programs  
11 have been very flexible. I've heard some very  
12 complimentary things about Syracuse Housing  
13 Authority's program lately, I will say. But I  
14 think that, as a recipient, there isn't a lot  
15 of thought about other options.

16 If somebody presents you with a  
17 certificate or voucher, that's a big thing.  
18 That's a great moment. I don't think people  
19 are thinking what else they could do.

20 And so I think the extent to which we  
21 could have a combined landlord list would  
22 facilitate the process of greater integration

1 throughout the Syracuse area as a whole. I  
2 think the residency preferences are problematic  
3 to the extent that the minority populations of  
4 those villages, with residency preferences, are  
5 so much lower than the surrounding communities.

6 And I also have some concerns with  
7 regards to the occupancy standards maintained  
8 by the Housing Authorities. All of the Section  
9 8 programs, as of last year, when we did the  
10 analysis of impediments, operated with an  
11 occupancy standard which takes into  
12 consideration the age and gender of children in  
13 a family in determining the required apartment  
14 size and thus the required certificate or  
15 voucher allocation for bedroom size.

16 I think that taking into  
17 consideration the age and gender of children  
18 is, in itself a violation of the Fair Housing  
19 Act, because that's a decision for families  
20 rightly to make about how to assign their  
21 sleeping arrangements and whether or not it's  
22 okay with that family that three kids are in



1 one bedroom or that a boy and a girl who are  
2 age 5 may share a room.

3 I think it's more restrictive than  
4 the guidelines that HUD currently relies upon,  
5 which are the building officials and code  
6 administrators standards for occupancy, which  
7 just take into consideration the overall living  
8 area, habitable area, of a dwelling. And I  
9 think the impact this could have is, again, a  
10 discriminatory impact against very large  
11 families, and also against some immigrants and  
12 refugees.

13 The average family size for refugee  
14 families in the city of Syracuse is six. And  
15 so those standards are applied in such a way  
16 that we're talking larger bedroom sizes than  
17 are available in the community.

18 There's a scarcity of affordable  
19 housing in the community. And very few of the  
20 overall apartments available have more than  
21 three bedrooms. According to the consolidate  
22 plan for Onondaga County, it says that 21

1 percent of certificates and vouchers are for  
2 three or more bedrooms, which includes a 3  
3 percent allocation for four- and five-bedroom  
4 units.

5 So if we're talking about larger  
6 families for refugees, and if we're just simply  
7 talking about larger families in general, the  
8 requirement that they find a unit deemed of  
9 suitable size by the Housing Authority, is  
10 going to have a prohibitive effect in terms of  
11 what --

12 MS. WASS: Are you saying, though,  
13 that the Housing Authority standards are more  
14 stringent than the HUD Standards in this?

15 MS. WITHERAL: Yes.

16 MS. WASS: I don't believe so.

17 This is Sue Wass from North Syracuse.  
18 We have in our HUD regulations the requirement  
19 not to allow a living room to be used as a  
20 sleeping room. A bedroom or sleeping room for  
21 each two persons, we use it, in our Syracuses,  
22 as guidelines.

1           The family may choose a larger or  
2 smaller unit if they wish, as long as --  
3 Whether they're boys or girls, HUD would like  
4 us not to put more than two people in a room  
5 for sleeping purposes, and it's written into  
6 our regulations.

7           MR. GOUHEY: Bruce Gouhey, East  
8 Syracuse Housing Authority. Not only is it a  
9 question of HUD standards, there are also state  
10 standards, and there are building code  
11 standards. I mean, you're talking -- we're  
12 only allowed, I believe, to have so many people  
13 in a certain building or unit at a time.

14           MS. WITHERAL: Right. HUD's  
15 interpretations with regard to occupancy  
16 standards almost invariably defer, if there are  
17 more restrictive occupancy or fire codes, for  
18 the number of persons per dwelling. And again,  
19 if occupancy standards are solely designed on  
20 the basis of persons per dwelling, we've  
21 eliminated one of the issues.

22           When the occupancy standards are

1 designed in such a way as to tell families  
2 where they put their boys, where they put their  
3 girls, depending on what age they are, I think  
4 we're getting into iffy areas with regard to  
5 gender and with regard to looking at the age of  
6 occupants. I think we have an occupancy  
7 standard for persons, regardless of age,  
8 regardless of gender. That gives a little bit  
9 more autonomy to the family.

10 And my only point here is that the  
11 effect of this may be requiring families to be  
12 renting apartments which are more expensive  
13 than they would otherwise have to rent. I  
14 understand that it has a beneficial effect with  
15 regard to limiting crowding. I understand  
16 that, but it may require families to be renting  
17 apartments which are more expensive than they  
18 would absolutely have to rent.

19 And the other thing is that if you  
20 have a smaller family, using up your four  
21 bedroom and five bedroom certificates, the  
22 really large families could be edged out

1 entirely. Now, how you put this into practice  
2 is something I admittedly do not know. But  
3 from looking at the administrative plans, this  
4 is just one of the concerns I've identified.  
5 That's all I'm trying to say.

6 I think it's an issue that requires  
7 some attention. I'm not trying to say that  
8 you're doing anything that is terrible for  
9 families. I think the motivations are probably  
10 overall very good for this. I'm just raising  
11 some of the problems that it could have;  
12 unforeseen consequences, perhaps.

13 MR. HANLEY: Merrilee, other than the  
14 issue of whether or not the family is spending  
15 a larger percentage of its income, the only way  
16 it would have an adverse effect is if people  
17 weren't able to find the unit and had to turn  
18 back the subsidy.

19 We could check that by finding out  
20 from the Housing Authorities what the success  
21 rate is for large families, and whether or not  
22 there's a negative impact. Is that right?

1 MS. WITHERAL: Yes.

2 MR. HANLEY: Can I ask you about  
3 another area that I know you've spent a lot of  
4 time on? You did the analysis of impediments.  
5 You outlined the poverty concentrated Census  
6 Tracts. Can you describe how that breaks down  
7 between the city and the county?

8 MS. WITHERAL: Let me just take a  
9 look at it here. I've got the analysis of  
10 impediments here. I haven't committed a lot of  
11 that to memory, I have to confess.

12 CHAIRPERSON TERRISITO: Have you  
13 finished your presentation, or is there more to  
14 it?

15 MS. WITHERAL: I think that's all I  
16 really have to say.

17 CHAIRPERSON TERRISITO: All right. I  
18 just wanted to be sure you didn't have other  
19 things to say before we ask you questions.

20 MS. WITHERAL: The medium family  
21 income for the overall MSA is \$41,4000. And in  
22 Onondaga County, five of the counties 82 Census

1 Tracts are defined as low- and moderate-income  
2 areas. One of those is an area with a public  
3 housing -- not a public housing project, but  
4 one of the subsidized projects, Tract 11102.  
5 And some of the other tracts are not those with  
6 the higher minority concentration.

7 Of the three areas in Annandaga  
8 County, with minority populations in excess of  
9 5 percent, two of those are considered  
10 low-income, and one is considered  
11 middle-income. Also, two of those areas with  
12 the higher minority populations have subsidized  
13 housing projects within them.

14 The other Census tract which has a  
15 higher minority, higher than 5 percent,  
16 minority population is between the Annandaga  
17 Nation Territory which has, of course, a very  
18 high Native American population. And the South  
19 part of the City of Syracuse, which has a very  
20 high African-American population. And the  
21 other Census tract, which is higher than 5  
22 percent, is right between those two areas.

1 MR. HANLEY: How many Census tracts  
2 are there in the county, outside of the city?

3 MS. WITHERAL: In the county, outside  
4 of the city, there are 82.

5 MR. HANLEY: And there's only five  
6 that are low or moderate income?

7 MS. WITHERAL: Yes.

8 MR. HANLEY: And where the minority  
9 concentrations are, is it two out of three  
10 low-income Census tracts?

11 MS. WITHERAL: Uh-huh.

12 MR. HANLEY: Okay. So typically,  
13 then, somebody that's finding a Section 8 unit  
14 outside of the City is more likely to be  
15 located in a non-poverty Census tract, right?

16 MS. WITHERAL: Absolutely. There are  
17 just so many fewer poverty areas.

18 MR. HANLEY: And what would the  
19 comparison figures be for the city?

20 MS. WITHERAL: I do not have the  
21 comparison figures for the city with me this  
22 morning. I apologize.



1 CHAIRPERSON TERRISITO: Do you have  
2 them at all?

3 MS. WITHERAL: Yes.

4 CHAIRPERSON TERRISITO: So you can  
5 provide us with these?

6 MS. WITHERAL: Yes. Actually, I can  
7 make those part of my written comments that  
8 I'll submit.

9 CHAIRPERSON TERRISITO: I'd like to  
10 open this up to more general questions on the  
11 part of the panel, to the group or the body as  
12 a whole. I had one that had to do with this  
13 questions of the impediments and two that were  
14 identified were transportation and rent as  
15 being factors in the concentration of poor  
16 people where they are, the fact that they don't  
17 have the mobility.

18 Now, are there any other factors that  
19 we should be informed of that might be  
20 impediments along the same lines? What can you  
21 do about it? And if you cannot do anything  
22 about it, who can? And what suggestions have

1 you got to correct something that seems to me  
2 to be a serious impediment?

3 Who would like to answer that?

4 PANELIST: I have a subject, but I  
5 don't have any answers for it.

6 MR. MURPHY: The answer is clearly  
7 for me, and for us, I think is the need for  
8 more jobs. And if we're talking about move to  
9 opportunity and portability and incentives for  
10 people to change, make a radical change in  
11 their life, there really has to be an incentive  
12 for them to be able to do that.

13 One of the most compelling ones, to  
14 want to help them get through these  
15 transportation struggles and finding other  
16 places to live is the possibility of being able  
17 to get a decent job out of it.

18 I don't know how and who. Everybody  
19 seems to be talking about all that, but nobody  
20 seems to be able to come up with any of it.

21 MR. HANLEY: Now, I'm really curious  
22 that you should identify that, because

1 basically I think you're answering a question  
2 that I think you raised earlier, which is  
3 should you be doing more to promote minority  
4 families to move outside of the city. And I  
5 think you're telling me the jobs are outside  
6 the city.

7 MR. MURPHY: No.

8 MR. HANLEY: What are you telling me?

9 MR. MURPHY: I'm saying, Michael,  
10 that jobs anywhere and everywhere -- I really  
11 don't differentiate between jobs in the city  
12 and the county. Maybe, Michael, I'm answering  
13 a question that hasn't been asked, because  
14 we've all been thinking an awful lot about  
15 what's going to be happening to the welfare  
16 system and the changes that are looming in  
17 front of us.

18 And I'm not so fussy as to think as  
19 to where the jobs have to be. But it has got  
20 to be there someplace for all of us, for all of  
21 our programs.

22 MR. HANLEY: But if we are to find

1 from subsequent speakers that the jobs are now  
2 located not in the City, but outside of the  
3 City, does that raise the ante for providing  
4 some motivational counseling for the Section 8  
5 Programs to let people know about those  
6 opportunities, to expose them to the potential  
7 favorable aspects?

8 MR. MURPHY: Well, it may, it may.  
9 And I certainly don't have any great expertise  
10 in the area. I do know that I can share this  
11 with you, though, and it's not in the Section 8  
12 program. For me, it's a comparable population,  
13 it is our own residents from our own housing  
14 developments.

15 We did a survey very recently of the  
16 kinds of employment that our people have, and I  
17 might add, also, that 60 percent of our  
18 residents, our family residents, are employed.  
19 What kind of jobs are they employed in?  
20 They're employed largely in entry-level  
21 positions, in the health care, health services,  
22 hotels/motels kinds of jobs, overwhelmingly.

1                   And that's I think that's maybe  
2                   reflective of where we have gone as a  
3                   community, in the kind of jobs that we have to  
4                   offer to folks. But I suspect there wasn't  
5                   going to be a great deal of difference between  
6                   those kinds of opportunities for Section 8  
7                   recipients than it is for public housing  
8                   tenants.

9                   But, anyway, however it's considered,  
10                  we just need more employment opportunities.

11                  CHAIRPERSON TERRISITO: Does anybody  
12                  else have any comments as to this?

13                  MS. WITHERAL: I do. I just wanted  
14                  to say that last year at this time, when we  
15                  started compiling information for the analysis  
16                  of impediments, we found that 60 percent of the  
17                  areas major employers, defined as those with  
18                  300 or more employees, are located outside of  
19                  the city limits of Syracuse.

20                  That included almost all of the  
21                  manufacturing enterprises in the community, and  
22                  it did also include fewer than half of the

1 service related business. Most of those were  
2 found to be located in the city, and of course,  
3 you know, you see the differences in wages and  
4 security types of positions that they are.

5 CHAIRPERSON TERRISITO: So  
6 de-concentration would help in this process, if  
7 we were able to get some of these folks,  
8 whether it's public housing or the Section 8  
9 folks out there.

10 MS. WITHERAL: It certainly seems so.

11 PANELIST: Are you familiar with the  
12 FSS Program, Family Self-Sufficiency Program?

13 MR. HANLEY: Why don't you describe  
14 it?

15 CHAIRPERSON TERRISITO: Describe it.

16 PANELIST: We're quite proud of what  
17 we're doing in Syracuse with it. We're one of  
18 the few housing authorities, I think, in the  
19 nation that have completed their obligation as  
20 far as HUD is concerned, and we're doing more  
21 than that. We have about 400 in the FSS  
22 program.

1           This is a program where people who  
2           are Section 8 have the option to sign a  
3           contract where any earned income that they  
4           garner, after they sign the contract, any  
5           increase in rent because of earned income is  
6           escrowed for them. I'm going to give you a  
7           Reader's Digest version of the program.

8           It's given back to them. They're  
9           able to use it for whatever they may need.  
10          Oftentimes, we have over 400, and we have 100  
11          maybe 700, or 110, that have escrow accounts at  
12          this point.

13          Oftentimes, they'll take that escrow  
14          account and buy the car that they need, provide  
15          the transportation, so they can go out to GE or  
16          out to Martin Marietta, wherever it is and  
17          hook up with that job. They're also mandated  
18          to do something about becoming self-sufficient.

19          We have all sorts of situations,  
20          including baby sitting, transportation, what  
21          else is needed, lined up to help people get to  
22          that point. Transportation is the biggie.

1 Oftentimes, and we've had people walk out with  
2 \$7000 in their escrow account, so we can get as  
3 high as \$20,000.

4 It's something that does work slowly,  
5 but it does work. It moves people out of the  
6 welfare situation and into the position where  
7 they truly live wherever they want, because  
8 transportation is no longer a big factor. The  
9 bus doesn't work.

10 CHAIRPERSON TERRISITO: Any other  
11 comments on this?

12 PANELIST: May I make one or two  
13 comments to Merrilee's presentation? One, 60  
14 days is not necessarily the limit. We  
15 ordinarily will extend to 120 days anybody that  
16 shows any effort at all as far as looking for a  
17 unit. They have the maximum amount of time  
18 that's allowed by HUD, if they show any  
19 effort -- that's Syracuse Housing -- any effort  
20 at all towards looking.

21 And the other, as far as the bedroom  
22 size situation that was described before, the



1 standards that are set up are to give the  
2 person the certificate or the voucher. If  
3 they're given a four-bedroom voucher or a  
4 three-bedroom voucher or a five-bedroom voucher  
5 or certificate, they can still use a smaller  
6 unit if they want, as long as there's other  
7 rooms for sleeping.

8 It's still the choice of the family.  
9 They don't have to rent that four-bedroom.  
10 They can rent the three-bedroom. They can rent  
11 the five-bedroom if they want.

12 There are certain groups that their  
13 ethnic situation, seems that they want to --  
14 you can rent a much smaller unit. We don't  
15 care. They can live there like that as long as  
16 they we meet the standards that HUD demands,  
17 that it's possible for no more than two people  
18 to sleep in a room, whether it's the kitchen,  
19 or the dining room, or whatever, we'll okay  
20 that unit.

21 We try and make it as possible as we  
22 can for them to be successful in their search.

1 And it's their own choice. If they want to  
2 rent something smaller, that's wonderful.  
3 That's fine. In the case of the voucher  
4 program, they're able to keep some of the  
5 change.

6 CHAIRPERSON TERRISITO: I think we  
7 have two other folks that want to comment.

8 MR. WHITE: Peter White of  
9 Christopher Community. I just wanted to pick  
10 up on one of the comments of Merrilee about  
11 size of units.

12 I cannot remember of late that we  
13 have any four or five-bedroom units in the  
14 County. And I can attest that Christopher  
15 Community's attempts in some locales to develop  
16 duplexes of large size that would accommodate  
17 larger families that might want to move have  
18 not been met by the welcome mat.

19 In fact, there's a sign out that says  
20 "Go Away," unfortunately. And sometimes the  
21 funding sources aren't always in place to help  
22 us when we have some possibilities -- the

1 timing of funding, of developing our own  
2 housing.

3 We've developed some larger bedroom  
4 units in the City, some of which go under  
5 Terry's program, under Section 8. But for  
6 families in need of units with greater numbers  
7 of bedrooms, that alone is an impediment, due  
8 to the lack of their not being in housing  
9 stock.

10 MS. WITHERAL: Merrilee Witheral from  
11 the Fair Housing Council.

12 Also, in the analysis of impediments,  
13 we took a look at zoning. And it was not an  
14 exhaustive look at zoning ordinances, but it  
15 did determine that within the County there are  
16 a number of towns who have what may be  
17 excessive requirements for the development of  
18 multi-family residences, requiring more than 5  
19 acres. And also, you know, high lot size  
20 requirements for mobile home parks or the  
21 prohibition altogether on that sort of  
22 affordable housing.

1           So I certainly sympathize with that.  
2           There are just very few larger units available  
3           at all within the area. And I also should say  
4           that, while we haven't talked about this a lot  
5           this morning, there are a number of barriers  
6           faced by persons with disabilities, especially  
7           mobility impairments in finding housing.

8           We found objections to the locations  
9           of group homes by citizen groups, at local --  
10          in certain cases, local governing bodies.  
11          We've also simply found that the availability  
12          of accessible, affordable housing, especially  
13          considering that most persons with disabilities  
14          in the community are low-income families just  
15          presents a tremendous burden in terms of  
16          finding a place to live for anybody who needs  
17          accessible housing.

18          MR. GOUHEY: Bruce Gouhey, East  
19          Syracuse. Going back to the issue of  
20          employment, there are some things that happen  
21          that I simply don't understand. Within two to  
22          three miles of the village, we have Carrier,

1 which is a large employer, and also Chrysler,  
2 which is a large employer.

3 And yet I don't see any of my people  
4 either feeling inclined to go there or being  
5 able to go there. I don't know what the issues  
6 are exactly, and I wonder if it's  
7 employability.

8 But, again, I think it's  
9 transportation because there's no way to get  
10 there. They're very few people willing to walk  
11 two and three miles.

12 MR. HANLEY: In a Syracuse winter.

13 MR. GOUHEY: In a Syracuse winter.

14 I mean, I don't know exactly why it's  
15 not working. It's not that the jobs are not  
16 out there within a reasonable -- I mean, if  
17 they had transportation within a reasonable  
18 distance, but they simply may be unemployable  
19 in those environments, or many of them may be.  
20 I don't really -- I don't really know what's  
21 happening there or why.

22 But I do know that some of those same

1 companies do employ some of the people from the  
2 Housing Authority on a temporary basis at much  
3 lower wages. So make of that what you will.

4 PANELIST: You stated that there were  
5 these companies outside of the County, meaning  
6 outside of the --

7 MR. GOUHEY: Within several miles of  
8 the village.

9 PANELIST: Are there any Fair Housing  
10 choices near them within a 10 minutes walk?

11 MR. GOUHEY: I don't believe that  
12 there are. I'm not 100 percent sure. People  
13 from the county would probably be able to tell  
14 you better, perhaps Merrilee. But I haven't  
15 seen anything. I mean, there are developments  
16 that are reasonably close, but they're usually  
17 exclusive. Not exclusive, but excluding people  
18 who are on welfare. People who are on Section  
19 8, this kind of thing.

20 And if we are strict, if Merrilee  
21 thinks we're strict, as far as occupancy  
22 standards, I had trouble moving into one of

1 them with my two children in a one-bedroom.  
2 They didn't want us to even move in that way.  
3 So, I mean, we are -- when it comes to  
4 occupancy standards, we are not as strict as  
5 many of the housing developments in the County;  
6 and these are still low-income developments.

7 PANELIST: I'll certainly vouch for  
8 what Bruce says. There a number of apartment  
9 complexes within the community who have  
10 occupancy standards which violate the Fair  
11 Housing Act. As a matter of fact, earlier,  
12 someone mentioned Longley Jones and how manage  
13 a great deal of the housing stock in the  
14 community.

