



U.S. Department of Justice
Civil Division

Washington, D.C. 20530

ALW:RMLarizza
145-17-2731

Telephone:
(202) 514-4770

BY FEDERAL EXPRESS DELIVERY

November 1, 1994

Murray Harris, Clerk
United States District Court
211 West Ferguson
Room 309
Tyler, Texas 75702

Re: Young, et al. v. Cisneros, et al.,
USDC E.D. Tx., C.A. No. P-80-8-CA

Dear Mr. Harris:

Enclosed for filing in the above-referenced action are the original and one copy of the Federal Defendants' Notice of Filing HUD's First Mobility Counseling Report and HUD's First Mobility Counseling Report.

Thank you for your assistance in this matter.

Very truly yours,

Raymond M. Larizza
RAYMOND M. LARIZZA
Trial Attorney
Federal Programs Branch
Civil Division

cc: Honorable William Wayne Justice
Professor Francis E. McGovern
Michael M. Daniel

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
PARIS DIVISION

LUCILLE YOUNG, et al.,)
)
Plaintiffs,)
)
v.) Civil Action No.
) P-80-8-CA
HENRY G. CISNEROS, et al.,)
)
Defendants.)
_____)

FEDERAL DEFENDANTS' NOTICE OF FILING
HUD'S FIRST MOBILITY COUNSELING REPORT

The Agreed Order entered in the above-captioned action on September 30, 1994, requires the Department of Housing and Urban Development (HUD) to file periodic reports on the progress of the initial rental of the new low-rent public housing units in Paris and Nacogdoches. Submitted herewith is the first such report prepared by George Ray, Litigation/Liaison Staff, Fair Housing and Equal Opportunity.

Respectfully submitted,

FRANK W. HUNGER
Assistant Attorney General

RUTH HARRIS YEAGER
United States Attorney

Anne L. Weismann (P.M.S.)

ANNE L. WEISMANN

Raymond M. Larizza

RAYMOND M. LARIZZA

OF COUNSEL:

NELSON A. DIAZ
General Counsel

JOHN W. HEROLD
Associate General Counsel
for Litigation

Attorneys, Department of Justice
Civil Division
Post Office Box 883
Washington, D.C. 20044
(202) 514-4770
Attorneys for Defendants

MICHAEL T. ROBINSON
Senior Trial Attorney

STEPHEN A. CERNY
Trial Attorney

Attorneys, Department of Housing
and Urban Development
451 7th Street, S.W.
Washington, D.C. 20410

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 1994, I served the Federal Defendants' Notice of Filing HUD's First Mobility Counseling Report and HUD's First Mobility Counseling Report, by sending copies thereof, via Federal Express, to:

Michael M. Daniel
Michael M. Daniel, P.C.
3301 Elm Street
Dallas, Texas 75226-1637



RAYMOND M. LARIZZA

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RAYMOND M. LARIZZA

Census Block Maps from Texas A&M University to determine the location of non-impacted neighborhoods in each community. Names of landlords in those communities currently participating in the Section 8 program were obtained from the Public Housing Authority and lists of real estate management firms were obtained from telephone directories in each city. These resources were used to compile a list of potential providers who would be contacted by the Beaumont Fair Housing staff to participate in the placement of families from the waiting lists.

The primary objective of this first phase of mobility counseling was to make a determination of 1) the number of families who would need units in non-minority areas in each community and 2) the availability of housing units in non-minority areas to achieve a balanced occupancy ratio of 50% between class members and nonclass members in the new public housing units in Paris and Nacogdoches. In order to achieve the first part of the objective, the existing public housing waiting lists were cross referenced with the existing waiting list for Section 8 as of September 30, 1994. Based upon a review of the waiting lists it was projected that 30 families in Paris would need housing units and that 45 families in Nacogdoches would need housing units. Once the projected need was established, the next task was to identify sufficient units in non-impacted neighborhoods to satisfy the need.

The staff canvassed non-impacted neighborhoods in Paris and

Nacogdoches for vacant apartments or homes which appeared to meet housing quality standards and to get an idea of the location of the non-impacted communities from the central city. The real estate section of the local newspapers were reviewed daily to identify other vacant units in non-impacted neighborhoods and to determine the average rental charge for such units.

Paris, Texas

The Paris Housing Authority (PHA) and the Arkansas- Texas Council of Governments (COG) operate Section 8 assisted housing programs in Lamar County and have extensive experience in the administration of Section 8 programs, knowledge of the availability of rental property in the area and information on the rental charges for such property. The Beaumont Fair Housing staff worked closely with the PHA staff and the COG staff to obtain their cooperation in forming a more uniform and consistent approach in the administration of the Section 8 program to be implemented pursuant to court order. This would eliminate unnecessary competition for the same housing units.