15 Earlier this year, we settled a  
16 familial status discrimination case against  
17 Longley Jones who turned a family that included  
18 a woman and her three children, who were living  
19 in a domestic violence shelter, and ended up  
20 staying there an extra month and a half because  
21 they had such a problem finding housing. So  
22 Longley Jones is one of those places that at

1 least used to maintain an occupancy standard  
2 which had a discriminatory impact on families  
3 with children.

4 Also, someone mentioned the larger  
5 housing complexes as knowing enough not to  
6 violate the Fair Housing Act. Just a couple of  
7 months ago, HUD issued a finding of  
8 discrimination against Orchard Estates, which  
9 is a very large complex, over 300 units, in  
10 Mattedale, for discrimination both on the basis  
11 of race, and on the basis of familial status..

12 Our testing indicates that that's  
13 widespread and very common. We get reports  
14 faster than we can test them, faster than we  
15 can file complaints against them.

16 CHAIRPERSON TERRISITO: Can I assume  
17 that both of those examples are housing  
18 developments that allow Section 8 people?

19 MR. GOUHEY: I'm not certain.

20 Does Franklin Park allow Section 8?

21 PANELIST: Yes.

22 MR. GOUHEY: Okay. Then I guess they



1 don't.

2 PANELIST: Is it because no one  
3 approached them about it?

4 MR. GOUHEY: I can tell you, only  
5 from my own experience in living, there that  
6 they're very concerned that people are able to  
7 work and are working, or that they have a fixed  
8 income or they're retired. They seem to prefer  
9 those preferences. Anything else, they seem to  
10 find a way around.

11 CHAIRPERSON TERRISITO: Let me ask  
12 the larger question.

13 MR. GOUHEY: Well, it's higher than  
14 what our certificates will bear.

15 CHAIRPERSON TERRISITO: What names  
16 are used for recruiting landlords for the  
17 program? What is the process that you go  
18 through?

19 PANELIST: There is one landlord  
20 association that meets on a regular basis. And  
21 every year or so, I'll come over and talk with  
22 them, present our wares, and hope that we're as

1 successful with them as we have been in the  
2 past in explaining the Section 8.

3 Explaining, like now, the differences  
4 in the new HUD rules could make quite a  
5 difference, I think, as far as making it a  
6 little bit more landlord-friendly. The things  
7 that Susan explained a little bit earlier, and  
8 the no endless lease, being able to collect the  
9 full security deposit.

10 One of the other things that was a  
11 big impediment was when we were forced to allow  
12 tenants to move on with a minute's notice and  
13 allow them to use the Section 8 subsidy  
14 someplace else, which was totally unfair to the  
15 landlord in any case that you could possibly  
16 come up with.

17 The tenant was still able to go  
18 through and stay on the program. They're not  
19 allowed to do that anymore. They have to  
20 give -- or are required to give a written  
21 notice both to the authority and to the  
22 landlord. And it has to be a 30-day notice,

1 which is a reasonable thing to ask, I think.  
2 That will make a big difference to the flavor  
3 of the program, as far as the landlord is  
4 concerned.

5 CHAIRPERSON TERRISITO: It is now  
6 12:15. We were supposed to close this session  
7 at 12:00. I do hope that all of you have  
8 presented will provide us with any  
9 documentation on any questions that we  
10 presented to you when you have it available.

11 Since we have waited this long to  
12 close this session, if we could spend another  
13 five minutes letting anybody else in the  
14 audience has any questions they might want to  
15 pose to the panel or to the presenters.

16 Hearing none, I guess we can close  
17 this session. Thank you very much for  
18 participating. We really appreciate the  
19 information and your presence and your time  
20 that you've taken to be with us. And we hope  
21 that you will stay for the rest of this,  
22 because we will have a very interesting

1 afternoon session, as well.

2 (Whereupon, the morning session  
3 was concluded)

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

## A F T E R N O O N   S E S S I O N

1  
2           CHAIRPERSON TERRISITO: Before we go  
3 into the second round of panels -- and the  
4 first one will be moderated by Michael  
5 Hanley -- there were a couple of questions that  
6 we just wanted to place to the folks who were  
7 here earlier this morning.

8           One of them is about this issue of  
9 the problem with transportation, and the  
10 question we have is, is anything being done to  
11 address this as an issue? Is there any work  
12 being done to deal with the fact that  
13 transportation has become impediment in terms  
14 of people being able to get around, get jobs,  
15 et cetera, and be able to move within the  
16 context of this area?

17           And also, I understand there may be  
18 some legislative changes coming down the pipe,  
19 that would have -- we don't know whether it's  
20 adverse impact or will be helpful in terms of  
21 this transportation problem. And I think it's  
22 Peter White that had some information on that.

1 MR. WHITE: Peter White from  
2 Christopher Community.

3 One of the questions that came up was  
4 in the break had to do with identifying what  
5 might be happening in the area of our local  
6 transportation. One of the situations being  
7 that our regional transportation authority  
8 faces year-by-year support from the state  
9 legislature.

10 This past year, unless there was a  
11 special state input of funds, there was the  
12 possibility of the elimination of many routes  
13 and jobs on the Central bus lines. It would  
14 have effected something like 21,000 jobs in  
15 Onondaga County alone. That's the same system  
16 that we are depending on in many ways, not only  
17 for jobs, but to help break down some of the  
18 barriers as far as housing goes.

19 Recently, one of the state  
20 legislatures has made a proposition to the  
21 Governor of the state legislature to find some  
22 form of permanent funding, whether it be

1 through a mortgage tax, an additional penny on  
2 the state gasoline tax, or something that could  
3 provide dedicated income so that these large  
4 deficits could be avoided by Central.

5 And if that can be done, it obviously  
6 enhances or maintains, if you will, job  
7 opportunities and contributes to the  
8 possibility of further housing opportunities in  
9 our particular county, in our particular  
10 regions. So we just add that thought.

11 CHAIRPERSON TERRISITO: Thank you  
12 very much.

13 MR. HANLEY: There was another issue  
14 that we were kind of worried that we may spend  
15 a lot of time on detail. And we sort of missed  
16 the obvious here. I want to just ask a general  
17 overview question of Terry or Fred.

18 Merrilee's maps show a very high  
19 extent of residential segregation in the city  
20 versus the suburbs. We have obviously a 27  
21 percent minority population of the city and  
22 depending on the classes, 2 or 3 percent

1 outside the city. And she also mentioned that  
2 the -- even within the city, within the Section  
3 8 program, there was this fact of that, if  
4 you're black, the chances are -- more likely  
5 than not, over 50 percent -- that you are  
6 living in a Census tract that's predominately  
7 black. Conversely, if you're a white subsidy  
8 holder, you're living in a Census tract that's  
9 predominately a white Census tract.

10 Our question is whether this is  
11 something that you think is beyond the role of  
12 being inappropriate for the housing authority  
13 to address in designing its policies and  
14 implementing its programs? Is it something  
15 that's just too big to deal with?

16 MR. MURPHY: Fred Murphy, Syracuse  
17 Housing Authority.

18 It's a very difficult question. And  
19 to answer it honestly, I would have to say that  
20 we have not, to this point, considered as part  
21 of our mission to break what have been historic  
22 housing standard or housing-impacted



1 neighborhoods, to try to break open impacted  
2 neighborhoods.

3 I think it is accurate to say that we  
4 haven't been asked to do it, either by any  
5 supervising agency or any supervising entity to  
6 make that part of our mission. I think that  
7 that's probably the largest reason why we have  
8 outstanding. We have not even raised the  
9 question of ourselves.

10 Quite frankly, as I said to you in  
11 the hallway, we really have never considered it  
12 until you called me and said, "Can we join  
13 together and do this program?" It was  
14 eventually was awarded to Rochester to try to  
15 begin to consider all these issues and take  
16 some more direct action, to try to break it  
17 out.

18 But that's exactly what this city has  
19 been, and our program has done not very much to  
20 change that from a programmatic basis.

21 MR. HANLEY: We really appreciate  
22 your candor. And I think it will help us in

1       our questioning with HUD, about where, what  
2       policy directions, it sends down the line. I'm  
3       glad we could clarify that.

4               PARTICIPANT: Well, the Fair Housing  
5       Act that precipitated Section 8 was an  
6       understood commitment on the part of the  
7       Housing Authority. When and where did it get  
8       watered down? Where did it lose as part of  
9       your mission to really take care of Fair  
10      Housing?

11              PANELIST: No. Fair Housing is, at  
12      least as far as my understanding is concerned  
13      and historically has always been concerned, is  
14      that it is not a proactive action. It is a  
15      defensive action. It is to block others. You  
16      stop others from discriminating.

17              You do not try to control the  
18      consumers or the participants in the program,  
19      you try to stop certain behaviors and actions  
20      that historically have been used by providers  
21      of services in housing.

22              Should they choose to use them, at

1 least in regarding the Section 8 program, you  
2 try not to limit people's choices. And if  
3 others who are in a position of providing  
4 housing and services and they want to limit  
5 people's choices, and it is against the law,  
6 then you act to stop them from doing that,  
7 violating the law.

8 PARTICIPANT: But in doing what --

9 PANELIST: However, that's --

10 PARTICIPANT: -- you're doing, you're  
11 perpetuating the very same thing that existed  
12 at the time that the Fair Housing started, and  
13 it started to give a fair and equal opportunity  
14 to people who had been discriminated against.

15 PANELIST: I'm sorry, I have never  
16 interpreted the Section 8 Program as to ever,  
17 ever act --

18 PARTICIPANT: No. I'm talking  
19 about --

20 PANELIST: -- proactively and  
21 affirmatively to try to break down impacted  
22 neighborhoods.

1 PARTICIPANT: I'm talking about the  
2 Fair Housing. The whole Fair Housing Act.

3 Look at its impetus. I mean, the  
4 genesis of it was to do the very same thing  
5 that we are here doing a fact-finding on.

6 And years later, we find that the  
7 same thing that existed, if not worse, now  
8 exists. The whole genesis of it was to give  
9 fair housing opportunity to minorities who had  
10 been shut out and did not have an opportunity  
11 to live in decent housing across this country.  
12 And there were other things put in place to  
13 implement that, Section 8 being one of them.

14 PANELIST: I don't know how to answer  
15 any better than I already have.

16 PARTICIPANT: It's okay. I mean, I,  
17 you know, I just made the statement that you  
18 said earlier, that it was not your thing to  
19 take a proactive role. And I understood that  
20 very clearly, and it seems to be the opinion of  
21 all of you.

22 However, sometimes in just simply

1 saying to people, "You have a choice" --

2 If I am a beaten-down poor person who  
3 has not been able to do very much, and I've  
4 been on a list for two or three years and  
5 you're hanging over my head, I'm not going to  
6 shake the water too much. I'm not going to  
7 rock the boat.

8 But I would certainly expect those of  
9 you in the authority to say, "While you can  
10 live where you want to, you have the right to  
11 live other places." And I don't know if that's  
12 being done, and that's why I'm asking.

13 PANELIST: I think we do that.

14 PARTICIPANT: "You have the right"?

15 PANELIST: Well, I don't know what  
16 words exactly we use.

17 PANELIST: But we do say people can  
18 live wherever they want to live. We do tell  
19 them that in the briefing session.

20 PARTICIPANT: "You can live wherever  
21 you want to live. You have a right to live  
22 wherever you want to live. As a minority, how

1 does that hit you?"

2 PANELIST: Well, I guess we were  
3 discussing this in --

4 PARTICIPANT: It's semantics. But as  
5 a minority, if I heard the words that I have a  
6 right, as opposed to "You can live where you  
7 live." I live where I want to live, where I  
8 don't shake the boat. I got a roof over my  
9 head. Somebody is going to subsidize me, and  
10 I've never been able -- I would love to live to  
11 out there in that place, where the school is  
12 better and all that, but I'm scared. And if  
13 you tell me if I have a right, I may get up  
14 enough nerve to try it to find a place out  
15 there.

16 But if you say, "You can live where  
17 you want to live," I may think where that I  
18 want to live is this area, this geographic area  
19 that's impacted by people and has been for  
20 years.

21 CHAIRPERSON TERRISITO: Mr. Shoame,  
22 did you want to say something?

1 MR. SHOAME: Well, one is the same  
2 question. Perhaps I may try to phrase it in a  
3 different way. I heard you say very clearly  
4 that, up to the point, the Fair Housing, as  
5 such, was another mandate, or you have not  
6 considered that as a sort of measured mandate.  
7 And you also said your supervising agencies and  
8 organizations have not reminded you that such  
9 is your mandate. I heard that very clearly.

10 Given that, as far as you know, is  
11 there anything in the statute that we have  
12 available on the book that would prohibit or  
13 discourage you from taking an affirmative  
14 posture?

15 MR. MURPHY: I don't know. I do not  
16 know the law well enough to answer.

17 CHAIRPERSON TERRISITO: Does anybody  
18 else in the room know?

19 PANELIST: Up until now -- and I'm  
20 talking about the last year or so -- our  
21 mandate seems to have been to house people in  
22 decent, safe, and sanitary housing. No one has

1 said that you wanted us to move people to  
2 non-impacted areas until very, very recently.

3 The first we heard about it is when  
4 we tried to go and get this grant that  
5 Rochester got. We talked about that before.  
6 We were very successful in putting people into  
7 decent, safe, and sanitary housing. HUD has  
8 told us, time and time and time again, do not  
9 steer people anywhere, okay. And that  
10 something we've tried not to do.

11 The only time I ever steered anybody  
12 is when I had somebody that was disabled and  
13 mobility-impaired and I knew where there was a  
14 unit that they could use if they needed to.  
15 And unless I told them that, they just wouldn't  
16 be able to find it.

17 Other than that, we have not done  
18 that because we've been told not to steer  
19 people, not to discourage them from living in  
20 an impacted area.

21 CHAIRPERSON TERRISITO: But do you  
22 make a distinction between steering, which I



1 understand is a problem -- and it would be a  
2 problem under most circumstances, I  
3 understand -- and giving people the kind of  
4 information that perhaps would encourage them  
5 to consider other places? I mean, do you see a  
6 distinction there?

7 PANELIST: Yes, I do. And what we've  
8 tried to do, since we've been told to do this,  
9 is to point out to people that they can move  
10 anyplace that they would like in the country  
11 since that has been available for a certificate  
12 and a voucher holder. They can move anyplace  
13 they want, and they're welcome to do that.

14 If they move under certain  
15 circumstances, we can handle them in Syracuse;  
16 otherwise, they have to move to another  
17 authority. We do the best we can to point them  
18 in the right direction to make the contacts  
19 that they need to in order to do that.

20 CHAIRPERSON TERRISITO: Is this done  
21 in the briefing sessions?

22 PANELIST: Yes. Everyone is briefed

1 by a video that we use, so everybody gets the  
2 same briefing. And they get a booklet that  
3 lists all of these opportunities, including the  
4 information about moving to a better school  
5 system, or where jobs are more available.  
6 Those things are listed.

7 We also bring people back to the desk  
8 after they see the video and try and answer any  
9 questions they have and encourage them to get  
10 out there and find a unit as soon as they can,  
11 do the best they can to fulfill their  
12 obligations, in order to see that they are  
13 housed.

14 CHAIRPERSON TERRISITO: Can I assume  
15 that the other jurisdictions do a similar  
16 thing?

17 PANELIST: I don't think anybody else  
18 uses a video other than Syracuse.

19 CHAIRPERSON TERRISITO: Is it  
20 possible to have copies of the documents used  
21 to do this encouraging, the video that's used  
22 to encourage people?

1           PANELIST: I couldn't give you a copy  
2 of the video because it's copyrighted. But  
3 you're welcome to view it if you would like.

4           CHAIRPERSON TERRISITO: You could buy  
5 it. Can the commission afford a copy of your  
6 video?

7           PANELIST: How many millions is it?

8           PANELIST: Well, in any case, I'd be  
9 glad to supply my briefing manuals.

10          PANELIST: We do have an education  
11 packet.

12          CHAIRPERSON TERRISITO: It's an  
13 information packet, I'm assuming.

14          PANELIST: It's a briefing manual,  
15 information packet, briefing packet, whatever.

16          CHAIRPERSON TERRISITO: Let me ask  
17 just one follow-up question on that.

18                 Using those briefing packets, what's  
19 the response of people? I mean, once you've  
20 given them the video presentation and the  
21 packet of material, do you find that people  
22 want to consider places other than your

1 particular jurisdiction? Do they want to move  
2 beyond borders of your jurisdiction?

3 PANELIST: In some cases, they do,  
4 yes. We make it very easy for them to,  
5 especially when it's one of the surrounding  
6 areas to do that.

7 CHAIRPERSON TERRISITO: So there has  
8 been some level of interest on the part of  
9 applicants?

10 PANELIST: Certainly, yes. And we do  
11 everything we can to encourage them, short of  
12 looking for units.

13 PARTICIPANT: If I were to come to  
14 you and say, "I want to live out in the  
15 suburbs," do you come and tell me, "Do you know  
16 you can live out in the suburbs if you want  
17 to?"

18 PANELIST: We would explain to them  
19 that they move anyplace that they would like.

20 PARTICIPANT: Well, that's different  
21 from --

22 PANELIST: Do I say you can move to

1 the suburbs? See, I can't say that we say  
2 those specific words, you know. But we try to  
3 explain to people that there are choices that  
4 they can make. If they have concerns about the  
5 schooling or being near their job, they should  
6 be able to use their subsidy anyplace that they  
7 would like, including the suburbs, you know.

8 CHAIRPERSON TERRISITO: Mr. Shoame.

9 MR. SHOAME: I think the point  
10 attempted to be made here is this question of  
11 subjective culture or the subjective feeling  
12 bring to a setting. The statement you made,  
13 the phrases you use -- "You have a choice, and  
14 you can live anywhere" -- these abstract  
15 statements are absolutely correct.

16 However, to a person who somewhere in  
17 their minds has ruled out, has drawn a line,  
18 those are the areas I, as a member of a  
19 protected class, can live they feel. For some  
20 reason, they have come to the subjective  
21 conclusion, they cannot.

22 So to say that you can live anywhere,

1 I'm afraid that they do not get the full  
2 meaning of what your intended meaning. In  
3 other words, somewhere we have to recognize the  
4 psychological barrier.

5 It is not the fault of housing  
6 authorities and authority officials. I'm not  
7 saying that. But if we truly mean to convey  
8 the meaning of free choice, I think the  
9 language has a great deal of sensitivity and  
10 has to pay to the meaning of language we use,  
11 particularly the recipients of those potential  
12 beneficiaries.

13 Otherwise, we are finding this cannot  
14 be translated properly by the recipients. And  
15 I think there's a great deal of psychological  
16 reality we have to recognize and admit into the  
17 public discourse.

18 PANELIST: I'm hearing what you're  
19 saying, and I totally agree with what you're  
20 saying. What I will do, in my case, because  
21 this has been brought up to me now, I'll do the  
22 best I can to explain to people that they can

1 move to East Syracuse, or ask specifically  
2 where it is that they would like to move. It's  
3 very easy for us to do, and I'd be glad to do  
4 it. If we were doing anything wrong before, I  
5 didn't realize it.

6 CHAIRPERSON TERRISITO: I'm going to  
7 take the prerogative of the Chair to move this  
8 along.

9 Unfortunately, we're going to have to  
10 stop this --

11 MS. WASS: I'd like to make one more.  
12 comment about this, if you don't mind.

13 CHAIRPERSON TERRISITO: Two minutes.

14 MS. WASS: Thank you. Suzanne Wass,  
15 from North Syracuse Housing Authority.

16 There is one component of our housing  
17 program which does help to move people a little  
18 bit from really impacted areas. As I perceive  
19 it, impacted areas sometimes have very poor  
20 housing, and it's housing that would not meet  
21 our inspection standards for the program.

22 So inasmuch as a person chooses a

1 place which is inappropriate for the program,  
2 they're encouraged to choose other places where  
3 the housing is better. And I think goes for  
4 pretty much everybody because one of the  
5 intents of the program is to move people into  
6 housing which is of a better quality than what  
7 they can afford without the program.

8 And I'd just like to make one other  
9 comment about our own agency. Part of our  
10 residency preference includes people who work  
11 or are expected to work in the Village of North  
12 Syracuse. Wherever they come from, they're  
13 expected to have a job in North Syracuse in  
14 order receive our local preference.

15 CHAIRPERSON TERRISITO: Thank you.

16 We're going to move now into the  
17 panel about federal changes in Section 8  
18 programs and their impact, which is now going  
19 to be moderated by Michael Hanley.

20 MR. HANLEY: And without further ado,  
21 I'm just going to ask our presenter from HUD to  
22 do her presentation.



1 I would like to thank you for making  
2 the trip from Washington to appear. We think  
3 this information direct from the source is very  
4 valuable.

5 Please go ahead.

6 HUD REPRESENTATIVE: Okay. I'll try  
7 to keep my remarks brief because I don't know  
8 what you may have already gone over with  
9 housing agencies in the morning. And then if  
10 there is anything I touch on you want to cover  
11 in more depth, I'll respond to your questions..

12 We came up with a revised Section 8  
13 program rule which took effect last October of  
14 '94 and which made a few changes to the Section  
15 8 Program. There were also some changes in our  
16 appropriations law last year that you may have  
17 discussed already. I'll touch on them.

18 In the certificate program, the  
19 security deposit had been limited to \$50 or the  
20 total tenant payment, which ever was greater.  
21 That has changed so that a owner may now charge  
22 a market-rate security deposit; whatever an

1 owner typically charges for his rentals, he can  
2 charge to Section 8 assisted families.

3 The main impetus for that change was  
4 that housing agencies were getting tremendously  
5 bogged down in the administrative work of  
6 processing landlord damage claims and mediating  
7 disputes between tenants and landlords  
8 concerning who actually did the damage and what  
9 it was worth.

10 There were also views that if tenants  
11 were not required to put down very much in  
12 terms of a security deposit and had not much at  
13 stake, they would be less careful about  
14 maintaining the unit. So we hope that, in  
15 making these changes, the administrative work  
16 of housing agencies will be relieved somewhat,  
17 and families will assume greater responsibility  
18 for the care of the units.

19 Another major change that happened,  
20 in September of last year, was a reduction in  
21 the fair-market rent limit. HUD had, over the  
22 years, used the 45th-percentile rent as the

1 fair-market rent limit. That is the rent level  
2 of 45 percent of the market standard rental  
3 units. That had been HUD's fair market rent  
4 standard.

5 It was meant to approximate the rent  
6 for a modest quality rental unit. That went  
7 down to the 40th percentile, primarily as a  
8 cost-saving measure at the federal level. So,  
9 that particular program change makes it a  
10 little harder for assisted families to find  
11 units in the certificate program because they  
12 have to find a unit under their rent level.

13 Also, in the voucher program, the  
14 payment standards that the housing agencies use  
15 are pegged to that, so payment standards also  
16 go down. A family can't assume any extra rent  
17 burden, and it would also have an impact in the  
18 voucher program.

19 At the same time that those fair  
20 market rent limits decreased, HUD has recently  
21 been encouraging housing agencies to take  
22 advantage of the authority to request and get

1 HUD approval for fair-market rent exceptions  
2 for areas where fair market rents are set for a  
3 broad metropolitan area or for a  
4 non-metropolitan county. So they cover a broad  
5 area.

6 There are submarkets within those  
7 fair market rent areas where rents may be  
8 higher or lower than the fair-market rent. To  
9 reach some higher priced submarkets within the  
10 FMR areas, those exceptions are permitted to go  
11 20 percent over.

12 Other changes that took place in our  
13 preparations acts were elimination of some  
14 provisions that landlords had objected to. You  
15 may have heard of the "take one, take all"  
16 provision, where an owner of a multi-family  
17 housing project could not refuse to lease to a  
18 certificate or voucher holder if he had a  
19 Section 8 contract in his property already, for  
20 the sole reason that the person was a  
21 certificate or voucher holder.

22 Some owners were refusing to

1 participate in the programs because they said  
2 or thought if they took one Section 8 tenant,  
3 they would have to take others.

4 There is various experience with this  
5 across the country. In some places, it had a  
6 very chilling effect on landlord participation.  
7 In other places, it was not so dramatic. But  
8 the elimination of that provision, we hope will  
9 encourage more landlords to participate.

10 Also, we had, in the Section 8  
11 program, something we had referred to as an  
12 "endless lease." The law required that an  
13 owner could only terminate a tenancy for good  
14 cause. The way most tenants and landlords were  
15 familiar with dealing with rentals, you have a  
16 lease term for a year. And at the end of the  
17 year, you decide to renew, or if you don't want  
18 to renew, you don't renew.

19 You couldn't do that in the Section 8  
20 Programs because the owner could only terminate  
21 the tenancy if he had good cause. And the  
22 simple expiration of a lease term was not good

1 cause under the law.

2 Our program rule from last October  
3 changes that. Now, there are breaks in the  
4 Section 8 lease term. At the end of a one-year  
5 period or a month-to-month period, the owner  
6 can terminate the tenancy without good cause at  
7 the end of those successive terms of the lease.

8 There is a provision now that housing  
9 agencies can terminate an assisted tenancy for  
10 a tenant's serious violation of the lease. In  
11 the past, we let the lease be an agreement  
12 between only the owner and the tenant, and  
13 pretty much kept the housing agency out of that  
14 rental arrangement.

15 The whole Section 8 program was  
16 modelled on a private-market tenancy, and to  
17 keep the housing agency out of the  
18 landlord-tenant agreement end of it if there  
19 was a violation of the lease that was not a  
20 concern of the housing agency. It was a  
21 concern of the landlord, and the landlord had  
22 to terminate the tenancy, but the family

1 remained eligible for assistance and might get  
2 another certificate to move elsewhere.

3 If another landlord were willing to  
4 accept that same tenant who may have caused  
5 serious lease violations at the previous unit,  
6 that was perfectly okay under the program, and  
7 the family could go on to be assisted.

8 There was a public opposition to  
9 that, particularly from landlords to objected  
10 to the fact that they were dealing Section 8  
11 tenants who trashed their units and then moved  
12 on to other rentals elsewhere. And they were  
13 relatively outraged by that, so now a housing  
14 agency has authority to terminate a tenancy for  
15 a serious lease violation.

16 Those are the major rule changes,  
17 actual program changes. And there are some  
18 other things I was going to talk about,  
19 initiatives that HUD is undertaking in terms of  
20 mobility and regional opportunity counseling  
21 and evaluation of our programs.

22 You have a question?

1           PANELIST: Well, really, all those  
2 changes really don't speak to the issue of fair  
3 housing, you know. I don't know how HUD is  
4 addressing the issues of fair housing and  
5 implementation, those assurances.

6           HUD REPRESENTATIVE: Those rule  
7 changes do impact a family's ability to find  
8 and lease housing because they effect a  
9 landlord's willingness to participate. And the  
10 security deposit requirement, for example, may  
11 effect a family's ability to find a unit where  
12 a landlord would lease, or even have the money  
13 to lease the unit.

14           And the fair market rent changes  
15 limit the housing stock from which a family can  
16 choose. I mean, not tremendously, but they do  
17 somewhat limit it more than it had been.

18           MR. HANLEY: I know from the  
19 perspective of an attorney who works with Legal  
20 Services Programs that there has been a great  
21 concern that these programs will result in a  
22 downside for the families because they tend to



1 be on the side, the opposite of the things that  
2 make it landlord friendly.

3 I think the concern is that if these  
4 are good changes because they will increase the  
5 housing stock and make more landlords willing  
6 to participate, then it's a plus. But how do  
7 you make sure? Is anything being done in terms  
8 of instructions from HUD to local Section 8  
9 administrators to say we've got this landlord  
10 friendly program now, why don't you market it  
11 to find more landlords in non-poverty areas.

12 Is there any instructions out to  
13 administrators on that type of issue, to get  
14 something back for these changes?

15 HUD REPRESENTATIVE: Not withstanding  
16 what my friends from the Syracuse Authority  
17 said earlier, I think that HUD guidance over  
18 the years -- and I've been working for HUD for  
19 20 years now -- I think that HUD guidance over  
20 the years has always encouraged housing  
21 agencies to do outreach to landlords in all  
22 areas of their jurisdiction and has always

1 encouraged housing agencies to tell families of  
2 the opportunity to lease in all areas of their  
3 jurisdiction.

4 And then, after portability became  
5 law, to allow families to lease wherever they  
6 want in the entire country and it is true that  
7 at different times HUD has emphasized this  
8 more. But throughout the 20-year life of the  
9 Section 8 programs, there has always been HUD  
10 direction to promote broad geographic  
11 opportunity in the program.

12 CHAIRPERSON TERRISITO: But just to  
13 follow up on your question, if it's made  
14 landlord-friendly now and we have a commitment  
15 on the part of the administrations to actually  
16 do some of that outreach on the level that  
17 we're talking about, are you going to be doing  
18 any kind of monitoring of the results of this  
19 change to make sure that this impact -- which  
20 seems on its face probably likely, which means  
21 people not being able to get housing because  
22 they won't be able to afford it in a sense --

1 isn't going to be so devastating that it's  
2 going to, in effect, eliminate or affect  
3 program in any significant way.

4 HUD REPRESENTATIVE: Well, it's tough  
5 to judge the impacts of these things as they  
6 get under way. But I don't think any of these  
7 program changes is terribly significant, either  
8 in and of themselves or taken altogether.

9 The voucher program has always had a  
10 security deposit requirement, and the voucher  
11 program has operated successfully since 1983..

12 There are ways that housing agencies  
13 and other organizations can help families  
14 afford security deposits. So I think that,  
15 while it's a challenge and a hurdle, I think  
16 it's something that can be worked through. The  
17 fair-market rent limit decrease is another  
18 challenge and hurdle, but it can be worked  
19 through.

20 The "take one, take all" provision  
21 wasn't even law until a couple of years ago.  
22 Before that, it wasn't required, and landlords

1 were still leasing to Section 8 tenants. The  
2 problem with "take one, take all" is that it  
3 became an impediment because landlords probably  
4 became more fearful of it than they needed to  
5 be, but sometimes perception is as much of a  
6 problem as reality is.

7 Likewise -- well, endless lease is a  
8 little different. That one may have a  
9 significant impact. But, you know, in the  
10 private market, landlords like to keep tenants.  
11 They don't like turnover. It costs them money  
12 to have turnover. So if tenants are good,  
13 landlords should not terminating tenancies at a  
14 whim. It remains to be seen what will that  
15 particular provision, but it will be easier for  
16 landlords to get out of Section 8 leases now  
17 than it had been.

18 I don't think that any of these  
19 changes are really terribly dramatic changes.

20 MR. HANLEY: Okay. I don't want to  
21 shortchange you on the time, because we do want  
22 to hear about the mobility initiatives and

1 moving to opportunities.

2 Why don't you go ahead with that?

3 HUD REPRESENTATIVE: Unfortunately, I  
4 couldn't bring enough copies for everybody on  
5 the committee, or I would have been really  
6 burdened on this airplane. But I brought with  
7 me a copy, which maybe you've already seen, an  
8 evaluation of the Moving to Opportunity  
9 program.

10 This is a program HUD started in  
11 1994. Five large metropolitan housing agencies  
12 were selected to participate in this  
13 demonstration to help families who live in  
14 public housing or subsidized apartment  
15 buildings use Section 8 certificates or  
16 vouchers to move to low-poverty areas. And  
17 these public housing or subsidized projects had  
18 to be in high-poverty areas in New York,  
19 Boston, Baltimore, Los Angeles, and Chicago.

20 The families are selected for the  
21 program randomly. They indicate that they have  
22 an interest, understanding that if they join

1 the Moving to Opportunity program, they will be  
2 given a certificate or voucher. Three  
3 possibilities, they'll be given a certificate  
4 or voucher and must move to a low poverty  
5 Census tract that is with less 10 percent  
6 poverty; or they'll be given a certificate --  
7 and they'll get counseling to help them to do  
8 that, or they'll be given a Section 8  
9 certificate or voucher and be given normal  
10 treatment, as the housing agency always will,  
11 or they will end up staying in the project  
12 where they were.

13 And this evaluation is meant to be  
14 systematic and and to track these particular  
15 families over a 10-year period in order to find  
16 out whether or not the move from the  
17 high-poverty condition to the low-poverty  
18 condition helps the families. I won't tell you  
19 a lot more about that, except that HUD is  
20 undertaking that systematic evaluation and is  
21 supposed to endure for a long time, and  
22 hopefully we'll learn something about the

1 advantages of mobility counseling and the  
2 advantages of families moving from high-poverty  
3 to low-poverty areas.

4 MR. HANLEY: Are there any early  
5 returns in the report to Congress?

6 HUD REPRESENTATIVE: Well, the early  
7 returns is that it has really helped some  
8 people. But it's really too early to tell. I  
9 mean, at the sites, they're just getting  
10 underway with the lease and families are making  
11 moves to low-poverty areas. But in terms of  
12 comparison of the three groups, it's too soon  
13 to see any.

14 Another initiative that HUD is  
15 undertaking and that Rochester is involved in,  
16 is a regional opportunity counseling program,  
17 which we're just getting going with now.  
18 Sixteen housing agencies nationwide were  
19 selected to participate in a five-year  
20 counseling initiative to promote  
21 metropolitan-wide housing opportunities.

22 And the idea is expressly to stop

1 assisted families from being isolated in  
2 high-poverty Census tracts where there are not  
3 very good schools and little opportunity and to  
4 give them extra counseling and assistance to  
5 help them move to low-poverty areas.

6 It is not nearly as precisely defined  
7 as the Moving to Opportunity demonstration is.  
8 Instead, HUD wants the 16 participating housing  
9 agencies to devise their own initiatives for  
10 metropolitan-wide housing opportunity  
11 counseling and to work with all of the housing  
12 agencies within the metropolitan area, as well  
13 as with a non-profit organization to do  
14 counseling.

15 We hope that, as a result of this  
16 demonstration, we will come up with a variety  
17 of ways that housing agencies can address  
18 providing metropolitan-wide opportunities for  
19 assisted families. The 16 housing agencies  
20 that have been selected participated in a  
21 conference call about two weeks ago about  
22 things they ought to be thinking about for



1 their strategies. There's a conference planned  
2 for March where they'll all come into  
3 Washington and sit down and talk through their  
4 plans and strategies and develop them.

5 We have some consultants working with  
6 HUD on this, and they have some experience in  
7 moving to opportunity program. Hopefully,  
8 we'll get enough different ways of working  
9 through means to overcome barriers to  
10 regionwide mobility and things that make it  
11 work and, as a result of that, be able to pass  
12 on more information to housing agencies  
13 throughout the country. So that's the second  
14 major initiative that's going on right now.

15 The third thing that I wanted to talk  
16 with you about is our multi-family tenant  
17 characteristic system. HUD is now requiring  
18 that housing agencies report family data on  
19 every family assisted in the program. For the  
20 first 20 years of the Section 8 Program, HUD  
21 required none of this kind of reporting, so we  
22 were really running a program without any good

1 statistics and families -- you know, who is in  
2 the families, who are we assisting, what are  
3 their income levels, what is their race.

4 There was certain racial information  
5 required to be reported by our Fair Housing and  
6 Equal Opportunity Office. But in general, we  
7 had very little information on program  
8 participants.

9 Starting about two years ago, we  
10 required that housing agencies submit a family  
11 report on every family that submitted to the  
12 program and each year re-exam. And so, we're  
13 collecting lots of information on family  
14 characteristics, their primary source of  
15 income, where they live.

16 One of the key things that's coming  
17 out of this is that we're getting addresses for  
18 all these families. We've recently added to  
19 this system a geocoding capacity so that we can  
20 attach the ZIP code of the family to the Census  
21 tract that the family lives in and match it up  
22 with the poverty level of the Census tract.

1 And we're actually starting to do some mapping  
2 of the locations of Section 8 assisted families  
3 and, in particular, looking at issues of  
4 concentration.

5 So I brought with me some information  
6 from our system. And this doesn't get into the  
7 geocoding capacity because we're just starting  
8 to do that. But I have information from the  
9 Syracuse Housing Authority, the Rochester  
10 Housing Authority, and the Buffalo Housing  
11 Authority on the number of households reported,  
12 their distribution by income, sources of  
13 income, the household types, race, and  
14 ethnicity.

15 So you can look over that information  
16 to based on the Multi-family Tenant  
17 Characteristic System. We call it "MTCS"  
18 because Multi-family Tenant Characteristic  
19 System is a mouthful. Our Office of Policy  
20 Development and Research did a small paper in  
21 May of last year which shows that, for all  
22 metropolitan areas in the nation, the

1 distribution of those families by the poverty  
2 rate of the Census tract that they live in.

3 Nationwide, 25 percent of Section 8  
4 families are living in metropolitan-area Census  
5 tracts with less than 5 percent poverty. And  
6 42 percent are living in Census Tracts with  
7 less than 10 percent poverty. Of course, this  
8 differs by race. There's a chart in this paper  
9 that shows the distribution for blacks and  
10 Hispanics as well.

11 MR. HANLEY: Would you mind stating  
12 the conclusion about how it differs by race?

13 HUD REPRESENTATIVE: Okay. I'll go  
14 to page 3.

15 MR. HANLEY: I'm afraid we know what  
16 to be expect.

17 HUD REPRESENTATIVE: 15 percent of  
18 Blacks in Census tracts with less than 5  
19 percent poverty and 28 percent of blacks live  
20 in Census Tracts with less 10 percent poverty.

21 For Hispanics, 28 percent of  
22 Hispanics are in Census Tracts with less 5

1 percent poverty, and 40 percent less than 10  
2 percent poverty.

3 32 percent of whites are less than 5  
4 percent poverty, and 53 percent of whites are  
5 less than 10 percent poverty.

6 MR. HANLEY: So for blacks, the flip  
7 side of that is that 57 percent of the black  
8 households Census tracts being at poverty level  
9 or below?

10 We can check. I mean, if you don't  
11 know, we'll just check later.

12 HUD REPRESENTATIVE: It varies from  
13 time to time.

14 MR. HANLEY: Okay.

15 HUD REPRESENTATIVE: But I would say  
16 20 percent is not typical. 30 percent is  
17 probably typical. But the distribution is in  
18 the paper, so you will be able to study that.

19 Some of the things that we're looking  
20 forward to doing using this family data and the  
21 geocoding capacity is that we hope that in the  
22 not-too-distant future -- like within the next

1 year, or certainly within the next two years --  
2 we will have available for our HUD field  
3 offices across some tabular data so that they  
4 will be able to look at it by housing agency,  
5 Census tracts, Section 8 families as a  
6 percentage of all renters in the tract, Section  
7 8 families as a percentage of all other  
8 subsidized housing in the Tract, the Section 8  
9 distribution by tracts, how many Section 8  
10 families are in each Census tract.

11 As a result of collecting this family  
12 data, we have the opportunity to have access to  
13 lots of information about where families are  
14 living and how successful families are in  
15 moving out of high-poverty areas.

16 MR. HANLEY: We're running into a  
17 time constraint.

18 PARTICIPANT: Let's speak to the new  
19 welfare reform.

20 Have you thought about doing some  
21 measurement? How does the new welfare reform,  
22 would effect on the housing project?

1 HUD REPRESENTATIVE: Well, I work in  
2 the office of Section 8, and actually our  
3 public housing office is paying a lot more  
4 attention to that because the welfare reform  
5 impacts are going to be felt more immediately  
6 there, in that the public housing agency is the  
7 landlord in that case.

8 And if families can't pay their rent,  
9 that means the housing project is going to have  
10 difficulty operating. We're going to have the  
11 same problem on the Section 8 side. If Section  
12 8 families can't pay their rents, they may end  
13 up getting evicted.

14 But so far, HUD has not done a lot of  
15 analysis or preparation or thinking about --

16 PARTICIPANT: It's too early. But do  
17 you plan to do something about it or not?

18 HUD REPRESENTATIVE: We recognize  
19 that the welfare reform initiatives that are  
20 underway right now could have serious impacts  
21 on assisted families. But in terms of other  
22 than recognizing the fact that that might

1       happen there, I can't say that HUD has given  
2       any direction or thought about it to housing  
3       agencies at this point.

4                PARTICIPANT:   Is HUD reviewing the  
5       residency preferences to see if they have any  
6       kind of exclusionary effect based on race?

7                HUD REPRESENTATIVE:   In Section 8, we  
8       have dealt with residency preferences a bit, in  
9       that the new rule change from last October  
10      still allows residency preferences but only  
11      with HUD approval.   HUD has always required  
12      approval, HUD approval of preferences, but we  
13      changed to take away HUD approval of  
14      preferences except for residency preferences.  
15      So HUD is retaining approval of residency  
16      preferences.

17               MR. HANLEY:   Does that only affect  
18      new programs?   If somebody has a residency  
19      preference in place, they don't need to,  
20      resubmit it do they?

21               HUD REPRESENTATIVE:   No, because it  
22      has been approved by HUD.   When we did funding



1 in fiscal year '95, which was the last year we  
2 actually got new money to make available to  
3 housing agencies for more certificates and  
4 vouchers, we awarded points in the funding  
5 competition to housing agencies that did not  
6 have a residency preference.

7 In other words, we said it was good  
8 if you didn't have one. But that was a  
9 relatively insignificant and indirect way of  
10 addressing issues. On the Section 8 side,  
11 there hasn't been a lot of discussion about  
12 changing residency preferences.

13 It may be that, on the public housing  
14 side, it is being studied more in depth. And  
15 I'm not familiar with that. If changes to  
16 happen on the public housing side, then HUD  
17 often tries to make similar changes in Section  
18 8, although I haven't been part of that  
19 discussion, if indeed it has been happening.

20 MR. HANLEY: Okay. Joan Spielman is  
21 from the Buffalo Office of HUD, which covers  
22 about 40 counties in Upstate New York. So it

1 certainly covers Syracuse, Rochester, and  
2 Buffalo.