Two landlord recruitment meetings were held, one on October 19th and the other on October 20th. The purpose of the meetings was to answer questions concerning the administration of the section 8 program and to specifically discuss the need to locate units in the non-impacted areas. The meetings lasted approximately 3

hours each. A total of 30 landlords attended the two meetings. A survey of rental property owned by landlords attending the meeting was taken and reflected that a tight market exists for three bedroom units within the price range authorized for the section 8 voucher program in Lamar County.

Additionally, a meeting was held with the apartment managers association to discuss the association's concerns about the section 8 program and to obtain information on the prevailing market rate for 3 bedroom units in non-impacted neighborhoods. Information was obtained also on the availability of such units in the community. For example, one manager advised that she manages a 125 unit complex which contains only seven three bedrooms units and she occupies one of the three bedroom units herself and has for the last six years.

Prior to going on site at the PHA, staff members assigned to Paris compiled a list of 33 potential landlords. Twenty-one landlords were contacted concerning the utilization of their properties for desegregative housing opportunities. Some of the properties were currently occupied, some were smaller than 3 bedrooms and some landlords were hesitant to accept section 8 tenants. Further attempts will be made to recruit landlords in the remaining 5 months of mobility counseling.

Nacogdoches

Landlord recruitment meetings were originally scheduled for the 17th and 18th of October but had to be rescheduled due to the flooding conditions which occurred in East Texas during that week. The meetings were subsequently held on October 27th and 28th. A total of nine landlords attended the meetings. The purpose of the meetings was to answer questions concerning the administration of the Section 8 program and to discuss HUD's efforts to locate units in the non-impacted areas of the community. The meetings lasted approximately two hours each. Two landlords indicated that they were willing to build new units in non-impacted areas in order to provide suitable housing for low income families. Generally, landlords were receptive to the idea of leasing units to families receiving assistance under the Section 8 voucher program. One of the landlords who expressed a willingness to construct new units in non-impacted areas stated that he currently has a program in effect that allows a low income family who has resided in his property for a total of seven years and has sufficient income, to purchase the property and become a homeowner.

The Beaumont Fair Housing staff worked closely with the Nacogdoches Housing Authority staff during the initial phase of the mobility counseling. The Nacogdoches Housing Authority administers both the City and County Housing Authority programs.

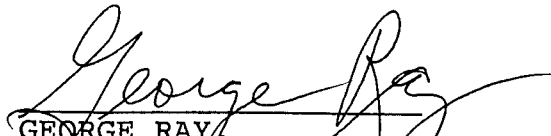
This allows for uniformity in the operation of the Section 8 programs and eliminates competition for the same units and avoids multiple rent structures in the same market area. The Nacogdoches Housing Authority provided invaluable assistance to HUD's Fair Housing staff prior to and during on site mobility counseling efforts.

While in Nacogdoches, staff members contacted 26 landlords by phone concerning the use of their properties for desegregative housing opportunities. Additionally, staff members personally visited five property managers at their sites. Twenty-five landlords had properties which are currently occupied. Fifteen landlords had units smaller than three bedrooms. Eight landlords were hesitant to accept Section 8 tenants because the rents they charged were higher than the approved Section 8 rental assistance. Landlord recruitment will continue as a major part of this mobility counseling program.

Beaumont Fair Housing staff were invited to attend the next Texas Apartment Association meeting in Lufkin, Texas set for November 15, 1994, to discuss Section 8 and Fair Housing requirements. In order to maintain a continuing dialogue with landlords and their representatives the Beaumont office has committed to participating in all future meetings of the Texas Apartment Association in the Nacogdoches-Lufkin area.

Thirteen properties were physically inspected by the Beaumont staff to determine the suitability of the units for those families that will be receiving mobility counseling. Ten of the thirteen units were located in impacted areas and the majority would not have met housing quality standards. Rents were excessive based upon the condition of the units and the amenities offered.

One class member who was determined eligible and suitable for admission received preliminary mobility counseling from the staff. Upon determining the applicants needs, a landlord interested in renting to this applicant was located. If the unit is acceptable to the applicant, assistance will be provided by the staff in negotiating a lease with the landlord.


GEORGE RAY
Litigation/Liason Staff
Fair Housing and Equal
Opportunity

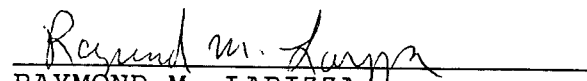
MICHAEL T. ROBINSON
Senior Trial Attorney

STEPHEN A. CERNY
Trial Attorney
Department of Housing
and Urban Development
451 Seventh Stree, S.W.
Washington, D.C. 20410
Telephone: (202) 708-0300

Respectfully submitted,

ROBERT J. WORTHAM
United States Atttorney

FRANK W. HUNGER
Assistant Attorney General


RAYMOND M. LARIZZA
ELISE S. SHORE
Department of Justice
Civil Division
901 E Street, N.W.
Washington, D.C. 20530
Telephone: (202) 514-4770

Attorneys for Defendants