3 MS. SPIELMAN: Everything except New  
4 York City. It really covers everything that's  
5 new, program-wise. Our perspective in the  
6 local office is one of watching. It's watching  
7 the agencies try to implement some of these  
8 changes, and especially watching them deal with  
9 the issues of reduced funding, which have made  
10 a tremendous impact.

11 The three-month delay that Congress .  
12 -- I want to point out it was Congress and not  
13 HUD that came up with that idea to hold back.  
14 They have to hold back their certificates three  
15 months, so that affects their income to run the  
16 program, that affects how many certificates can  
17 be issued.

18 There's the issue of the lowered  
19 administrative fees that came about as a result  
20 of this 1997 Appropriations Act. And small  
21 agencies that are PHAs and operating only a  
22 Section 8 program are dealing with new

1 priorities and less and less money. It's very  
2 difficult for them to implement new initiatives  
3 or take initiative or do anything like that.  
4 A lot of the new legislation that has come from  
5 Congress in the last year or so really is --  
6 it's not part of the big picture.

7 I mean, it's no secret that the  
8 housing policy, at least -- I shouldn't say it  
9 quite so boldly -- but it's my opinion and the  
10 opinion of a number of people that the housing  
11 policy in our country, right now, is being  
12 driven by the interest on the national debt.  
13 So whatever lowers the costs is what's going to  
14 get approved and implemented, what Congress can  
15 get approval for and send over to HUD to  
16 implement.

17 So we came up with a jumble of  
18 regulations and policies and laws that housing  
19 authorities have to implement without any real  
20 clear picture, without any big picture. And  
21 that's what we work with on the local level,  
22 trying to see that they get implemented. The

1       only other thing I can say about what we are  
2       doing on the local level is that it has been  
3       encouraged by HUD, but not many agencies are  
4       doing that.

5               In Buffalo, we are working to  
6       implement a regional approach in communities  
7       where all of the funding comes from HUD, all  
8       the funding that comes through HUD. We're  
9       doing it in five communities right now, and we  
10      hope to expand throughout the state. It's a  
11      logistical nightmare, really.

12             Our intent is to get the communities  
13      to look at the funding that comes through HUD  
14      on a regional basis. And so we formed groups  
15      of people who go out into the communities and  
16      work with them. And Rochester is one of the  
17      places that we've done this.

18             We meet with the city and the public  
19      housing authority and the Section 8  
20      administrators and the non-profits, anybody we  
21      can get around the table, recognizing all of  
22      the local jurisdictional jealousies and

1 whatever else.

2 I mean, we understand what we're  
3 getting into. But it's an attempt to bring a  
4 bigger picture to the whole issue of subsidized  
5 housing and community development. And we're  
6 working hard at it. We think it's a very  
7 difficult thing to bring about because it's  
8 resisted in our office. It's resisted in the  
9 community. But it seems to be the way HUD is  
10 encouraging all communities to think.

11 And it makes sense. It's a way of  
12 really maximizing the resources that are there.

13 MR. HANLEY: So you're including the  
14 community development program in the whole  
15 program?

16 MS. SPIELMAN: Yes, everything, yes.  
17 We aren't so successful in bringing them all  
18 together. I mean, some of them won't  
19 participate initially. And some communities  
20 have greater need for it than others, and a  
21 bigger interest in it.

22 CHAIRPERSON TERRISITO: What, if

1 anything, is the administration doing to  
2 promote the de- oncentration?

3 You know, you're doing data  
4 collection now that deals with looking at  
5 Census Tracts, etc etera. And we know from  
6 this morning's session that there's some  
7 pockets that occur for whatever the reasons.

8 Is there any policy at your level  
9 that is going to be dealing with that? Would  
10 you be able to answer that?

11 HUD REPRESENTATIVE: I can, because .  
12 that's the one part of what I was going to talk  
13 about that I haven't yet. For the Section 8  
14 programs, we are devising what we call a  
15 Section 8 Management Assessment Program. There  
16 is already an existing public housing  
17 management assessment program called FEMAP.  
18 We're now doing a Section 8 management  
19 assessment program we call SEMAP, which is  
20 HUD's big and systematic way of assessing the  
21 performance of every housing agency  
22 administering the Section 8 Programs across the

1 country.

2 The proposed rule for CEMAP -- we're  
3 just starting this effort for Section 8, and it  
4 should be published in the Federal Register in  
5 about a week or so.

6 There are 15 indicators of  
7 performance in CEMAP. They address issues like  
8 properly selecting eligible families from the  
9 waiting lists and making that rents paid under  
10 the program are reasonable and that housing  
11 quality standards are enforced.

12 But one of the indicators is a  
13 de-concentration indicator. It's a little  
14 complicated to explain, but what HUD is going  
15 to do for each metropolitan housing agency  
16 administering the program is to look at the  
17 distribution of affordable housing units. And  
18 we call them FMR-priced housing units because  
19 they will be apartments priced at or below the  
20 fair-market rent limit, based on the 1990  
21 Census.

22 We'll look at how that affordable

1 housing is distributed throughout the housing  
2 agencies jurisdiction housing agencies  
3 jurisdiction and also throughout the entire  
4 metropolitan area. And in relation to that  
5 distribution of affordable housing units, we'll  
6 be looking at the distribution of Section 8  
7 families and looking to see that Section 8  
8 families are as dispersed as the Section 8  
9 affordable stock is.

10 What we'll do is look at where all  
11 the units are throughout a metropolitan area  
12 and find out what poverty rate divides the  
13 affordable housing stock in half, so that half  
14 of the stock is Census tracts with poverty  
15 rates that are higher than that and half of the  
16 housing stock is in Census tracts with poverty  
17 rates lower than that.

18 So we've come up with this concept  
19 called the dividing poverty rate. It cuts the  
20 affordable stock in half. For example, the  
21 dividing poverty rate might be 22 percent.  
22 Half of the stock is available in tracts with



1 higher rates than that, and half in lower rates  
2 than that. We would look to see that at least  
3 half of Section 8 tenants are in the relatively  
4 lower poverty tract.

5 So it's sort of a complicated way of  
6 looking at whether or not Section 8 families  
7 are de-concentrated. That is not in the  
8 highest poverty Census tracts. But that is the  
9 method that we're proposing, and that would be  
10 part of CEMAP and done systematically each  
11 year, for each metropolitan housing agency.

12 CHAIRPERSON TERRISITO: What will  
13 happen when you find out that they are in the  
14 higher poverty areas? Let's say you find that  
15 out.

16 HUD REPRESENTATIVE: Well, the  
17 program requirement that is imposed on housing  
18 agencies is that they encourage broad housing  
19 choice and opportunity. In fact, I don't even  
20 know if the reg is that explicit. The reg  
21 requires them to explain portability and the  
22 advantages of the moving to low-poverty areas.

1 I think that's sort of paraphrasing what the  
2 Reg says.

3 The CEMAP standard actually requires  
4 housing agencies to do more than that. There  
5 are various points they can get as a CEMAP  
6 score on the indicator, so the more a housing  
7 agency encourages families to take advantage of  
8 metropolitan housing opportunities or  
9 advantages of opportunities out of high poverty  
10 areas, potentially the higher points they could  
11 get on the CEMAP indicator.

12 So I don't think that it's fair to  
13 say that this goes so far as to mandate that  
14 housing agencies encourage metropolitan choice.  
15 But if they do, and if families move out of  
16 high poverty areas, the housing agency is rated  
17 higher by HUD.

18 CHAIRPERSON TERRISITO: What does  
19 that give you? Being rated higher, that is.

20 MR. HANLEY: Maybe I can put that in  
21 another context. In the past, these types of  
22 rating systems were used when you were applying

1 for new subsidies, and it would help you score  
2 higher and to be more competitive to get more  
3 subsidies for your service area.

4 Since there are no new incremental  
5 subsidies in the foreseeable future for Section  
6 8 -- that's my understanding of the current  
7 budget and future budgets -- what good would a  
8 high rating do them?

9 HUD REPRESENTATIVE: I don't know  
10 what good a high rating would do them. And I  
11 don't think that the rating is meant to any  
12 good for them. I mean, the rating is meant to  
13 let HUD know what's going on with the program  
14 and where families under the program are  
15 living.

16 I don't think HUD needs to care. I  
17 should say -- I'm speaking from my personal  
18 perspective -- I don't think HUD needs to care  
19 where these families end up as much as the  
20 localities need to care.

21 MR. HANLEY: It seems like we heard  
22 the opposite from the local housing

1 authorities: Nobody ever told them they were  
2 supposed to do this, and so they didn't.

3 HUD REPRESENTATIVE: Well, I'm not  
4 saying that HUD is not encouraging this. I  
5 think that, in a big way, HUD is encouraging  
6 this.

7 Now, in a big way, HUD is encouraging  
8 this. HUD doesn't always encourage this in a  
9 big way. But I think now we are. And I think  
10 that communities need to recognize that when  
11 poor people and minorities are isolated in  
12 inner-city neighborhoods where there are no  
13 opportunities that that impacts their local  
14 community. It impacts their life. It doesn't  
15 impact the federal government's life.

16 I mean, the federal government  
17 provides funding to local housing authorities  
18 so that local housing authorities can make life  
19 good in their local communities. And the  
20 federal government would like life to be good  
21 in everybody's community, but the federal  
22 government doesn't make it that way.

1           It's the the local program  
2 administrators, the local elected officials,  
3 the local community activist. The local people  
4 themselves that make the community good. That  
5 provides local opportunity. The federal  
6 government doesn't do that.

7           CHAIRPERSON TERRISITO: If the only  
8 reason this is being done is for you, for your  
9 own data collection, what does it cost you to  
10 do this?

11          HUD REPRESENTATIVE: You're talking  
12 about the scoring system, right?

13          CHAIRPERSON TERRISITO: Yes.

14          HUD REPRESENTATIVE: The overall  
15 scoring system?

16          CHAIRPERSON TERRISITO: Well, we're  
17 talking about what appears to be a way of  
18 tracking what's happening with the dollars --

19          HUD REPRESENTATIVE: Yes.

20          CHAIRPERSON TERRISITO: -- and the  
21 impact it's having on the folks who are  
22 presumably the ultimate beneficiaries. And the

1       idea being, I would think that once you have  
2       that information, if you see things like  
3       segregated patterns, for example, or access or  
4       lack of access to where the jobs are, then that  
5       would be something that HUD would say to local  
6       jurisdictions, you know, this is a problem, and  
7       presumably use that information for that  
8       purpose.

9               HUD REPRESENTATIVE: Well, when HUD  
10       gathers information, HUD then looks at it and  
11       looks at what's happening with the programs and  
12       makes policy judgements about whether or not to  
13       do anything about it.

14               I mean, we will collect the data. We  
15       will have the data. What we're going to do  
16       about it, I can't tell you.

17               MR. HANLEY: Ms. Spielman, do you  
18       have any --

19               HUD REPRESENTATIVE: That remains to  
20       be seen.

21               MS. SPIELMAN: -- idea of how it's  
22       going to transfer to a local level --

1 MS. SPIELMAN: What I was going to do  
2 it was compare it with FEMAP, which is the same  
3 kind of a system for the public housing  
4 agencies. That's taken very seriously. It is  
5 our obligation -- on the local level, anyway --  
6 to follow up on problems that rise to the top  
7 as a result of this annual analysis.

8 You get relief from some regulations,  
9 some oversight from HUD. That's the carrot at  
10 the end of this stick. For HUD and FEMAP, it's  
11 a way to measure, it's a way to measure  
12 performance nationwide on how housing  
13 authorities are performing. I think that's  
14 probably the intent with CEMAP.

15 HUD REPRESENTATIVE: Well, I think  
16 Joan makes a good point. I didn't address the  
17 downside. I mean, if a housing agency is not  
18 performing on a indicator, if they get zero  
19 points on a indicator, then HUD would intervene  
20 to help improve performance on that indicator.  
21 I was looking at the incentive for doing  
22 grades. The incentive is improvement,

1        hopefully, in living conditions in your  
2        community.

3                But HUD is not prepared to provide  
4        big incentives for doing really well on CEMAP  
5        because there's not much HUD has to give in the  
6        way of incentives. In terms of regulatory  
7        relief, our regulations are not so burdensome  
8        in Section 8 that there's any regulation that  
9        we could really grant relief to. In terms of  
10       giving funding incentives, that doesn't look  
11       very probable in the foreseeable future.

12               MR. HANLEY: Joan, very quickly, with  
13       the reductions in HUD's budget and the staffing  
14       downsizing at HUD, particular at the local  
15       office level, will you have sufficient  
16       resources to do monitoring of Section 8  
17       Programs with CEMAP?

18               MS. SPIELMAN: No. That's what I was  
19       going to say. I think this is designed to take  
20       the place of our going out and reviewing like  
21       they used to do, in the old days, reviewing  
22       every agency, every year. Many of the elements



1 on this proposed evaluation system are done by  
2 independent auditors. They're not even done by  
3 HUD. It could change a hundred times before it  
4 comes out, but that the way it's set up now.

5 MR. PADILLA: I just have a question.

6 Historically, HUD has a lot to do  
7 with this segregated situation. So how much  
8 responsibility is HUD assuming for the present  
9 conditions, this segregated situation that we  
10 have in the inner cities?

11 I mean, it's difficult to put all the  
12 responsibility on local communities to come  
13 with a solution, when --

14 HUD REPRESENTATIVE: I didn't mean to  
15 say that -- well, it's true that local  
16 communities have to change things, but I don't  
17 think that we're saying all the responsibility  
18 is there. I mean, it's true that HUD has  
19 advocated affirmatively furthering fair  
20 housing. And we've been talking about where  
21 Section 8 assisted families live. But you also  
22 need to look at where the population in general

1 lives and be realistic about what's achievable  
2 here.

3 I don't think that we can talk about  
4 making drastic changes overnight. We can make  
5 inroads and that's what we're trying to do.  
6 And HUD is going to continue championing that.  
7 But the fact that we live with segregation as  
8 we do in so many places says that nobody is  
9 doing a terribly good job of overcoming it  
10 right at the moment.

11 PANELIST: They can be forced if you  
12 hold the purse strings.

13 HUD REPRESENTATIVE: Well, that's not  
14 true, because this government is run by  
15 politicians.

16 PANELIST: I am a politician.

17 HUD REPRESENTATIVE: There's a  
18 certain amount of forcing that you can do  
19 before you're voted out of office.

20 PANELIST: When the town wanted the  
21 HUD money and HUD said this had to be done, it  
22 was done whether the local people wanted it or

1 not. Now, that was done because they wanted  
2 that money, and they have learned to live with  
3 it, and they have grown as a result of it.

4 HUD REPRESENTATIVE: What did HUD say  
5 must be done?

6 PANELIST: I'm just simply saying,  
7 HUD said that boards had to be reflective, had  
8 to be diverse, that people who work in the  
9 authorities have to be diverse, and those kinds  
10 of things, and they were done.

11 When HUD said it had to be done, it  
12 got done. And as a result of it, people have  
13 grown.

14 HUD REPRESENTATIVE: Right. And  
15 that --

16 PANELIST: So you have --

17 HUD REPRESENTATIVE: -- and that can  
18 happen at a certain level. But I don't think  
19 HUD can say, "We have to desegregate America,"  
20 and it's going to happen.

21 PANELIST: No.

22 MR. HANLEY: I'm sure we're going to

1 want to take this issue up in one of our other  
2 forums in Buffalo or Rochester, the possibility  
3 of HUD conditioning funding on the development  
4 of fair housing plans that really address the  
5 analysis of impediments.

6 We're out of time on this section. I  
7 know Ms. Lopez had one question, and I think  
8 we'll just finish with that and then we'll go  
9 on to the next panel.

10 MS. LOPEZ: I have just a real quick  
11 question. You were saying that, in your CEMAP,  
12 you're looking at the distribution of Section 8  
13 families and where they're located. But are  
14 you looking at the the non-Caucasian Section 8  
15 families -- you know, the minorities -- and  
16 where they're locating themselves?

17 HUD REPRESENTATIVE: No, not as part  
18 of the CEMAP indicator. I mean, that is the  
19 standard thing that we're doing for all housing  
20 agencies. Certainly with the MTCS data that we  
21 have and the family data that we have, we have  
22 the capacity to do more in depth analysis in

1 localities where they may be issues.

2 And so I think the exciting thing is  
3 that we have the ability to do that and field  
4 offices may get the ability to do that so that  
5 there will be the opportunity for analysis to  
6 see what's happening and hopefully for action  
7 to be taken if it's required. But in terms of  
8 the CEMAP indicator, it's not that detailed.

9 MR. HANLEY: Thank you.

10 MR. PADILLA: Sharon Sherman to try  
11 to enlighten us.

12 MS. SHERMAN: Okay. I want to give  
13 you some materials to look at while I'm  
14 speaking. I have two full sets. I don't know  
15 who gets two full sets, and then I have a  
16 couple extra copies of this little chart that I  
17 made.

18 Actually, the issue of federal  
19 changes does relate to what I what I wanted to  
20 talk to you about, which was the affordability.  
21 Our organization works primarily with tenants  
22 who are in project-based assisted housing. But

1 we do serve all kinds of tenants in all kinds  
2 of situations. So we have a broad base of  
3 information.

4 We also are very concerned about the  
5 proposed changes of giving public housing  
6 tenants, or tenants in federally-assisted  
7 Section 8 project-based development vouchers  
8 and sending them out into the community and  
9 what the proposed impacts would be.

10 I do want to comment on something  
11 that does not directly relate to the  
12 affordability, a change in the federal program  
13 that I think we perceive as a fairly beneficial  
14 to the fair housing impacts, and that is the  
15 change that was spoken about, what we call the  
16 "take one, take all" provisions.

17 When trying to get landlords to  
18 accept Section 8 tenants, the tenant often  
19 encounters a lot of ignorance about the  
20 program. And I think the experience was that  
21 some landlords would try accepting a particular  
22 tenant who comes to rent. But at this point,

1 the fact that they had to totally buy into the  
2 program and therefore always accept Section 8  
3 tenants was a problem.

4 There are landlords who will take a  
5 Section 8 tenant, and the rent that they  
6 normally charge may be somewhat above what the  
7 fair-market rent. But if it's a responsible  
8 tenant and they have enough income from the  
9 property, they'll put it into their mix of the  
10 apartments.

11 Previously, they would have to then.  
12 be open to all Section 8 tenants. It was a  
13 barrier. So that was one thing that was a  
14 positive. However, a tremendous negative were  
15 the Congressional changes in changing the  
16 calculation of the fair-market rents, something  
17 that advocates from across the country were  
18 totally opposed to and continue to be opposed  
19 to and will probably continue to try to get it  
20 put back the way it was. It may seem like, you  
21 know, a very small amount, but to low-income  
22 tenants, it is a major amount.

1           Now, in our local newspaper, they  
2 started a section to promote real estate -- and  
3 I only made a couple of copies of all of them  
4 -- but every week in the Sunday paper, they  
5 feature the apartment of the week. And I've  
6 been collecting them for awhile, and last  
7 night, I took the fair market rents for  
8 Syracuse Housing Authority, I believe, and I  
9 went through the paper and circled the rents.

10           On the top part of the list, the  
11 first 16 are outside of the city of Syracuse;  
12 the bottom five are in the city of Syracuse,  
13 and I circled every time it fell within the  
14 fair-market rents. The last column is whether  
15 heat is included or not. I think this is a  
16 very telling thing about the issue of  
17 affordability.

18           And when you read the lovely blurbs  
19 about it -- of course, they're trying to  
20 promote the places -- but you read the lovely  
21 blurbs about these places, you say to yourself,  
22 you know, this is the kind of housing that



1 people would like to live in. These are  
2 apartments, yet they can't live in them with  
3 their Section 8 because they are not being  
4 given enough money.

5 Now, it's interesting that you've  
6 mentioned the fair market exemptions or  
7 exceptions. I haven't heard anything about it.  
8 Today was the first time I heard about that  
9 being available. So that would something that  
10 needs to be promoted. But the reality is that  
11 if you get a Section 8 voucher or certificate,  
12 you're limited to move out to these suburban  
13 communities.

14 I brought here the rent scale from  
15 Cherry Hill, which is a Section 236  
16 development. This is very similar to the other  
17 Section 236 developments in Syracuse. This is  
18 a rent schedule that they just got a rent  
19 increase. So this is the current rents as of  
20 November, and shows the rents as they will be  
21 in November of next year, as approved by the  
22 state and HUD.

1           Those rents fall within the  
2 fair-market rent. And in fact, the townhouses  
3 of Cherry Hill and a similar development,  
4 Kennedy Square, don't have any trouble renting  
5 them because they are townhouses that fit  
6 within the guidelines. Yet many of these  
7 people would love to move out to these areas,  
8 but they can't do that. They end up living in  
9 the inner city, many times in assisted housing  
10 because they're not going to make the rents.

11           Another thing I thought was  
12 interesting is there were two places that had  
13 four-bedroom apartments, Kimbrook Manor in Clay  
14 and Grenich Manor in the city. So for large  
15 families, there isn't really an availability of  
16 that type of housing in our suburban  
17 communities. Now, in our suburban communities  
18 -- and it might be in different Rochester,  
19 Buffalo -- in the city of Syracuse, there are  
20 many large houses that were subdivided and  
21 provide larger apartment.

22           Outside, much of the rental might be

1 new garden apartment complexes, like advertised  
2 here. And they're just not developed as a unit  
3 with four-bedrooms. When you're ready for a  
4 four-bedrooms in the suburban areas, you're  
5 more likely ready to buy a house than still be  
6 living in rental housing.

7 So I think that it's great to talk  
8 about people taking the vouchers and moving to  
9 new opportunities, but I think without dealing  
10 with the financial issues -- and I think  
11 Congress has not dealt with it --

12 I mean, we can sit here and yes,  
13 Congress has passed fair housing legislation.  
14 But they don't want to put the teeth behind it.  
15 Without the substantial dollars behind it, they  
16 are saying to poor people, "You're going to  
17 have stay in that community."

18 Another thing is that the reality is  
19 that many people who have Section 8 in the City  
20 of Syracuse use the transportation system.  
21 There may be problems with it, but basically  
22 you can get to your job via public

1 transportation if you live in the city of  
2 Syracuse, although we are concerned about the  
3 increasing difficulty, such as home health  
4 aides, who work odd shifts and the decrease in  
5 the lack of availability of evening service and  
6 weekend service, particularly people who are in  
7 the home health aide industry. It's a very  
8 crucial problem.

9 Not only do they need transportation  
10 to get to jobs, but most of these routes are  
11 once an hour or something of that nature.  
12 However, just for experiment, I did call the  
13 one place that was available, Cedar Wood  
14 Apartments in Baldwinsville. And I did find  
15 that there is a bus that goes right up there,  
16 when I called today.

17 However, it really would work for  
18 people who work a 9:00 to 5:00 job, because  
19 there are a couple of buses that could you  
20 downtown by 9:00 in the morning, if you worked  
21 in the downtown area of Syracuse. And you  
22 probably could transfer. But after 9:00, the

1 next bus is one bus around noon, and then the  
2 next buses are in the late afternoon to take  
3 you back.

4 So for people who are in the type of  
5 jobs, such as home health aides, or work in  
6 shifts in factories, the suburban housing  
7 transportation is a major issue. And we also,  
8 you know, faced the issues of the costs of  
9 transportation, if you're going to have your  
10 own car and things like that.

11 MR. PADILLA: I would like to  
12 congratulate you because you have done a  
13 tremendous job to help us, when you are one  
14 person in New York. That shows the commitment  
15 that you have to these issues.

16 Questions?

17 CHAIRPERSON TERRISITO: Yes. I'd  
18 like to know whether you have any ideas about  
19 how to deal with this transportation issue as a  
20 problem? I mean, it's a problem that has been  
21 identified again and again today, and I'm just  
22 curious to know whether you know of anybody

1 working on that problem and how they're working  
2 on it and if there is any kind of effort being  
3 made to work in cooperation with some of these  
4 employers, for example?

5 MS. SHERMAN: Unfortunately, we're  
6 living in Syracuse, where the economy is not  
7 vibrant. And right now, we are in a situation  
8 where there aren't enough jobs to go around.  
9 We're not really going to see a lot of support  
10 from the employers because there is a wealth of  
11 people looking for jobs in this community. So,  
12 I think transportation is an issue.

13 You know, if the people had more  
14 disposable money, there might be some funds to,  
15 you know, within them to put away to get a used  
16 car or something of that nature. That's the  
17 beauty of the Section 8 Program, that you  
18 should have income to use for other purposes,  
19 because you're not paying that much for the  
20 rent. But it's going to be very tough in the  
21 suburban areas to get people into the jobs.

22 MR. PADILLA: I would like to invite

1 Susan James to join us in the problem so that  
2 she could participate in this discussion  
3 because this is very important. Susan James is  
4 the senior program planner from the Syracuse  
5 Office of Fair Housing.

6 You have the floor. As you know, we  
7 are interested in the issues of affordable  
8 rentals and transportation to jobs.

9 MS. JAMES: Okay.

10 MR. PADILLA: We would like to share  
11 in that dialogue with you.

12 MS. JAMES: Let me just give you a  
13 little bit of information about Syracuse's  
14 housing stock. I'm reading directly from our  
15 consolidated plan, and I have a copy that we  
16 put together once a year.

17 According to the consolidated plan,  
18 we have about 71,500 total units in the city of  
19 Syracuse which were constructed prior to 1939.  
20 22,000 of these units are considered to be  
21 substandard.

22 Overall, 37 percent of the children

1 under the age of 5 in Syracuse live in poverty.  
2 We are considered to be the 18th highest in the  
3 country. In certain low-income neighborhoods,  
4 this figure escalates to about 54 percent.  
5 With regard to our elderly population, it's  
6 anticipated that this category will grow to  
7 about 17 percent by the year 2010.

8           Primarily, I didn't have a map  
9 because I wasn't sure as to what you were going  
10 to be asking for. But in our plan, we define  
11 our poverty-stricken neighborhoods basically by  
12 our revitalization neighborhoods, which is this  
13 darkened area right in here, and I'll pass this  
14 around.

15           Initially, I got involved in fair  
16 housing as a tester. I was interested in  
17 housing discrimination and saw some things that  
18 were happening, so I went ahead and I took the  
19 rental training course that they provided and  
20 started doing some testing on my own. We had a  
21 fair housing officer with the city of Syracuse  
22 who retired, and I picked up that position. So



1 I have a two-fold goal in this kind of thing  
2 here.

3 I've been working very closely with  
4 Merrilee Witheral to try and nip this thing in  
5 the bud, because we see a lot of things that  
6 are happening and we're not sure as to why  
7 they're happening. One of the issues I've  
8 heard folks talk about before is the lack of  
9 transportation. And that is definitely true.

10 Our only form of bus transportation  
11 or primary form of bus transportation in the  
12 city of Syracuse is Central, and they have  
13 basically cut back on a lot of routes. So when  
14 you're talking about going to the outlying  
15 areas, if someone has to take their child to  
16 the doctor, or to child care or those kinds of  
17 things, there is just no way of getting back  
18 and forth to where they have to go. So, they  
19 will choose to live in the inner city.

20 Contrary to what is believed, my  
21 opinion is that I believe a lot of people are  
22 not aware that a lot of the housing that's

1 available in these outlying areas is probably a  
2 lot cheaper than what they're paying for in the  
3 inner city. Some of the rents that we have  
4 looked at in the inner city are comparably  
5 higher than what some of these housing  
6 complexes are charging in the outlying areas.

7 Just as Sharon had mentioned, I cut  
8 out this apartment section that they have in  
9 the Sunday paper. And these are beautiful  
10 complexes. The rents are fairly reasonable,  
11 but when you look at it, if folks don't know  
12 that these kinds of are existing and they don't  
13 know how to go about applying for them, they  
14 don't know.

15 So my biggest concern now is  
16 education. We've been working with Merrilee,  
17 with a lot of the agencies that we fund, with  
18 housing complexes such as the ones that Sharon  
19 works with -- Cherry Hill, Kennedy Square, and  
20 various buildings -- to try and educate tenants  
21 that there is housing available out there, and  
22 if you are experiencing discrimination should

1 you go and apply for any this housing, then we  
2 need to know about that with the Fair Housing  
3 Council.

4 I'm a part of the Fair Housing  
5 Council Board, so I wear another hat here. But  
6 what we found that there is a lot of things  
7 that we have really not defined as to how we  
8 can tackle these kinds of problems. We know  
9 that we have to work together as far as with  
10 Syracuse Housing Authority. We have to work  
11 with the tenant associations to define as to  
12 what it is that we can do to improve what we  
13 are doing within the Office of Community  
14 Development.

15 We were visited by HUD, I believe,  
16 back in September. The loss from 1980 to 1990  
17 was considerably less, and it was at 3.7  
18 percent. And the number of city households  
19 steadily decreased from 67,671 in 1970 to  
20 67,087 in 1980 and 64,000 in 1990. The average  
21 number of persons per household dropped from  
22 2.9 in 1970 to 2.5 in 1980. One of the things

1 that we did last year, with our consolidated  
2 plan was a rental survey, which we did  
3 primarily within revitalization neighborhoods.

4 We took in 404 individuals. We  
5 retained a contractor to go out and actually  
6 make phone calls to individuals to find out if  
7 they were discriminated against, how their  
8 housing was, these various kinds of issues.  
9 Out of that 404 that responded, 54 or 57 were  
10 minorities, 11 were Latino, and the remaining  
11 were African-Americans. 22 percent of those  
12 responded that they had been discriminated  
13 against and had decided not to pursue it.

14 But this is a thing that we're  
15 dealing with now, and how we're going to be able  
16 to tackle that is the next issue that we're  
17 dealing with.

18 MR. PADILLA: Do we have any  
19 questions for you because we have to be moving  
20 the agenda?

21 CHAIRPERSON TERRISITO: I have a  
22 question. In that survey, do you know why

1 people did not pursue it?

2 MS. JAMES: No. My only thing is I  
3 believe it's a lack of education. They're not  
4 aware of who to go to or who to talk to.

5 We have the Fair Housing Agency. We  
6 also have the Human Rights Commission. But if  
7 they're not educated as to these agencies or  
8 organizations that exist, they don't even  
9 bother to pursue it.

10 Just as long they can find somewhere  
11 to live, they'll keep going. The thing is the  
12 education, getting them out there and getting  
13 them to report that they've been discriminated  
14 against.

15 MR. HANLEY: There's a gap we have in  
16 our information today, and I'm wondering if you  
17 can fill it in from your work with the  
18 consolidated plan or the analysis of  
19 impediments.

20 What would the correlation, if any,  
21 of minority-concentrated neighborhoods with  
22 poverty Census tracts?

1 MS. JAMES: What would be the  
2 correlation? Well, let's see here. One of the  
3 things we're looking at -- and someone had  
4 mentioned it before -- we are looking at other  
5 models from other cities, and Rochester was one  
6 of the models that we looked at as to how  
7 they're involving residents within these  
8 neighborhoods and find what it is that we can  
9 do.

10 The correlation between the two of  
11 them is that most of your minorities are  
12 concentrated into these neighborhoods. How we  
13 can go about determining as to what we can do  
14 about that has yet to be determined.

15 MR. HANLEY: Well, the other question  
16 is related to that. It has been on the table  
17 is the question of choice. And I guess the  
18 most direct way to put the question to you is  
19 do you believe that minorities choose to live  
20 in poverty concentrated tracts?

21 MS. JAMES: No. From my belief, no.  
22 I think if folks knew they had a choice, they

1 would choose not live there.

2 We're working with various coalitions  
3 that are comprised of residents. Their biggest  
4 complaint is the crime, the drug activity, and  
5 the vacant houses that are located in these  
6 neighborhoods. And we've been dealing in  
7 several neighborhood meetings because they want  
8 these things taken care of.

9 If they're not given the opportunity  
10 to pursue other housing, then they're almost  
11 feel like they're just stuck in a rut. And  
12 that's basically the perception that we have  
13 gotten from the residents within that  
14 community. There's just no hope for them.

15 I believe the key is education, if we  
16 can just educate them that there is a better  
17 way out of here.

18 CHAIRPERSON TERRISITO: Do you work  
19 closely with any of the agencies, the housing  
20 agencies?

21 MS. JAMES: We fund them, primarily.  
22 We fund a number of organizations. One of the

1 initiatives that we're taking on this year is  
2 that we're going to make them accountable.  
3 Even with our community centers, the Fair  
4 Housing piece that's coming in, we want to have  
5 that correlated directly with their funding.

6 Are you providing Fair Housing  
7 Outreach? Do you have Fair Housing materials  
8 located in your agency? What are you doing to  
9 further fair housing? If someone comes in your  
10 office and complains that they were  
11 discriminated against to a staff member, what  
12 are you doing about that? So we are  
13 correlating that funding with the agencies,  
14 directly with the agencies.

15 CHAIRPERSON TERRISITO: How large is  
16 your jurisdiction in terms of the housing  
17 agencies? Who are your umbrellas?

18 MS. JAMES: That's a lot. Some we  
19 don't directly fund. We work closely with the  
20 Syracuse Housing Authority. We work closely  
21 with Southwest Community Center, Northeast  
22 Community Center. I would say approximately



1 maybe about 40 to 50 agencies. There are  
2 several housing agencies that we provide  
3 funding to because they build new construction.

4 One of the things that I was involved  
5 in over the past three years was HUD came out  
6 with what we called the Hope Three Program  
7 which is the Home Ownership Opportunities for  
8 People Everywhere. I was the administrator of  
9 that program, and we were only granted funding  
10 to do 20 houses.

11 Well, out of the 20 houses that we  
12 did, we did a heavy market with Syracuse  
13 Housing Authority. 16 of the families that  
14 bought those houses were African-American, one  
15 was a Filipino family, and one was a Caucasian  
16 family. And all of these houses, because they  
17 were HUD foreclosures, were not located within  
18 the inner city.

19 We had some that were located on the  
20 outside, and we even got calls in the office  
21 saying, "If you sell that house to that family,  
22 we're going to do this, we're going to do

1 that."

2           They wanted to know about the family,  
3 the characteristics. "You're moving welfare  
4 into our neighborhoods." I mean, we got all  
5 kinds of calls, but this is the thing that we  
6 had to deal with.

7           But we marketed it. We didn't kind  
8 of segregate the marketing, but we used a wide  
9 range of marketing skills to get this thing  
10 accomplished. It worked.

11           CHAIRPERSON TERRISITO: And it is  
12 working.

13           MS. JAMES: It is working.  
14 Unfortunately, we were not funded for that  
15 third round.

16           CHAIRPERSON TERRISITO: Thank you  
17 very much.

18           MR. PADILLA: Thank you very much.

19           MS. JAMES: You're welcome.

20           CHAIRPERSON TERRISITO: The next  
21 panel is going to moderated by Gloria Lopez to  
22 my right. And it's on community attitudes and

1 actual or perceived discriminations.

2 Thank you both for your  
3 participation.

4 MS. LOPEZ: I'm Gloria Lopez and I'm  
5 from Rochester. We would like to open this  
6 with Mr. Yenger.

7 If you can, please give us a brief  
8 statement for about 10 minutes, and then we'll  
9 open it up to some questions.

10 MR. YENGER: Well, as many of you may  
11 know, I have been thinking about discrimination  
12 in housing policy for a long time.

13 And I have a recent book on the  
14 topic. I won't try and repeat that's in the  
15 book. Instead, I'd like to highlight a few  
16 issues and then pursue anything that you'd like  
17 to pursue.

18 This is an important topic. I'm  
19 delighted to be here, and I'm glad you're  
20 struggling with it, and I would be happy to  
21 answer your questions and to help you in your  
22 efforts.

1           The things I'd like to emphasize, are  
2 first of all, we have extensive evidence from  
3 around the country -- and you'll probably hear  
4 some specific evidence about Syracuse from  
5 Merrilee later on -- of continuing  
6 discriminatory activity in both the rental  
7 market and in the sales market.

8           The national evidence of the rental  
9 market indicates that on average  
10 African-American customers learn about 25  
11 percent few housing units than do white  
12 customers. Hispanic renters learn about 11  
13 percent fewer units than non-Hispanic renters.  
14 We also know that there is discrimination a  
15 many other types of behavior.

16           The white auditors are more likely  
17 than black or Hispanic auditors to hear about  
18 special rental incentives, such as the free  
19 month's rent. They are much more likely to be  
20 asked to call back the next day. They actually  
21 are quoted lower rents for advertised units.

22           White auditors receive far more

1 positive comments on the apartment, far more  
2 positive comments on the apartment complex. So  
3 the kinds of behavior that we're talking about  
4 are pervasive. They occur in all regions of  
5 the country. From all the evidence I've seen,  
6 I would say that Syracuse is not different from  
7 many other places where discrimination occurs.

8 Secondly, I'd like to emphasize that  
9 this discrimination is part of a very  
10 complicated system that has many components  
11 that are interacting, discrimination limits,  
12 housing choice.

13 By eliminating housing choice, it  
14 influences the neighborhood environment in  
15 which people live. Neighborhood environments  
16 are now shown by quite a lot of research to  
17 have an impact on a person's life chances.

18 People who grow up in higher-poverty  
19 neighborhoods, for example, are more likely to  
20 have children out of wedlock. They're more  
21 likely to drop out of school. They have many  
22 lower-employment outcomes. There are several

1 studies that document that kind of effect.

2 In addition, there are limits on  
3 choice, limited access to important public  
4 services such as education. The research I've  
5 done on education in New York indicates that  
6 the public schools in the big cities, in  
7 Upstate New York, Rochester, and Buffalo and  
8 Syracuse have school outcomes that are about 60  
9 percent lower, by the index we use, test scores  
10 and dropout rate index, 60 percent lower than  
11 the average district in the state.

12 Low-income minority families who are  
13 not able to move out of a district because of  
14 discrimination find themselves faced with a  
15 much poorer school system and a much harsher  
16 school environment as well.

17 The impact of differences in outcomes  
18 that are part of the system is also very  
19 profound. We know that levels of prejudice are  
20 still very high in this country. They are fed  
21 by the stereotypes that go with differences in  
22 educational and job outcomes. And we're in a

1 very, very difficult cycle that we find it  
2 extremely difficult to get out of.

3 The Section 8 program has the  
4 potential for playing a very important role in  
5 helping to break down the system. And I'd be  
6 happy to pursue my thoughts on that at more  
7 length. But let me just briefly say I think  
8 there is now evidence that if people get a  
9 Section 8 assistance and that is all, that has  
10 very little impact on the locations where they  
11 live.

12 Individuals of all types tend to  
13 search for housing near where they live. Those  
14 are the neighborhoods they know about. On top  
15 of it, we now have quite a lot of evidence that  
16 anticipated discrimination places a very severe  
17 damper on housing search. It discourages some  
18 people from searching for housing at all and it  
19 restricts the neighborhoods in which other  
20 people search.

21 So the perceptions of continued  
22 discrimination, based on the reality that's out

1 there, encourages people, including people who  
2 get Section 8 certificates, to search for  
3 housing very, very close to the neighborhoods  
4 that they know.

5 Now, we also have evidence that when  
6 assistance in finding other neighborhoods is  
7 given, it makes a big difference in the  
8 locations where people end up. We have  
9 evidence from the GATRO Program and from  
10 related programs that the Section 8  
11 certificate, combined with housing search  
12 assistance is a very powerful combination for  
13 moving people into neighborhoods with lower  
14 poverty rates.

15 This kind of tool, in my judgement.  
16 is an extremely useful tool to help break the  
17 cycle. It provides access to a lot of  
18 neighborhoods that people would otherwise look  
19 in, neighborhoods where the job opportunities  
20 are better, where even more important the  
21 educational opportunities for children are  
22 better and which can have an important impact



1 on the cycle.

2           There programs have become quite  
3 controversial because they often have the image  
4 that they're bringing the problems of the big  
5 public housing projects, such as crime and drug  
6 dependency, into the suburbs. However, the  
7 evidence does not support that conclusion.

8           The evidence from the GATRO Program  
9 is very clear that the communities that receive  
10 participants are not damaged by that receipt,  
11 despite the events in Baltimore and some other  
12 places. And apparently, the comments that have  
13 been in received in Syracuse from similar  
14 programs.

15           We have no evidence that programs on  
16 anywhere near the scale that we're likely to  
17 operate them will have negative effects on  
18 neighborhoods. So I think the Section 8  
19 program is a very important component in any  
20 solution to breaking down barriers of  
21 discrimination, to trying to get out of the  
22 complicated cycle that we're trapped inside, in

1 this country.

2 That's a broad overview of these  
3 types of issues that I've considered in my  
4 research and in my book. And I would be happy  
5 to pursue any of those issues, or others that  
6 you'd like to ask me about.

7 MS. LOPEZ: Can you tell me what the  
8 available evidence shows regarding whether  
9 minorities want to have the opportunity to move  
10 outside of the areas of high minority  
11 concentration? Can you tell me that?

12 MR. YENGER: The evidence on this  
13 comes from several sources. Actually, the fact  
14 that programs providing opportunities in  
15 low-poverty and typically low-minority  
16 neighborhoods are so popular among the  
17 recipients is a very profound evidence of the  
18 fact that many low-income minority families  
19 would like to find other places to live.

20 We also have extensive evidence  
21 surveys, surveys done throughout the country,  
22 with all kinds of different methods that reveal

1 that the vast majority of minority families  
2 would prefer to live in a better neighborhood  
3 and in an integrated neighborhood. There's  
4 some very intriguing evidence coming out of Los  
5 Angeles that the preference for an integrated  
6 neighborhood is much broader than people think  
7 when you're in a multi-group environment.

8 Blacks, whites, Hispanics, and Asians  
9 all express a preference for living in a  
10 neighborhood where their own is roughly 40  
11 percent of the population, and each other group  
12 is 20 percent of the population. I think  
13 researchers have understated, or people who  
14 interpret the research have understated the  
15 extent to which there are people in the world  
16 who want to live in integrated neighborhoods,  
17 both minority and white, both high-income and  
18 low-income.

19 So, I don't think that preferences of  
20 a low-income and minority households are a  
21 barrier to moving out of low-income and  
22 minority neighborhoods. Now, there are, in

1 fact, many minority households who would prefer  
2 to live in a large minority neighborhood. I  
3 don't think anybody prefers to live in a  
4 high-poverty neighborhood.

5 The high-poverty neighborhoods have  
6 enormous problems. But there's plenty of room  
7 in this country for different types of  
8 neighborhoods. What we don't have is the  
9 integrated neighborhood that many people  
10 prefer.

11 MS. LOPEZ: What can we do to get  
12 such a neighborhood?

13 MR. YENGER: Well, this is an  
14 important question, and I have extensive  
15 discussion of it in my book. The principal  
16 role of Section 8, I think, is the choice  
17 expanding programs, like the GATRO Program,  
18 have a very important impact on integration.  
19 They don't have an impact in the sense of  
20 establishing neighborhoods with a high  
21 concentration of minorities. I think it's  
22 unlikely that those programs will do that,

1 partly because they're never going to be  
2 operated at that scale, partly because,  
3 typically, they operate by moving low-income  
4 into the few relatively low-rent apartments in  
5 a middle-class location. So we're not likely  
6 to see a massive movement of low-income into  
7 those communities, even if there were a bigger  
8 program.

9           Also, I think there are other  
10 programs needed as well. One program that I  
11 propose in my book is a program that would give  
12 federal support to community efforts to promote  
13 integration. There are a couple of points to  
14 make about this one.

15           First of all, it's modeled on the  
16 Fair Housing Initiatives Program, which is a  
17 program that funds the Fair Housing Council in  
18 New York, which, if you don't know, I'm the  
19 vice president of the board of that  
20 organization. And the FIT Program has been  
21 very important in giving support to communities  
22 who want to fight discrimination.

1 I think we should use the same idea  
2 to give support to communities who want to  
3 promote integration, which is a very different  
4 type of activity. Several communities around  
5 the country have discovered types of policies  
6 that do promote integration, policies that  
7 eliminate rumors, policies that encourage  
8 people to look at housing in neighborhoods they  
9 might not normally consider, without  
10 restraining them, just making sure they know  
11 about all the options, programs that coordinate  
12 public service delivery with neighborhood  
13 change, to make sure that people don't perceive  
14 that services are falling apart, if a  
15 neighborhood starts to have more minorities in  
16 it.

17 Programs that are driven by community  
18 interest deserve federal support. I don't  
19 believe that anybody should be forced to live  
20 in an integrated neighborhood. I don't think  
21 that's appropriate. But I think it's also  
22 tragic that the federal government's main

1 contribution to integration in this country has  
2 been to establish public housing projects that  
3 are not only 90 percent minority on average in  
4 our big cities, but also by far the poorest  
5 neighborhoods in our society. There's not even  
6 a close competitor.

7 The federal government is responsible  
8 for that outcome. I think it's tragic. I  
9 think the federal government should take a  
10 positive step to promote integration as an  
11 alternative by rewarding communities that want  
12 to make effort like that on their own,  
13 communities that make the choice.

14 Right now, people have plenty of  
15 choices to live in largely minority or largely  
16 White communities. They do not have choices of  
17 living in integrated communities.

18 MS. LOPEZ: Mr. Padilla.

19 MR. PADILLA: I just was going to ask  
20 you to clarify what type of behaviors you  
21 consider to be discriminatory, so we could  
22 focus on that particular discussion.

1 MR. YENGER: Sure. Well, I gave  
2 several examples of treatment in housing market  
3 that I consider discriminatory. The evidence  
4 that I gave you is based on the audit  
5 methodology, the comparison methodology. And  
6 in that methodology, you are comparing the  
7 treatment of people who are identically  
8 qualified for rental apartments.

9 And so, if you have two people who  
10 are identically qualified and one of them is  
11 offered units that the other is not, if one of  
12 them shown different units, if one of them is  
13 shown units at different terms, if one of them  
14 is given different assistance in trying to  
15 complete the paperwork that's required to  
16 complete a transaction, anything like that is  
17 what I would call discrimination.

18 If a customer is not offered an  
19 apartment because they're not qualified, I  
20 don't consider that discrimination. It's very  
21 important to recognize that landlords have a  
22 responsibility to their business to behave



1 responsibly and they shouldn't be expected to  
2 rent to people who cannot afford a unit. But  
3 they should be expected to treat all people who  
4 can afford a unit the same way.

5           Some interesting things have been  
6 happening in Syracuse and some other places  
7 I've heard about that make uncovering  
8 discriminations somewhere difficult. Some of  
9 the landlords in Syracuse now accept  
10 everybody's application and immediately go to a  
11 credit check. All they'll do when you first  
12 come in is say, "We'll take your application."  
13 Then they go through a credit check and the  
14 next time they deal with a customer is after  
15 the credit check.

16           The credit check cannot be reached  
17 through the audit methodology -- at least, not  
18 as it has been currently run -- because it is  
19 illegal to use false statements. In fact, it's  
20 a felony to use false statements on some kind  
21 of a credit application. So you cannot assign  
22 characteristics to somebody for the purposes of

1 a credit check.

2 I would like to see some research  
3 that paired actual customers through some kind  
4 of clearinghouse, that paired actual customers  
5 and compared their treatment. I think you  
6 could get a lot of the power of the audit  
7 methodology that way; and you could determine  
8 whether renters who had jumped immediately to a  
9 credit check were treated differently on  
10 account of their race.

11 I think that would be an incredibly  
12 important contribution to our understanding of  
13 this topic that may become more important as  
14 rental agents recognize the power of audits,  
15 and change their behavior.

16 People who want to discriminate are  
17 often very clever in finding ways to do so,  
18 with methods that are difficult to detect. And  
19 we have to keep the methodology for detecting  
20 discrimination up with the methodology for  
21 avoiding detection.

22 PANELIST: We had a lot of testimony

1 this morning about the fact that there hasn't  
2 really been much indication from people who  
3 have Section 8 subsidies that they feel they've  
4 been discriminated against. There's no  
5 evidence of that from their direct accounts.

6 From the way you describe the audit  
7 behaviors, it sounds like a person could be  
8 discriminated against and not know it.

9 MR. YENGER: Oh, absolutely. I think  
10 the discrimination that we see is very seldom,  
11 not never, but very seldom so blatant that an  
12 individual would know that they had encountered  
13 discrimination. Sometimes they might be  
14 suspicious, but most of the time the agents  
15 have learned to be quite courteous. They've  
16 learned to do a few things that make it sound  
17 like they're giving good service, even if in  
18 fact they're trying to discriminate.

19 If someone comes in and the agent  
20 says, "Oh, gee, I'd love to rent you that unit,  
21 but somebody just took it," well, that customer  
22 has no way of checking that information without

1 help from the Fair Housing Council or some  
2 other agency. So if the person has appeared to  
3 be straight with them and friendly, they may  
4 believe that they've not encountered  
5 discrimination at all.

6 Furthermore, if the person is quoted  
7 a certain rent, they may not know that a white  
8 person that came in a few minutes earlier was  
9 quoted a rent that was quite a bit lower. So I  
10 think the experiences of individuals are a very  
11 inadequate guide to discrimination, given that  
12 it's perhaps surprising how strong the  
13 perceptions of the discrimination are by many  
14 surveys.

15 They're actually several recent  
16 surveys out that ask people how prevalent they  
17 think discrimination is. Both blacks and  
18 whites believe -- although Blacks believe it to  
19 a higher degree -- that discrimination is still  
20 quite prevalent; even though they don't think  
21 they've experienced it themselves, they believe  
22 that quite a lot of it is out there.

1           But I think it's very important to  
2           use methods like audits to keep us in touch  
3           with how much discrimination there is, and not  
4           rely exclusively on the perceptions of people  
5           in the market.

6           This is a very important point for  
7           enforcement purposes because if you set up an  
8           enforcement system that relies on complaints,  
9           you're relying on the perceptions of victims to  
10          motivate enforcement activity.

11          HUD has learned this lesson and the  
12          Justice Department has learned this lesson.  
13          Now, as many of you are aware, the Justice  
14          Department has a very active program of  
15          auditing that is proactive. They search for  
16          discriminators by running a random sample,  
17          essentially random audits.

18          They are sometimes targeted, but they  
19          don't necessarily go with the complaint. So  
20          the enforcement activities of the federal  
21          government are no longer strictly tied to  
22          complaint activity. I think that's an

1 extremely important and positive development.

2 MS. LOPEZ: One question.

3 Are the current Fair Housing  
4 enforcement mechanisms adequate?

5 MR. YENGER: I think the current Fair  
6 Housing enforcement mechanisms are pretty good.  
7 There are some key holes in the enforcement  
8 mechanisms.

9 MS. LOPEZ: Such as?

10 MR. YENGER: Let me explain some in a  
11 minute. Probably not so much in rental  
12 housing, although there may be a few that apply  
13 to rental housing. This of course, is only  
14 true since 1988.

15 Before 1988, the fair housing  
16 enforcement mechanisms were ludicrous. As you  
17 know, the federal government could not  
18 intervene in a fair housing case unless both  
19 the perpetrator and the victim agreed that the  
20 ought to get involved. That's a pretty  
21 ludicrous enforcement system.

22 The Fair Housing Amendments Act of

1 1988 gave quite significant new enforcement  
2 powers both to HUD and to the Justice  
3 Department. And furthermore, it's encouraged  
4 state and local agencies to improve their  
5 enforcement because they get help from the  
6 federal government only if their laws are in  
7 line with the federal laws. So there has been  
8 an enormous improvement in the system since  
9 1988.

10 Most of the gaps in the system apply,  
11 I think, to lending and to the sales market,  
12 not so much the rental market. I think the  
13 enforcement mechanisms are quite good if we  
14 were to use them effectively. If we were to  
15 use audits that were not complaint-based, if we  
16 were to have a good mechanism for responding to  
17 complaints, I think we could an enormous amount  
18 of good enforcement on the rental side.

19 On the lending side, there are many  
20 lenders who are not covered very well by our  
21 existing laws, particularly mortgage bankers,  
22 non-depository lenders who are now doing half

1 of their mortgage loans in this country, and  
2 they're not covered by the Community  
3 Re-Investment Act, which has proven to be a  
4 very powerful part of the enforcement  
5 mechanism. And they're also regulated in ways  
6 that are not so clear, or they're not nearly as  
7 well-regulated as other types of lenders.

8 Some of them fall under the purview  
9 of existing financial regulatory agencies. But  
10 others of them really fall between the cracks.  
11 They fall into the purview of the Federal Trade  
12 Commission, which has no experience doing this  
13 kind of thing. And I think we need definitely  
14 to look at strengthening that.

15 Another thing that's quite important  
16 in the sales market is that there's no law that  
17 requires real estate brokers, individually or  
18 as a group, to serve every community. This is  
19 analogous to the situation in lending before  
20 the Community Re-Investment Act.

21 Now, if there's a part of town that  
22 no real estate broker wants to get involved in



1 and nobody comes to them from that community  
2 and says, "I've got a house for sale," nobody  
3 will sell houses there. There's nothing in the  
4 law to discourage that.

5 And I think real estate brokers  
6 should be given responsibility for covering  
7 their entire listing area, just like, you know,  
8 banks are given responsibility, through the  
9 Re-Investment Act, for covering the entire  
10 lending area. And I think that's a reform  
11 that's very badly needed.

12 There has been some research after  
13 the discrimination research that I talked  
14 about, encouraged by some of our results that  
15 found that there is an enormous of difference.  
16 To some degree, it is driven by active  
17 discrimination and, to some degree, by this  
18 marketing difference I just talked about, an  
19 enormous difference in the marketing of houses  
20 in largely black and largely white areas.

21 Houses for sale in largely black  
22 areas are almost never advertised in the

1 newspaper. They almost never have open houses,  
2 and there are very few -- at least, in many  
3 communities, there are very few real estate  
4 brokers that specialize or even deal at all in  
5 those communities.

6 In fact, it's a wonder the houses in  
7 black communities get sold at all. It's kind  
8 of a mystery how they get sold, and that's an  
9 enormous degree of disparity. Some of it  
10 driven by discrimination. Some of it driven by  
11 the ineffectiveness of our laws. There is  
12 enormous disparity in the treatment of Black  
13 and white homeowners that I think needs a great  
14 deal of attention.

15 MS. LOPEZ: One more question, Mr.  
16 Hanley.

17 MR. HANLEY: Since our mission is to  
18 provide as specific recommendations as we can  
19 to the Commission, and perhaps to influence  
20 legislation and HUD policy, I'm intrigued  
21 especially by your idea of encouraging a  
22 federal program that affirmatively promotes

1 counseling activities in Section 8 and efforts  
2 in that regard.

3 Since that would take probably a new  
4 statutory program, would it be worthwhile for  
5 us to look recommending expansion of the FIP  
6 program to include counseling activities in  
7 addition to the range of activities that are  
8 there now?

9 MR. YENGER: Absolutely. I think  
10 that would be very useful step is to see the  
11 extent to which FIP funds could do it. The  
12 thing that makes me nervous about that, of  
13 course, is that means that enforcement  
14 activities, which I think deserve first  
15 priority, might get undercut.

16 As you know, the battle for FIP funds  
17 has very furious over the last couple of years;  
18 and I would hate to see money taken out of  
19 enforcement activities, even for such a good  
20 cause as that one.

21 However, a little bit of movement in  
22 that direction might be a way to start

1        experimenting with those programs, and that  
2        might be a very useful step. I don't know the  
3        extent to which new legislation would be required.  
4        There are certainly some things that could be  
5        done in Section 8. There are some things that  
6        can be done that move in the direction of  
7        GATRO, or moving to opportunity program just by  
8        changing regulations.

9                You know, increasing portability is a  
10        step toward that. And certainly some  
11        counseling could be added in those things, and  
12        perhaps FIP could be moved in the direction of  
13        promoting some kinds of programs like that.  
14        But I think we're unlikely to get a significant  
15        step in that direction without an open debate  
16        about it. We're not going to slip a big  
17        program in through the back door. We're going  
18        to have to debate it, and try to convince people  
19        that we all ought to care about integration.

20                Integration is, in my judgement, much  
21        more important than people realize. The issue  
22        here is not that we ought to want to force

1 people to live in integrated neighborhoods.

2 The idea is to recognize that the absence of  
3 integrated neighborhoods plays a very important  
4 role in maintaining discrimination. The fact  
5 that blacks and whites and Hispanics and  
6 non-Hispanics live together so seldom promotes  
7 the attitudes that lead to discrimination,  
8 preserves white neighborhoods to which people  
9 can flee, which makes racial transition, when  
10 it happens, all that much more traumatic.

11 And integrated neighborhoods help  
12 break the cycle in so many ways that they would  
13 serve the nation very well. Even if you don't  
14 care that blacks and whites or Hispanics and  
15 non-Hispanics or any other groups are living  
16 together, if you don't care about that as such,  
17 you ought to care about integration because it  
18 undercuts the discrimination that's part of the  
19 system.

20 And that debate is one that I would  
21 like to encourage, and I hope you can  
22 encourage. And if the product is some

1 legislation or some new regulations that help  
2 move in that direction, I think that would be a  
3 very positive step.

4 MS. LOPEZ: Thank you, Professor  
5 Yenger.

6 Our next speaker is Chris Caden. He  
7 represents Section 8 tenants in the Syracuse  
8 area and will speak on actual and perceived  
9 discrimination that his clients have faced.

10 MR. CADEN: My name is Chris Caden,  
11 as was said. I do housing for Legal Services  
12 of Central New York. That's part of my job  
13 responsibilities. I brought with me the  
14 housing locator from the Urban League, who is  
15 very often in city court and sees the people as  
16 they are being evicted and tries to help them  
17 locate housing after they've been evicted.

18 I will let her speak. I would like  
19 her to join me in this discussion. I'll let  
20 her speak after I make a story. I would like  
21 to tell about a success story that was a client  
22 of mine who was on Section 8.

1 She was a young minority mother who  
2 had decided that she had to leave. I don't  
3 know if you know any of the neighborhoods in  
4 Syracuse, but she just lived off South Avenue.  
5 She had been robbed. She had been raped. Her  
6 neighborhood, her apartment complex that she  
7 was living in was very unsafe.

8 She had obtained a Section 8  
9 certificate and was therefore able to move  
10 somewhere. She did not want to stay in the  
11 apartment that she was in, and we also had  
12 hoped and believed -- because I do believe that  
13 Syracuse Housing Authority does a very good job in  
14 inspecting apartments -- that this apartment  
15 would not have been approved for purposes of  
16 Section 8.

17 We were right on all accounts. She  
18 wanted to start a nursing program up at  
19 Onondaga Community College. She did not have a  
20 car. She was on welfare. She did have  
21 transportation. The goal of getting a nursing  
22 degree from OCC was one that she had only hoped

1 for. And she thought that her Section 8 would  
2 have been her key to get this degree. It was.

3 She located an apartment near the  
4 Onondaga Community College, but it was way  
5 beyond the fair-market rent that was available  
6 for her household size on her certificate. We,  
7 through the Greater Upstate Law Project and  
8 myself, figured out a way, through incremental  
9 rent increase, to get beyond the fair market  
10 rent. She would have been the first Black  
11 person in this apartment complex near OCC.

12 The apartment complex was willing to  
13 rent to her, and they were willing to go down  
14 in their rent a little bit, but not much. They  
15 had never had a Section 8 person in their  
16 complex before and they were willing to make an  
17 attempt to try to see that this is a  
18 representative not just of the black community,  
19 but also a representative of Section 8.

20 Through negotiations on my part with  
21 the landlord, through negotiations through the  
22 Greater Upstate Law Project, the landlord and



1 through negotiations by the Syracuse Housing  
2 Authority -- Terry Kresher, in particular -- in  
3 agreeing to the incremental rent increase, we  
4 were able to get this person into a fairly  
5 expensive apartment, and get her on her degree  
6 program.

7 Because the Housing Authority agreed  
8 to a two-year lease that included incremental  
9 increases for the year after, because the  
10 landlord had said that these apartments will go  
11 up next year as well, and we have to have some  
12 increase in this person's rent, terry Kresher  
13 did not flinch at that and said, "No problem;  
14 We will go along with that."

15 I tried to locate this person to  
16 bring her with me today. I could not locate  
17 her and I thought Terry Kresher may remember on  
18 how to get ahold of her, too, because -- well,  
19 she may no longer be in the Section 8 program  
20 because she got her RN Degree -- her LPN first,  
21 and then onto her RN. And it's a success  
22 story.

1           So I think the community does need to  
2           hear that there are success stories, and that  
3           the Section 8 program is a way to get people  
4           out of poverty and that it can get people out  
5           of the bad neighborhoods into a neighborhood  
6           where they do have chances to succeed further  
7           on.

8           And now, with any questions, I'd also  
9           like to have Julia Burnette from the Urban  
10          League talk about her experiences in trying to  
11          locate people, especially people who have  
12          Section 8 certificates or vouchers.

13          MS. LOPEZ: Julia.

14          MS. BURNETTE: Good afternoon. I am  
15          at Syracuse city court in the mornings for  
16          eviction court, and I see the Section 8 subsidy  
17          as a tool. Honestly, it's the only way I can  
18          describe it. I have to relocate the people who  
19          have been evicted.

20          When I first started doing this, most  
21          of the people who were evicted were from public  
22          assistance. They were using poor money

1 management skills or something like that.

2 Over the last year, most of the  
3 people that I relocate because of eviction, are  
4 the working poor. The way we have things set  
5 up in our county, if you're working and you are  
6 not making enough money, there's really not too  
7 much we can do for you. We can't plug you into  
8 the public assistance system.

9 We really can't do too much for these  
10 people. I mean, we try to find them a much  
11 cheaper apartment. They've been working.  
12 They're struggling. They're raising families.  
13 They're trying to be a productive person in the  
14 community. And all we can offer them for the  
15 most part is a much cheaper apartment.

16 If you're struggling with a  
17 three-bedroom that cost \$400 a month, and  
18 someone has to try to find you an apartment  
19 that's maybe \$300 a month, you are truly going  
20 into a slum.

21 We have slumlords that I'm sure are  
22 just like other cities around the country, who

1 take advantage of people. They're predators.  
2 They know the system better than many of us do,  
3 and they use that to their advantage because  
4 it's economically practical for them.

5 So, with the Section 8 subsidy, we're  
6 able to counterbalance a lot of that. We can  
7 use the inspection of the Section 8 subsidies  
8 to keep, you know, the slumlords at bay, to  
9 make them at least have their apartments up to  
10 the standards of the general apartments in  
11 Syracuse.

12 We're also using that Section 8  
13 subsidy as a tool for another group of society  
14 that's being actively discriminated against:  
15 The teenagers who are living independently; the  
16 young mothers who are actively discriminated  
17 against. We have seen reverse discrimination  
18 in Syracuse. There are all kinds of things  
19 that we see.

20 We get the pulse of the community,  
21 the housing community, through the eviction  
22 court because that's where you first start

1 seeing the trends. We get curious, and we  
2 start following different things. So we can  
3 see a lot of things that are happening. And  
4 most of us have very, very concerned just in  
5 the past year with welfare reforms that have  
6 been initiated and how they're directly  
7 impacting on the community. That has been  
8 unbelievable, absolutely astounding.

9 We're not setup to handle that.  
10 We've been trying to put as many things in  
11 place. So, one more time, we're looking at the  
12 Section 8 subsidies, and we're using that as a  
13 tool. Therefore, you have got to be proactive  
14 in your approach. We cannot guarantee you a  
15 great job. We cannot guarantee great  
16 education, but what we can do is give you this  
17 tool so that, as your economic situation  
18 fluctuates, at least you can have kind of  
19 maneuverability.

20 You can have an apartment that your  
21 rent will be based on whatever your income is.  
22 And that way you can maintain the stability of

1 your family. You can maintain, in some way,  
2 your stress level. You can be proactive in  
3 your life, which is what they need to have just  
4 to have a decent kind of self-esteem that we  
5 take for granted.

6 It is a far-reaching impact that the  
7 subsidies have on people. I could give you  
8 success stories. Merrilee could. Chris could.  
9 It's just more far-reaching than you can ever  
10 imagine what the subsidy can do when you have  
11 to utilize it. And as we're looking at more  
12 and more of the tools that the Social Services  
13 agencies we have to give up, then anything we  
14 have at our disposal, we're finding more  
15 creative ways to use it.

16 And this is something that we've had  
17 very good success with, and we can use it --  
18 there are a lot of things.

19 Educationally, it increases just the  
20 attendance. Generally, before we can stabilize  
21 that family, they've evicted about three times  
22 in two years. And there are so many

1 near-evictions, which causes the trauma and the  
2 stress not only for the adults but for the  
3 children. And when you keep moving them from  
4 school to school, it has a very high impact on  
5 the crime rate, the self-esteem, the education,  
6 the ability to work of the parents.

7 And we don't have the money or the  
8 resources to fill in, with the other agencies,  
9 the holes and the gaps that this is creating as  
10 the welfare system is now. And we won't be  
11 able to do anything in the upcoming years, at  
12 least not in time to get it up and running.

13 MS. LOPEZ: Do we have any questions?

14 CHAIRPERSON TERRISITO: I have a  
15 question. Have you gotten discrimination  
16 complaints? What is your experience?

17 MR. CADEN: In my office, we do have  
18 an attorney who does discrimination. I thought  
19 he would be here, but he's not here. I don't  
20 do discrimination issues, per se. Whenever I  
21 have a discrimination issue, I either find Ron  
22 DiMarso, who is the attorney in our office who

1 does the complaints in federal court, or I  
2 contact Merrilee or refer them to Merrilee.

3 I must admit to you that in my  
4 practice dealing with Syracuse Housing  
5 Authority, I heard no complaints, no  
6 discrimination complaints, no perceived  
7 complaints against Syracuse Housing Authority.

8 MS. BURNETTE: I'd like to say  
9 something. I see it from the other end. I  
10 encounter a lot of discrimination when I'm  
11 trying to relocate someone who has been  
12 evicted, or someone who is a protected class,  
13 their young or their limited on their income,  
14 or whatever.

15 As soon as I can tell a perspective  
16 landlord that this person has a Section 8  
17 subsidy or a voucher, they stop giving me a  
18 hard time. They stop being worried about, "Oh,  
19 they're too young. They going to damage the  
20 apartment. They've got three kids. They've  
21 got five kids."

22 MS. LOPEZ: Have you encountered any



1 kind of barriers in locating Section 8 housing  
2 for people outside of the poverty, high poverty  
3 concentration areas? And if so, what are they?  
4 And how can we address them?

5 MS. BURNETTE: Okay. A lot of the  
6 landlords are not familiar with the Section 8.  
7 They have heard of it, they have never used it.  
8 They have their own stereotype of what the  
9 subsidy program will mean.

10 So you basically have to go in and  
11 really hammer away at their reservations. You  
12 have to educate them. You have to bend their  
13 arm. You have to coerce them. You have to  
14 really let them see that is not this  
15 multi-headed hydra that they fear, that it's a  
16 good program that will be beneficial to them as  
17 a landlord, as well as to their perspective  
18 tenant.

19 MS. LOPEZ: But have you encountered  
20 any kind of discriminatory barriers?

21 MS. BURNETTE: Only in reverse. We  
22 are able to use that to, you know, our benefit,

1 when someone is afraid to these people.

2 But if they're familiar with the  
3 Section 8, when they hear that this person has  
4 a Section 8, then they're willing to, you know,  
5 try it because their rent is guaranteed and if  
6 there are any damages, they will be reimbursed.  
7 But where someone is actively been  
8 discriminated against, no.

9 CHAIRPERSON TERRISITO: But your  
10 effort, though, is more than just within the  
11 city boundaries, right?

12 MS. BURNETTE: Oh, definitely.  
13 Anybody that calls.

14 CHAIRPERSON TERRISITO: So you have  
15 actually dealt with getting people with Section  
16 8 into areas outside the city?

17 MS. BURNETTE: And generally, if  
18 someone is in a high crime rate, or if someone  
19 is -- yeah.

20 Honestly, I believe in suburban life  
21 for a lot of these young adults, or people who  
22 are struggling very hard, get them out of the

1 high crime-rate areas or give them a positive  
2 outlook on their life, and they'll do a lot  
3 better a lot faster.

4 So I really actively try to put  
5 people in the suburbs. And there are places  
6 where you can utilize the Section 8 subsidies.  
7 I worked for 12 years for Central, the bus  
8 company and community development. So I know  
9 how easy it is to encourage the bus  
10 transportation companies to provide service to  
11 certain areas.

12 PANELIST: That's very interesting  
13 that you raise that point because there was  
14 earlier testimony to the effect that they had  
15 to cut back drastically in the areas that  
16 they're transporting to.

17 Any comment on that?

18 MS. BURNETTE: Yes. That was  
19 actually necessary just to remain viable. The  
20 way the bus routes are set up, they decided  
21 that a route is practical based on gas,  
22 mileage, and rider usage during peak times of

1 the day.

2 But when they proposed all these  
3 major cutbacks in Central, residents from the  
4 senior citizens' home called and said, "No, you  
5 can't cut here. We need this." They have  
6 never had more than two or three people a week  
7 riding consistently from that nursing home to  
8 downtown, but because they were proactive and  
9 they said, "We need this" for a few months  
10 those areas were never cut.

11 Now, the main trunk line routes are  
12 still operating. They've been cut  
13 dramatically. Any secondary route has almost  
14 completely been eliminated. If you're putting  
15 people out in the suburbs, you can gain public  
16 transportation for them during peak hours when  
17 they need to get back and forth to school or  
18 work, certainly, but also off hours. All it  
19 takes is somebody calling in to Service  
20 Development requesting it --

21 PANELIST: It takes community action.

22 MS. BURNETTE: Yes, that's all it

1 takes, and it doesn't take a lot.

2 CHAIRPERSON TERRISITO: Is anybody  
3 working on having that happen, though? I mean,  
4 you're talking about squeaky wheels.

5 PARTICIPANT: Professor Yenger, do  
6 you have an explanation to explain why you have  
7 such low level of complaints about  
8 discrimination?

9 MR. YENGER: Well, I think there are  
10 two related reasons. One of them is that  
11 discrimination is very subtle -- and we talked  
12 about that before -- and many people who  
13 encounter discrimination don't realize it. The  
14 second reason is that the Section 8 program  
15 allows landlords to say no. And some landlords  
16 say they don't want to deal with Section 8, and  
17 presumably they can do that for any one of a  
18 number of reasons, including the fact they  
19 don't want to deal with minorities or any other  
20 group.

21 In fact, in my judgment this is an  
22 important issue that needs further

1 investigation. The law is very clear that if  
2 somebody undertakes a practice that is not  
3 discriminatory on the surface but that has a  
4 discriminatory effect and there are not other  
5 policies and there other things that they can  
6 do, then that is violation of the Fair Housing  
7 Act, just like discriminating because you're  
8 trying to.

9 I've never quite understood why  
10 Section 8 gets off the hook on that one,  
11 because there are a lot of context in which the  
12 Section 8 clientele is very heavily minority.  
13 And yet, landlords are in a position to say, I  
14 won't deal with Section 8 clients.

15 I'm not a lawyer. I don't understand  
16 all the ins and outs of the law, but I've read  
17 a lot about Fair Housing Laws. If you read by  
18 book, you'll see. I've always been puzzled by  
19 that, and I would encourage people who are  
20 interested in Section 8 to think hard about the  
21 conditions under which somebody would be  
22 allowed to turn you down.

1           So maybe you don't get complaints  
2           because the landlords who don't want to deal  
3           with minorities just say no to Section 8, and  
4           you never get in that position. If somebody  
5           says no to Section 8, it's not counted as  
6           discrimination, even though it may be  
7           discrimination.

8           PANELIST: Ms. Witheral, your name  
9           came up twice in the issue of having received  
10          referrals in cases of discrimination. This  
11          morning you said that the council received a  
12          small number or a very few.

13          Can you elaborate on those that you  
14          have received and what their nature were?

15          MS. WITHERAL: Oh, certainly. I want  
16          to clarify one point. We receive very few  
17          complaints of discrimination from those  
18          receiving Section 8 certificates and vouchers.  
19          The numbers of complaints we receive from the  
20          general community is, of course, you know,  
21          pretty large in terms of rental discrimination.

22          What I'll do, I think, is highlight

1 some of the tests that were conducted based on  
2 randomly chosen apartment complexes throughout  
3 the county, when we did the analysis of  
4 impediments, just approximately one year ago.

5 And I will just read you the brief  
6 summaries that are contained in the analysis of  
7 impediments to Fair Housing for Onondaga  
8 County:

9 "One test matched qualified couples  
10 seeking an apartment at a complex in Liverpool,  
11 which is a suburb of Syracuse. Both testers  
12 were treated cordially and told about the  
13 special features of the complex. The black  
14 tester was given an application, a form to  
15 verify employment, a copy of the floor plan,  
16 and two forms for landlord references. The  
17 white tester was given an application, a form  
18 to verify employment, a copy of the floor plan,  
19 a copy of the lease, a promotional brochure,  
20 and a complimentary T-shirt."

21 She was not, however, asked about  
22 landlord references. We still have the T-shirt



1 in the office as evidence. We're going to use  
2 it someday.

3 Another test involved a tester who  
4 had children and one tester who didn't, seeking  
5 to rent a two-bedroom house. The tester with  
6 children was told the house was much too small  
7 for two children. She couldn't have it. The  
8 tester without children was given a appointment  
9 to view the apartment.

10 In sales, we found much the same  
11 thing. Equally qualified perspective home  
12 buyers encountered a great deal of  
13 discrimination based on race, in terms of being  
14 offered more choices, more homes, being steered  
15 to different areas. One woman, in an  
16 especially bad case, the African-American  
17 tester was told to look around the house.

18 And another couple came in and the  
19 real estate agent said, "Well, just look at the  
20 basement. I'm going to show this couple  
21 around." So, you know, not always, but in most  
22 of the cases, being treated as second-class

1 citizens, in a way that's clear from the outset,  
2 I should say that this one case was fairly  
3 obviously.

4 The case about the apartment complex  
5 where one got a T-shirt and one didn't, our  
6 black tester did not believe she had been  
7 treated any differently than anyone else would  
8 have been. She did not believe she had  
9 encountered any discrimination. She thought  
10 that she had been treated politely and well.  
11 The positive features of the complex were  
12 marketed to her. She was told about the pool  
13 or this or that, the tennis courts, whatever.

14 What she didn't know was that the  
15 burdens to live there were going to be higher  
16 for her, if in fact they could be surmounted at  
17 all, and that other testers were treated very  
18 differently and not required to jump through  
19 the hoops. That's something we find very  
20 consistently.

21 We've recently had a couple of cases  
22 where there have been determinations of

1 discrimination. One case was against Longley  
2 Jones Corporation, an apartment complex which  
3 maintained a discriminatory occupancy standard.

4 In the Longley Jones case, HUD made a  
5 finding of probable cause that discrimination  
6 existed. We elected to go into federal court,  
7 intervened on behalf of the Complainant and  
8 then DoJ brought the case on behalf of the  
9 federal government. In that case, that was  
10 settled for a \$12,000 settlement for our  
11 Plaintiff.

12 Another case where we recently made a  
13 determination of probable cause was against the  
14 Orchard Estates Complex, again in Mattedale,  
15 which is a suburb north of the city, where we  
16 find a lot of race discrimination in that  
17 general area, Liverpool, Mattedale.

18 In the Orchard Estates case, there  
19 was not a refusal to rent to African-American  
20 applicants. There were, in fact, a number of  
21 African-American families living in the Orchard  
22 Estates Complex. However, they were living in

1 one of three buildings at the complex. They  
2 were segregated. They were steered.

3 The same was true for families. HUD  
4 didn't have a real hard time investigating  
5 this. It took them four years, but they didn't  
6 have a difficult time investigating part of it,  
7 because their attorney, in fact, admitted they  
8 had separate buildings for adults and children.  
9 So we found in that case evidence of  
10 discrimination both on race and familia status.

11 Julia made a passing reference to  
12 slumlords and used the term "predators," and  
13 I'd like to elaborate on that a little bit.

14 In this community, especially by  
15 working with Julia, we have found some evidence  
16 of what's known as "predatory habitability,"  
17 where a landlord or slumlord will seek out  
18 members of a protected class -- in this case,  
19 we found are Spanish-speaking immigrants -- to  
20 rent them apartments at rents which would be  
21 above the fair-market rate for a decent  
22 apartment, but furthermore, they are renting

1       them apartments which are inadequate and  
2       substandard and which do not meet the basic  
3       standards for habitability.

4               For example, no hot water or lack of  
5       heat, or problems with both. They're seeking  
6       out a client community or a tenant community  
7       least likely to know how or least likely to be  
8       willing to make complaints. So if they were to  
9       simply present statistics on their tenancy to  
10      HUD or to some other regulatory agency it would  
11      look like a great complex, well-integrated,  
12      renting to all sorts of Latinos, with  
13      affirmative outreach.

14             Well, there's sort of another spin on  
15      that, and that's something that we found as  
16      well. Most of the time, we find that, in our  
17      testing that we undertake, our audit, our  
18      testers who have encountered discrimination do  
19      not know. Only by comparing reports, side by  
20      side, do we see that discrimination has  
21      occurred.

22             In cases that we are in the process

1 of preparing for filing, we have had  
2 differences in rent as great as \$100 per month  
3 quoted to both black and white tenants for the  
4 same unit.

5 We have had tenants offered, at the  
6 same time -- we're talking about folks who went  
7 to an apartment complex within an hour of one  
8 another -- we have found that African-American  
9 tenants were shown that there was only unit  
10 available -- it's in building A -- whereas the  
11 prospective white tenants were shown buildings  
12 in D, E, and F, and that there were three or  
13 four available.

14 We have found differences in  
15 requirements for proving that you're a worthy  
16 applicant the credit checks. Credit checks,  
17 overall, have been a barrier to our testing,  
18 except in this one regard.

19 We find sometimes that we trip up the  
20 apartment complexes because they just don't  
21 bother to ask the perspective white tenants for  
22 a credit check, but they consistently will ask

1 members of any minority group for the credit  
2 check.

3 PANELIST: Is this Section 8 housing?

4 MS. WITHERAL: No.

5 PANELIST: These are non-Section 8?

6 MS. WITHERAL: No, this is just in  
7 general. Some of them accept Section 8. Some  
8 of them don't. I don't have them separated in  
9 that context, in terms of my preparation on  
10 discrimination. I don't have them separated in  
11 that context. Some accept Section 8, some  
12 don't. But that's the sort of thing that we  
13 find.

14 The change in the requirement for  
15 landlords with regard to "take one and take  
16 all," the change in those requirements have, in  
17 fact, made it harder for us to sometimes get at  
18 the issue of discrimination. One thing we used  
19 to find was that African-American Section 8  
20 recipients were told, "Oh, we've taken all the  
21 Section 8 we can take," or, "Oh, we don't take  
22 Section 8," when in fact we had evidence that

1 they did if it was a white applicant.

2 Now it's much harder for us to really  
3 get at the issue of whether they feel they've  
4 taken enough Section 8 and they don't want  
5 anymore. It's harder for us to determine  
6 whether or not there's really discrimination.

7 And again, echoing what the others  
8 said, there is sometimes in the community a  
9 lack of awareness of about the available  
10 enforcement mechanisms. The Fair Housing  
11 Council has only had staff since 1995. That's  
12 really the first time we were able to make a  
13 presence in the community.

14 We worked as a volunteer organization  
15 before that, so that's why we have older cases.  
16 But in terms of really trying to get out there  
17 and have word be known and have an office and  
18 phone number, it has only been since 1995 that  
19 we've been able to do that. So a lot of people  
20 still don't know. We have never received a  
21 complaint of discrimination in sales, and yet  
22 our testing indicates that, 3 out of 5 times in



1 the city and 4 out of 5 times in the county,  
2 there was discrimination of some sort.

3 MS. LOPEZ: Ms. Witheral, can you  
4 tell me to what extent residency preference has  
5 some sort of racially exclusionary effect?

6 MS. WITHERAL: I think it has a  
7 racially exclusionary effect in the sense that  
8 residency preferences, which are currently  
9 maintained in this community, in the village of  
10 North Syracuse, and in the village of East  
11 Syracuse -- each of which has a much lower  
12 level of minority residency than the  
13 surrounding county -- and certainly the city of  
14 Syracuse, given the fact that we have 2 percent  
15 minority populations in those villages and a 27  
16 percent minority population in the city of  
17 Syracuse, we're talking about a discriminatory  
18 impact.

19 The intent may not be to discriminate  
20 against minorities, and I certainly don't  
21 believe that is the intent. But the fact of  
22 matter is if you give a preference to those

1 living within your village, and your village is  
2 overwhelmingly white, then the effect of that  
3 policy is to put minorities at a disadvantage  
4 for this important opportunity.

5 So I think that those do have an  
6 impact. I think the very fact that those  
7 policies are stated as such is a barrier.  
8 We're talking about folks who may not be  
9 trained and may not be as assertive as those of  
10 us who advocate on their behalf. A lot of  
11 people who are poor and who are just hoping for  
12 an opportunity are very willing to accept what  
13 is offered to them.

14 And if what is offered them is less  
15 than a good opportunity, it still may be  
16 something more than what they've gotten, and  
17 they'll take it. And that doesn't make it  
18 right and that doesn't make it fair housing or  
19 equal housing opportunity.

20 MS. LOPEZ: Any other questions? Mr.  
21 Hanley.

22 MR. HANLEY: This is for Professor

1 Yenger, based partly on a comment from Ms.  
2 Burnette.

3 You mentioned about the disruptions  
4 in the schools and the families of people being  
5 evicted and going from school to school to  
6 school. I'm curious if Professor Yenger or  
7 anyone else knows the effect on the school  
8 systems of that kind of a turnover.

9 I know, anecdotally, in Rochester, we  
10 had heard stories of one class that had 100  
11 percent turnover of its student body between  
12 September and June. And I also know that Gary  
13 Orfield has done a segregation index which  
14 indicates that New York schools and New York's  
15 metropolitan areas are the most segregated in  
16 the country.

17 If you could enlighten us about the  
18 effects of these poverty concentrations and  
19 specifically the segregated minority  
20 populations on the school systems, I think that  
21 would be helpful.

22 MR. YENGER: Well, you've actually

1 raised several different issues about  
2 schooling. The first one you mentioned is the  
3 extent to which turnover in the student  
4 population influences kids.

5 I happened to have recently come  
6 across an book called "Making School  
7 Accountable," by Helen Ladd and Ron Ferguson.  
8 They do a very careful analysis of the  
9 determinance of educational performance based  
10 on the characteristics of the classroom and of  
11 the teachers and of the students.

12 They happen to have data on turnover.  
13 And they found that not only do kids who move  
14 suffer, but kids in classrooms where many of  
15 the other students move suffer. And so they  
16 conclude that the social network that's  
17 established in the classroom is very important  
18 for learning. And if that network gets  
19 disrupted or has to change continually, it has  
20 consequences for kids.

21 We also have an enormous amount of  
22 evidence about the impact of poverty on

1 educational outcomes. Higher poverty  
2 concentration in schools has a very significant  
3 impact on the ability of schools to deliver  
4 better public services. And I myself have done  
5 some work.

6 In fact, there is a chapter in the  
7 same book that I wrote with some other people  
8 here at Syracuse. It finds very strong  
9 evidence for New York state that to, get the  
10 same level of educational outcomes, schools  
11 with higher poverty must spend a great deal  
12 more than schools with lower poverty.

13 This result actually has been known  
14 since the Coleman Report. It's the central  
15 piece of evidence in the Coleman Report, and  
16 has been re-established by dozens of other  
17 studies, with dozens of different methodologies  
18 over the years.

19 The Orfield evidence shows that  
20 there's a very, very striking correlation  
21 between the minority status of a school and the  
22 degree of poverty concentration. One of the

1 things in his recent work which I cite in my  
2 book is a finding that among the schools in  
3 this country that are 90 percent or more  
4 minority, two-thirds of them, essentially, are  
5 high-poverty schools. And the incidents of  
6 high-poverty schools among largely white  
7 schools, schools with 10 percent minority or  
8 less, is very, very small. There are hardly  
9 any schools in that category.

10 So the extent of poverty  
11 concentration in the heavily minority schools .  
12 is just staggering. And in our big cities, the  
13 probability that a minority goes to a high  
14 minority school has been going up, and it's now  
15 very, very high probability in our big cities.  
16 So I think the school's dimension is an  
17 extremely important part of this cycle, just an  
18 extremely important part.

19 The states have been struggling with  
20 this for years. The states have made some  
21 progress in some cases, but it's only minuscule  
22 progress. As I told you, the big central

1 cities in Upstate New York, not even New York  
2 City, just take the big central cities in  
3 Upstate New York, have school outcomes that are  
4 60 percent below the school outcomes of other  
5 districts, even though the state does a lot of  
6 programs that it claims are equalizing, that's  
7 an enormous disparity.

8 That's between those schools and the  
9 average, let alone between those schools and  
10 the good schools in the suburb, where the  
11 disparity is much greater than that. And so I  
12 think this is an extremely important part of  
13 the complex of issues that housing and housing  
14 discrimination contribute to.

15 MS. LOPEZ: Mr. Caden, you wanted to  
16 make a statement earlier?

17 MR. CADEN: Thank you. I wanted to  
18 underscore the need to use Section 8  
19 educational purposes in counseling. I mean,  
20 Section 8 can make a difference in where people  
21 are living and how people are living. Section  
22 8 does not know approve a landlord who is

1 behind in the taxes.

2 In the high concentration areas in  
3 the city of Syracuse, the landlords that I see  
4 from Housing Court are those who are not paying  
5 their taxes and those who have significant code  
6 violations. These exist mostly in minority  
7 concentration areas, where the Hispanics are  
8 and where there are African-American  
9 communities.

10 Section 8, by enforcing its  
11 regulatory goal, having more housing, as well  
12 as not renting to the landlords -- we're not  
13 approving of landlord participation who are  
14 behind in their taxes -- are cutting out a  
15 great deal the slumlords of the City of  
16 Syracuse.

17 Julia talked about welfare cuts.  
18 Welfare has a housing list, and Department of  
19 Social Services has a housing list which they  
20 give people that suggests where to go to find  
21 housing. These are the worst slumlords in the  
22 city of Syracuse, and Welfare is referring



1 these people to these places.

2 Fortunately, Section 8 will not  
3 approve of many of the names on this list.  
4 Through my experience with Section 8, in  
5 dealing with some of the landlords, also -- as  
6 an example, I get mail from this one slumlord  
7 addressed, "To the lawyer who represents the  
8 deadbeats of Syracuse, New York."

9 (Laughter)

10 MR. CADEN: Section 8 has refused,  
11 through my interaction, just from seeing his  
12 apartments, not to approve housing with this  
13 landlord. And so it's very important what  
14 you've suggested here that Section 8 can be  
15 used as an integrative tool with education and  
16 counseling in showing people that there is a  
17 way out.

18 MR. HANLEY: And Post Office voucher.

19 (Laughter)

20 MS. LOPEZ: Mr. Yenger, do you have a  
21 question?

22 MR. YENGER: Yes. If I may make a

1 request, Merrilee, that if you have any  
2 documentation regarding discriminatory cases  
3 that specifically impact, or that are Section 8  
4 related, if you could forward that  
5 documentation to the committee, it would be  
6 appreciated.

7 CHAIRPERSON TERRISITO: And of  
8 course, I'll reiterate that we would be very  
9 appreciative of any documentation that you  
10 might have that relates to this area that we're  
11 concerned about.

12 MS. LOPEZ: Thank you, Professor  
13 Yenger, Mr. Caden, Ms. Burnette, Ms. Witheral.  
14 Thank you.

15 CHAIRPERSON TERRISITO: Thank you  
16 all, actually. I guess that ends this session,  
17 and I want to really give you our great  
18 appreciation on behalf of the Committee and  
19 also the Commission for taking the time to come  
20 and visit with us, to talk to us about this  
21 issue. We will be developing a document.

22 MR. SERPA: After the third meeting,

1 which will be in Buffalo, December 17th, we  
2 will be developing the draft. It goes through  
3 several federal bureaucratic processors, but  
4 every portion where you are quoted in the draft  
5 will be forwarded to you for your editorial  
6 comments, just to make sure we quoted you  
7 correctly, and then they will be incorporated  
8 into the final draft.

9 CHAIRPERSON TERRISITO: If you feel  
10 that we haven't captured what you meant to say,  
11 then, of course, you would just send back the  
12 changes and we would certainly incorporate  
13 those. But you will be seeing a document and,  
14 eventually, we will have a final document that  
15 will be a published document. But that takes a  
16 while for that to be processed.

17 Before we close, were there any other  
18 questions from anybody, or any other comments  
19 anybody would like to make?

20 MS. WITHERAL: I just have one  
21 question with regard to documenting  
22 discriminatory action.

1           Would you want information only on  
2 cases which have been settled, or would you  
3 want simply just a sentence or two about those  
4 cases which we have filed, but do not yet have  
5 determinations in?

6           PANELIST: I have just a question. I  
7 should have asked it earlier, but it can be  
8 directed. I only see -- well, two other people  
9 that are here, and the other people from the  
10 Housing Authorities have gone.

11           I'd like to know, in a policymaking  
12 or in a leadership position in each of your  
13 agencies, how many do you have that are  
14 African-American? Not just secretaries, but  
15 people who make decisions and who are managers.

16           CHAIRPERSON TERRISITO: Can I just  
17 answer her question? I think we should get the  
18 ones that have been already settled. But you  
19 might just give us a designation of a number of  
20 things that are pending that are Section 8  
21 related because that's really what we're  
22 addressing.

1 MS. WITHERAL: Because of our short  
2 history, we have not too many cases which are  
3 decided, but a greater number of cases which  
4 are in the hopper.

5 CHAIRPERSON TERRISITO: Okay. I  
6 guess you're the only left to answer to this.

7 Oh, okay. There's another person.

8 PANELIST: As far as our staff is  
9 concerned, our extensive staff consists of  
10 myself.

11 (Laughter)

12 PANELIST: So there are no  
13 African-Americans involved in policy decisions.  
14 I am the entire staff.

15 MS. WASS: For North Syracuse, there  
16 also are no African-Americans in decision  
17 making positions. Our staff consists of four  
18 women, and our board of three men and two  
19 women.

20 PANELIST: Are any of your board  
21 members African-American?

22 MS. WASS: No.

1                   CHAIRPERSON TERRISITO: So there are  
2 no minorities at all represented on the staff  
3 or the board?

4                   MS. WASS: That's correct.

5                   CHAIRPERSON TERRISITO: Okay.

6                   Any other questions? Any other  
7 comments?

8                   MS. LOPEZ: I do. I've been hearing  
9 a lot about the landlords and how public  
10 housing sends the Section 8 people out to the  
11 landlords, and it's up to the landlords to  
12 decide whether or not they want to take someone  
13 in.

14                   If a person feels that they've been  
15 discriminated and they come to you, do they  
16 know what to do? I mean, do you tell them  
17 initially, "You should come to me," or do you  
18 give them any kind of procedures? The question  
19 is to both of you.

20                   MS. WASS: In North Syracuse, during  
21 our briefings, we do distribute in our packet a  
22 copy of the HUD discrimination complaint form.

1 We also do brief the people to come to us if  
2 they have a complaint. We haven't had anyone  
3 do that. We don't have a staff to deal with  
4 it, but we would send them to Fair Housing  
5 Council or the other group that deals with  
6 discrimination in Syracuse.

7 PANELIST: If I were to have a  
8 complaint, first of all, on the briefing, we do  
9 much the same thing. We explain the  
10 discrimination complaint. We tell them that if  
11 they feel they have been discriminated against,  
12 they should make a complaint.

13 But I go one step further, and I say,  
14 "Keep on looking. Don't stop for that reason.  
15 Continue on and find something, then make your  
16 complaint." Not that they shouldn't prepare  
17 their complaint, but don't let that be the  
18 barrier.

19 My experience has been there may be  
20 two or three in a row who may say no, for  
21 reasons which may less than forthright. But  
22 there are also people who are looking for

1 economic advantage, and other people who,  
2 simply on principle, who will rent to that  
3 person. And so they should keep on looking,  
4 and they should find something, if they  
5 possibly can.

6 Now, this is the kind of situation,  
7 if this does seem to be happening, if they have  
8 a voucher or certificate, and we see it coming  
9 up in 60 days, we definitely extend because the  
10 person has been trying hard and is going  
11 forward. If this is one of our landlords, and  
12 one of the landlords we deal with other  
13 tenants, and we feel that this is taking place,  
14 at that point, you wouldn't remain.

15 However, that has never happened with  
16 any landlord that was on the program at the  
17 time.

18 CHAIRPERSON TERRISITO: Susan.

19 MS. JAMES: Susan James from the City  
20 of Syracuse.

21 One of the problems is that there  
22 have been a lot of cases of discrimination, but



1 because there has not been an effective  
2 mechanism for people to go to and report these  
3 right here in the City of Syracuse, all we have  
4 is the Fair Housing Council and the Human  
5 Rights Commission.

6 The other cases take so long to get  
7 reported from the time that something is  
8 actually done about it; again, the thing that  
9 I'm emphasizing here is that the education and  
10 outreach is the key. People need to know that  
11 there is a Fair Housing Council that can  
12 intercede on their behalf.

13 Sometimes if an individual on Section  
14 8 has been discriminated against, he or she has  
15 to find an apartment, and he will not go any  
16 further other than reporting the  
17 discrimination. He just kind of walks away  
18 from the situation. I think it's just a matter  
19 of people knowing what's available to them.  
20 And because they don't know, nothing happens.

21 We've been talking about the North  
22 Syracuse Office Housing Authority --

1                   CHAIRPERSON TERRISITO: May I  
2 interrupt just one second and give you a  
3 microphone.

4                   MS. JAMES: What I was saying is  
5 that, unfortunately, within the City of  
6 Syracuse, the Fair Housing Council was strictly  
7 volunteer, and the only other avenue we have is  
8 the Human Right Commission. So people are not  
9 really aware of the avenues that they have to  
10 file discrimination reports.

11                   The other thing is sometimes  
12 discrimination is so subtle that they don't  
13 even know that they've discriminated against.  
14 So those are the key things we would like to  
15 emphasize.

16                   MS. LOPEZ: So what you stated is  
17 basically that there is no Fair Housing  
18 mechanism that people are aware to follow?

19                   MS. JAMES: Exactly.

20                   MS. LOPEZ: I have another question.  
21 You said you were distributing information, and  
22 I heard that there is a population of Latinos

1 here. This information, is it being  
2 distributed in Spanish as well, or is it only  
3 in English, if someone could tell me?

4 MS. JAMES: Some of the things that  
5 -- well, we're working with Merrilee. And  
6 again, we're going back -- well, this is a hot  
7 project of mine, so it's something that I feel  
8 very involved in -- is getting this information  
9 done in Spanish, and also within the Asian  
10 language, because those acts of discrimination  
11 are so subtle that people within these  
12 communities don't realize they've been  
13 discriminated against.

14 And the other piece is getting the  
15 testers from those communities, getting people  
16 from the Southeast Asian community that would  
17 be willing to go out and do testing, people.  
18 from the Latino community that would be willing  
19 to go out and do testing. We can't test what  
20 we don't have. And if people don't report it,  
21 if we don't have the testers to go out and do  
22 those things, then that's the key right there,

1 is the education.

2 MS. LOPEZ: Susan, you had a  
3 statement that you were going to make?

4 MS. WASS: Suzanne Wass, North  
5 Syracuse Housing Authority.

6 HUD provides many of our forms in  
7 Spanish --

8 MS. LOPEZ: But are those --

9 MS. WASS: -- especially the  
10 discrimination complaint, and we do have a  
11 stock of those. We've never had to use one.  
12 We have some Hispanic people, people of  
13 Hispanic origin, on our program. I would say  
14 maybe three or four people out of 250, and they  
15 speak English well enough and understand well  
16 enough in English to use the English forms.

17 In other words, we don't have Latinos  
18 who come to us on a general basis that need the  
19 Spanish form.

20 CHAIRPERSON TERRISITO: Okay.  
21 Merrilee.

22 MS. LOPEZ: Okay.

1 MS. WITHERAL: We have posters in  
2 English and in Spanish, both of those provided  
3 by HUD and those produced by the National Fair  
4 Housing Alliance, of which we are a member. So  
5 our posters are in both English and Spanish.

6 Our brochures, at the present time,  
7 are only in English. And we have tried twice  
8 unsuccessfully to get private grants to fund  
9 the translation of our brochures in Spanish,  
10 Vietnamese, and Huong.

11 So that's something that we're  
12 working on, but it is a need in the community  
13 right now. And as I said, the predatory issue  
14 is something that takes a much more detailed,  
15 written explanation than what you get in your  
16 standard Fair Housing poster. And actually,  
17 the means by which we've distributed these are  
18 both the usual and the unusual.

19 Some of our PSAs and posters have  
20 been distributed in local African-American  
21 press, which is a newspaper that comes out  
22 monthly. We've also reduced some to flyer size

1 and distributed them through the Human Service  
2 organizations. And the janitors at our  
3 building have taken some of them for their  
4 friends. So we've got every little thing  
5 working here.

6 We're doing the word-of-mouth and  
7 we're trying the more conventional routes.  
8 Even the Syracuse newspapers have published our  
9 public service announcements in English. But  
10 it's a big need that is, at present, unmet.

11 MS. LOPEZ: I guess my concern was,  
12 when you were stating that people who went to  
13 homes and didn't know they were being  
14 discriminated, what steps, if any, were being  
15 taken to educate people that certain acts are  
16 discriminatory, even if you don't know that  
17 they are blatant or outright?

18 MS. WITHERAL: Our public education  
19 materials address that. We have posters and  
20 brochures which talk about not simply actions  
21 to take against discrimination, but identifying  
22 some of the particular things that someone

1 might hear that for us are a flag but for most  
2 people are innocuous statements.

3 MS. LOPEZ: Are these being shared  
4 with Public Housing Authority?

5 MS. WITHERAL: I think everybody has  
6 some of our materials.

7 CHAIRPERSON TERRISITO: The agencies,  
8 you mean?

9 PANELIST: Yeah. I think all of the  
10 agencies have some of our material.

11 CHAIRPERSON TERRISITO: I see a  
12 heading shaking back there. You're a member,  
13 Bruce.

14 Bruce?

15 MR. GOUHEY: I don't have anything  
16 though. I don't have it in the office.

17 PANELIST: I apologize for that  
18 because that's something that you should have,  
19 and I thought all of the agencies did have.

20 MR. GOUHEY: Where did you distribute  
21 them?

22 PANELIST: When we had a coordinator,

1 they were just distributed at all the public  
2 housing authorities, I believed. And I think  
3 we've hit just about every Human Service  
4 Agency, the city office.

5 MR. GOUHEY: Well, I'd be more than  
6 happy to have it.

7 MS. WITHERAL: I'll make sure that  
8 you do. I thought you did.

9 MS. LOPEZ: What about going actually  
10 out to the communities and speaking to the  
11 people?

12 MS. WITHERAL: Oh, we do that all the  
13 time. I just compiled it again yesterday,  
14 updated it yesterday. I want to say 35 or 40  
15 Human Service organizations and civic groups  
16 that we've gone out and spoken to in the past,  
17 less than two years, you know, about a year and  
18 a half where we've talked to groups of tenants.

19 We've done civic groups, the National  
20 Council of Negro Women. We've done domestic  
21 violence support groups. We've tried to really  
22 hit a broad audience.



1 PARTICIPANT: Have you gone to the  
2 churches?

3 MS. WITHERAL: We have had absolutely  
4 no success in getting into the churches. And  
5 I --

6 MS. LOPEZ: What about contacting The  
7 Urban League?

8 MS. WITHERAL: The Urban League, we  
9 work together all the time. We had no luck  
10 with the churches.

11 MS. JAMES: Merrilee and I have been  
12 trying to be very proactive, and we were really  
13 on a roll. We had a systematic approach to the  
14 whole thing, and we had gotten to the point  
15 where our next big push was into the high  
16 schools and things like that. And then we got  
17 kind of slammed with welfare reform.

18 So we're basically trying to hold the  
19 line on a lot of these issues, and we just  
20 simply don't have the manpower or the time to  
21 do a lot of the educational things that we know  
22 are really necessary to turn the tide on some

1 of these things.

2 MS. LOPEZ: I guess, in Rochester,  
3 what we're doing, sometimes through the church  
4 groups or through the Urban League, is  
5 contacting Fair Housing and the other  
6 organizations to come in and talk with them  
7 about discrimination, the kind of housing  
8 available, and other matters.

9 Is anything like that occurring here?

10 MS. JAMES: Well, I have a little bit  
11 of success. There's one church leader who is  
12 very proactive in -- well, the target area, the  
13 main blight of Syracuse, and he has a community  
14 center. He has been receptive, you know,  
15 offering use of his facility whenever we need  
16 it.

17 He hasn't really finalized it. He  
18 has had some personal problems. But he seems  
19 to someone who is at least willing to let us  
20 come in and just do our thing. They know we're  
21 kind of assertive once we get going.

22 MR. HANLEY: Could I ask one

1 different question? We had a discussion this  
2 morning with the Syracuse Housing Authority  
3 about whether or not people really know where  
4 they can use their Section 8 subsidy, if it's a  
5 Syracuse Housing Authority subsidy.

6 Let me ask you, first of all, from  
7 your contacts with the people you're working to  
8 relocate that have Section 8, do you have an  
9 opinion about, have you talked to people, or do  
10 you have a sense of whether or not people know  
11 where they use the Section 8 subsidy and what  
12 do they tell you?

13 MS. JAMES: Most people know that  
14 they can use it within the city limits. Most  
15 of them want to access the suburbs. They don't  
16 understand how.

17 MR. HANLEY: Do they know they can  
18 take it outside of the city?

19 MS. JAMES: Well, that's one of the  
20 pushes that we're doing. They know they can  
21 take it outside of the city limits into the  
22 suburbs. They know that. Where they're

1 stymied is they don't actually know how to rent  
2 the apartment in the suburbs, because they do  
3 come up with the subtle discrimination.

4 A lot of the complexes don't want to  
5 take it, but there's a lot of them who welcome  
6 it. So they don't have that comfort zone to go  
7 approach the larger complexes that will take it  
8 or the private landlords that will take it.  
9 That's where we come in.

10 MR. HANLEY: But before they talk to  
11 you, do they understand they can outside the  
12 city limit?

13 MS. JAMES: They know they can.  
14 They're afraid to try, or they try a little bit  
15 and when they start getting resistance, then  
16 they fall back into what is their comfort zone.

17 CHAIRPERSON TERRISITO: Are you  
18 asking basically how much information do they  
19 have to begin with? In other words, are the  
20 agencies that are administering this program  
21 putting that word out effectively? Is what  
22 you're experiencing that they're afraid to

1 actually try to use that voucher outside?

2 MS. JAMES: They don't have the tools  
3 that you and I take for granted to access what  
4 they want.

5 MS. LOPEZ: What kind of tools are  
6 those?

7 MS. JAMES: Just help, filling out  
8 the application, knowing when someone is giving  
9 you the run around, how to present themselves  
10 properly. A lot of people will go to a  
11 landlord and feel as though they have to tell  
12 all the negative parts of their family history,  
13 or their economic problems, because if they  
14 don't, then the landlord will think that  
15 they're withholding something.

16 A lot of these people really have  
17 very low self-esteem. They're undereducated.  
18 They may have had some sort of drug or alcohol  
19 problems in the past.

20 CHAIRPERSON TERRISITO: I think we're  
21 going to have draw to a close. So, again, I'm  
22 going to thank everybody for having

1 participated, and really we appreciate it a  
2 lot. This information is going to make a big  
3 difference in terms of how we deal with this  
4 issue, since we've gotten, I think, many sides  
5 of the issue.

6 So, again, we thank you for coming.

7 (Whereupon, the proceedings were  
8 adjourned.)

9 \* \* \* \* \*

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22